172460

City of Phoenix

Minutes

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

City Council Formal Meeting

Wednesday, April 18, 2018 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, April 18, 2018 at 2:35 p.m. in the Council Chambers.

Present: 9 - Councilman Sal DiCiccio, Councilwoman Kate Gallego, Councilman Michael Nowakowski, Councilwoman Laura Pastor, Councilwoman Debra Stark, Councilman Daniel Valenzuela, Councilman Jim Waring, Vice Mayor Thelda Williams and Mayor Greg Stanton

Councilman Nowakowski joined the voting body via telephone during Citizen Comments. Councilman DiCiccio left the Chambers but remained part of the voting body via telephone during discussion on Item 104 and disconnected after Item 106. Councilwoman Pastor left the meeting during discussion on Items 105-106. Councilwoman Gallego left the Chambers but remained part of the voting body via telephone during discussion on Items 105-106 and disconnected during discussion on Item 108. Councilman Valenzuela left the Chambers but remained part of the voting body via telephone during Citizen Comments held at the end of the meeting.

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

Mayor Stanton wished to take a moment of silence in honor of canine officer Bane who died in the line of duty serving the citizens of Phoenix. He offered condolences to Bane's handler, Police Chief Williams and the entire Phoenix Police Department for the loss of their family member.

CITIZEN COMMENTS

Pat Vint conveyed he asked for a meeting with the City Manager at the previous formal meeting which did not occur. He now requested a meeting with

Councilman DiCiccio.

Councilman DiCiccio agreed to set up a meeting.

Note: Councilman Nowakowski joined the voting body via telephone.

John Rusinek stated furniture and other items were left on property next to his house and wanted it removed immediately as it had been there for a couple of months.

Brent Kleinman asked that Council work with the Parks Department on emergency programs to help parents and kids due to the potential walkouts and teacher strike. Further, he did not think there were enough council districts and thought two to four more were necessary for better representation. He also wanted to start a conversation about Phoenix being a strong Mayor city by changing it so that the duties taken on by the City Manager were the responsibility of the Mayor.

Note: Councilman Nowakowski, participating by phone, temporarily disconnected from the meeting.

Shawn Severud submitted a citizen petition regarding the 2020 Census which requested that Council instruct staff to conduct an analysis and provide recommendations related to the reduction of census funds distribution due to the addition of the citizenship question.

Adrian Bakke yielded his time to Councilwoman Pastor.

Councilwoman Pastor read a statement related to her displeasure about the add-on for selection of Vice Mayor acted on at the previous formal meeting while she was out of the country on City business.

Councilman DiCiccio recalled he tried to do something similar in the past but was told it was not allowed during Citizen Comments. He wanted to know if he was now permitted to address the Council in the same manner.

City Attorney Brad Holm replied it was a combined issue of the chair's discretion and a legal matter. He said he did not have an answer as he had to do

some research but would advise Council after further study.

Ewbey Quintero also wished to yield his time to Councilwoman Pastor.

Councilwoman Pastor noted she did not need additional time.

Note: Councilman Nowakowski rejoined the meeting via telephone.

Linda Hamilton asked for a variance pertaining to a required lock on her sliding patio door because she was installing a pool.

Mayor Stanton instructed staff to speak with Ms. Hamilton about her situation.

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6444 through G-6453; S-44262, S-44447 through S-44502; and Resolutions 21629 through 21631 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

MINUTES OF MEETINGS

1 For Approval or Correction, the Minutes of the Formal Meeting on Feb. 21, 2018

Summary
This item transmits the minutes of the Formal Meeting of Feb. 21, 2018, for review, correction and/or approval by the City Council.

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

A motion was made by Councilman Valenzuela, seconded by Vice Mayor Williams, that this item be approved. The motion carried by voice vote:

Yes: 9 - Councilman DiCiccio, Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Vice Mayor Williams and Mayor Stanton

No: 0

BOARDS AND COMMISSIONS

2 Mayor's Appointments to Boards and Commissions

Summary

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

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

Pacific Rim Advisory Council

Appoint Susan Shauf, for a term to expire April 18, 2022

Water/Wastewater Rate Advisory Committee

Appoint Damon Williams, replacing Jim Pembroke, for a term to expire April 18, 2021

Reappoint Guy Carpenter, for a second term to expire April 18, 2021

Reappoint Richard Rea, for a second term to expire April 18, 2021

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

Yes: 9 - Councilman DiCiccio, Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Vice Mayor Williams and Mayor Stanton

No: 0

3 City Council Appointments to Boards and Commissions

Summary

This item transmits recommendations from the Council for appointment

or reappointment to City Boards and Commissions.

The following individuals were recommended for appointment by Councilman Waring:

Paradise Valley Village Planning Committee
Appoint Eric Cashman, for a term to expire Nov. 19, 2019
Appoint Roy Wise, for a term to expire Nov. 19, 2019

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

Yes: 9 - Councilman DiCiccio, Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Vice Mayor Williams and Mayor Stanton

No: 0

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

Eric Cashman and Roy Wise, Paradise Valley Village Planning Committee; and Damon Williams and Richard Rea, Water/Wastewater Rate Advisory Committee.

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

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

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

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

Rui Ying Bao - Agent, Item 4
Joseph Sayegh - Agent, Item 6
Judith Mellody, Item 7
Sandra Miller, Item 8

A motion was made by Vice Mayor Williams, seconded by Councilwoman Stark, that Items 4 through 12 be recommended for approval. The motion carried by voice vote:

Yes: 9 - Councilman DiCiccio, Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Vice Mayor Williams and Mayor Stanton

No: 0

4 Liquor License - J Chen Restaurant

Request for a liquor license. Arizona State License Application 1207B274.

Summary

Applicant
Rui Ying Bao, Agent

License Type
Series 12 - Restaurant

Location
29850 N. Tatum Blvd., Ste. 107
Zoning Classification: C-2 PCD
Council District: 2

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 May 7, 2018.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the

application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am committed to upholding the best standards for alcohol sales. All our staff will be trained in legal and responsible sales."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Our business will offer guest a comfortable dinning experience."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - J Chen Restaurant
Liquor License Map - J Chen Restaurant

This item was recommended for approval.

5 Liquor License - Homewood Suites Hotel

Request for a liquor license. Arizona State License Application 10132.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 7 - Beer and Wine Bar

Location
2536 W. Beryl Ave.
Zoning Classification: A-1
Council District: 3

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

The 60-day limit for processing this application is April 28, 2018.

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

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

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

comment period.

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Homewood Suites Hotel has been a popular Phoenix hotel for many years. Applicant would like to continue to offer alcoholic beverages to its guests 21 and over."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Homewood Suites Hotel
Liquor License Map - Homewood Suites Hotel

This item was recommended for approval.

6 Liquor License - Joseph Quick Stop

Request for a liquor license. Arizona State License Application 10590.

Summary

Applicant
Joseph Sayegh, Agent

License Type
Series 10 - Beer and Wine Store

Location

14875 N. Cave Creek Road
Zoning Classification: C-2
Council District: 3

This request is for a new liquor license for a convenience store that does not sell gas. 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 May 1, 2018.

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

Other Active Liquor License Interest in Arizona
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 mangment and knowledge of the business and I have also for that

store for many years and know what it takes. Capability to be resposible for my actions and I know the qualifications to hold a liquor lic, rules, guide lines."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "To serve the community its convince to the community that shop has been serving people for the last 30+ years and I would like to keep serving them."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Joseph Quick Stop
Liquor License Map - Joseph Quick Stop

This item was recommended for approval.

7 Liquor License - Bri

Request for a liquor license. Arizona State License Application 10534.

Summary

Applicant
Raymond Mellody-Marquez, Agent

License Type
Series 12 - Restaurant

Location
2221 N. 7th St.
Zoning Classification: C-1 CNSPD
Council District: 4

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. This location requires a Use Permit to allow the sale of alcoholic beverages, outdoor dining and outdoor alcohol consumption.

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

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

Other Active Liquor License Interest in Arizona
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 taken classes to understand the laws & regulations to serve alcohol responsibly."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The restaurant will be a spot for the neighborhood to come together to try food from other cultures with the convenience of waking or riding their bikes within the Coronado Historic Neighborhood."

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

Attachments
Liquor License Data - Bri
Liquor License Map - Bri

This item was recommended for approval.

8 Liquor License - Quail Lounge

Request for a liquor license. Arizona State License Application 06070165.

Summary

Applicant
Cecelia Miller, Agent

License Type
Series 6 - Bar

Location
4134 N. 7th Ave.
Zoning Classification: C-2
Council District: 4

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

The 60-day limit for processing this application was April 1, 2018. However, the applicant submitted a written request for more time.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application

is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
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 an extensive statement. A copy is available upon request to the City Clerk's Office at 200 W. Washington St., 1st Floor, Phoenix, AZ 85003.

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

Attachments
Liquor License Data - Quail Lounge
Liquor License Map - Quail Lounge

This item was recommended for approval.

9 Liquor License - High Dive

Request for a liquor license. Arizona State License Application 1207B317.

Summary

Applicant
Amy Nations, Agent

License Type
Series 12 - Restaurant

Location
4231 E. Indian School Road
Zoning Classification: C-1
Council District: 6

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

The 60-day limit for processing this application is April 23, 2018.

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

Other Active Liquor License Interest in Arizona
This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

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

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are

shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
“High Dive is led by a management team combining over 100 years of experience The founder has created, designed and managed over 20 unique concepts in multiple locations throughout the southwest including Scottsdale, San Diego and Denver.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“High Dive is a unique concept to be added to it's Phoenix neighborhood. It's a small place that will have great food, a great environment and great people. It will soon be this neighborhoods any many others most favorite place to eat.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - High Dive
Liquor License Map - High Dive

This item was recommended for approval.

10 Liquor License - Special Event - Arvizu Charities, Inc.

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

Summary

Applicant
Andres Arvizu

Location
200 W. Washington St.
Council District: 7

Function
Cultural Celebration

Date(s) - Time(s) / Expected Attendance
May 6, 2018 - Noon to 10 p.m. / 25,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

11 Liquor License - Special Event - American Alliance of Museums

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

Summary

Applicant
Veronica Mooney

Location
113 N. 6th St.
Council District: 8

Function
Networking Reception

Date(s) - Time(s) / Expected Attendance
May 6, 2018 - 6 p.m. to 8 p.m. / 150 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

12 Liquor License - Special Event - American Alliance of Museums

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

Summary

Applicant
Veronica Mooney

Location
215 N. 7th St.
Council District: 8

Function
Networking Reception

Date(s) - Time(s) / Expected Attendance
May 7, 2018 - 7 p.m. to 10 p.m. / 400 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

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

Haley Ritter, Item 48
Susan Edwards, Item 55
Ruth Ann Marston, Item 55
G.G. George, Item 55
Louisa Stark, Item 55
Doug Cox, Item 98
Brad Flahiff, Item 98

A motion was made by Vice Mayor Williams, seconded by Councilwoman Pastor, that Items 13 through 108 be approved or adopted, except Items 25-26, 28, 43, 49, 52, 57-58 and 104-108; noting that Item 50 is withdrawn and Item 27 is as corrected. The motion carried by the following vote:

Yes: 9 - Councilman DiCiccio, Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Vice Mayor Williams and Mayor Stanton

No: 0

Items 13-24, Ordinance S-44447, were requests to authorize the City Controller to disburse funds up to amounts indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code Section 42-13.

13 Damien Dickerson, doing business as Supreme Escalator Cleaning, LLC

For $60,000.00 in payment authority to purchase three Mach EC510 escalator cleaning machines for the Aviation Department. These machines will be used to deep clean the escalator and moving walkways at Phoenix Sky Harbor International Airport four times a year. Acquiring these machines will save costs and allow City staff to clean the escalators and moving walkways at an appropriate level of frequency.

This item was adopted.

14 Little Stinker Septic Service, LLC

For $25,000.00 in payment authority for a new contract, entered on or about April 15, 2018, for a term of five years, for port-a-john services for the Parks and Recreation Department. The Parks and Recreation Department owns a remote located facility called Camp Colley. The camp serves under-privileged youth and is off-grid, operated by solar equipment with a back-up generator. The contractor will provide portable restrooms and services, including pumping and cleaning.

This item was adopted.

15 Settlement of Claim - East Valley Disaster Services, Inc.

To make payment of $91,741.73 to East Valley Disaster Services, Inc. for water damages related to claim 17-0101-001 GL PD, for the Finance Department pursuant to Phoenix City Code Chapter 42.

This item was adopted.

16 CovertTrack Group, Inc.

For $11,000.00 in payment authority to purchase CovertCall licenses and

CovertTrack phone service for the Police Department Vice Squad. Website and mobile access and 24/7 trouble shooting and support are included. This purchase is a critical investigative tool that will increase officer safety, reduce man hours and overtime costs for tracking suspects.

This item was adopted.

17 Settlement of Claim *Candreva v. City of Phoenix*

To make payment of $275,000.00 in settlement of claim in *Candreva v. City of Phoenix*, Maricopa County Superior Court, Case CV2017-055551, 16-0473-001 AU BI, for the Finance Department pursuant to Phoenix City Code Chapter 42.

This item was adopted.

18 Stifel, Nicolaus & Company, Inc.

For $75,000.00 in payment authority for a new contract, entered on or about April 18, 2018, through completion of financial advisory services for the Finance Department. The Finance Department desires to engage Stifel, Nicolaus & Company, Inc. to render financial consulting services in connection with the City's Community Facilities Districts (CFD). The purpose of this contract is to provide advisory services ensuring the City complies with rules and regulations while protecting the City's financial credit. The vendor will assist the City on an as-needed basis with feasibility of potential CFDs.

This item was adopted.

19 Arizona Science Center

For $160,000.00 in payment authority for Contract 127032 for the annual reimbursement of utilities for the Parks and Recreation Department per the contract agreement with the Arizona Science Center.

This item was adopted.

20 State of Arizona, Arizona Department of Agriculture Pest Management Division

For $15,500.00 in payment authority to purchase the renewal of 180 pesticide applicator licenses for the Parks and Recreation Department. Arizona law requires all pesticide applicators be licensed, and licenses be renewed annually to apply pesticides to control weeds and pests

throughout City park locations. The Arizona Department of Agriculture Pest Management Division is the only agency authorized to approve and issue these licenses.

This item was adopted.

21 Broadcast Music, Inc.

For $9,800.00 in payment authority to purchase a music license for the Parks and Recreation Department. The license allows copyrighted music to be played at various City of Phoenix park locations in compliance with the non-dramatic public performances of copyrighted works. The license is for the 2018 calendar year and encompasses all who want to perform copyrighted music publicly.

This item was adopted.

22 Arizona Humanities Council

For $11,500.00 in payment authority for reimbursement of utilities payments to the Arizona Humanities Council per Memorandum of Lease 123292-MOL-0 at the Ellis-Shackelford House for the Parks and Recreation Department.

This item was adopted.

23 Arizona State University

For $65,000.00 in payment authority for the annual operating and maintenance fees of the Downtown Phoenix Civic Space A.E. England Building to Arizona Board of Regents on behalf of Arizona State University as per Contract 119092 for the Parks and Recreation Department.

This item was adopted.

24 K & R Holdings, Inc.

For $32,484.00 in payment authority to support a project change order for supplementary luminescent egress markings for the Phoenix Municipal Court. During the final facility inspection, the Fire Inspector identified new areas requiring luminescent markings that were not included in the original scope of work. The installation of luminescent marking to the additional corridors, hallways and stairwells will satisfy Fire Code Chapter 10, section 1024 requirements and will allow the fire inspector to approve the project and finalize permit pursuant for the

Phoenix Municipal Court.

This item was adopted.

27 Proposed Avenida Del Sol Annexation - Authorization to File

Request to authorize the City Manager, or his designee, to file with the Maricopa County Recorder's Office a blank petition for a proposed annexation. This annexation was requested by Jon Peterson, with Additional Option, LLC for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation.

Summary

Signatures on the proposed annexation petition shall not be obtained for a waiting period of 30 days after filing the blank petition with the Maricopa County Recorder. Additionally, a Public Hearing will be scheduled within this 30-day waiting period, permitting the City Council to gather community input regarding the annexation proposal. Formal adoption of this proposed annexation will be considered at a later date.

Location

The proposed annexation area includes parcels 212-15-002X and 212-15-002W and is located north of Pinnacle Peak Road on 23rd Street (**Attachment A**). The annexation area is approximately 2.5 acres (0.0039 sq. mi.) and the population estimate is five individuals.
Council District: 2

This item was approved as corrected.

29 Contract for Heavy Equipment, Parts, Accessories, Supplies and Related Services - National Intergovernmental Purchasing Alliance Cooperative Contract (Ordinance S-44455)

Request to authorize the City Manager, or his designee, to access the National Intergovernmental Purchasing Alliance (National IPA) Cooperative Contract and to enter into a contract with Empire Southwest, LLC to purchase heavy equipment, parts, accessories and related services. The aggregate contract value will not exceed $20,000,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department plans to acquire specialty off-road Caterpillar equipment to replace aging units. The contract will accommodate replacement of D9 tractors, motor graders, hydraulic excavators, wheel loaders and generators. The equipment is used by departments such as the Street Transportation, Information Technology Services, Aviation, Library, and Public Works departments to provide essential citywide services to Phoenix residents. The equipment is heavily used and needed to perform street maintenance and repairs, facility upkeep, landfill operations and maintenance, and solid waste services at two transfer stations.

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded through a competitive process consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43. Cooperative agreements allow the City to benefit from national government pricing and volume discounts. The National IPA contract covers Caterpillar heavy equipment, parts, and related services and was awarded May 1, 2017. Empire Southwest, LLC is the only Caterpillar dealer authorized to sell equipment and offer related services in Arizona under the Caterpillar dealer agreement for establishing regional territories.

Contract Term

The five-year contract term shall begin on or about April 15, 2018.

Financial Impact

The aggregate contract value will not exceed $20,000,000 or an estimated annual average of $4,000,000. Funds are available in the Street Transportation, Information Technology Services, Aviation, Library, and Public Works departments' budgets.

This item was adopted.

30 Legal Research - Online, Software, and Material - ADSPO12-014733 (Ordinance S-44456)

Request to authorize the City Manager, or his designee, to access the State of Arizona Cooperative Contract ADSPO12-014733 with West

Publishing Corporation, doing business as Thomson West, a Thomson Reuters Business, to provide legal research - online, software, and material for citywide departments. The aggregate contract value will not exceed $1,100,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract will allow citywide departments, including but not limited to Law, Library, Neighborhood Services and Police, to access legal and investigative resources such as Westlaw, CLEAR Investigate Software and all related products, solutions and print material. These resources include exclusive content, features and proprietary tools.

The Law Department uses Westlaw services to provide attorneys and prosecutors access to electronic legal research services, investigative tools, and legal reference material; services include access to State and Federal court decisions, statutes, administrative regulations and decisions, and national public records. Westlaw services are also essential to the Library's operations as they offer patrons access to cutting-edge search tools, exclusive editorial enhancements such as West Key Number Digest system, a comprehensive and widely used indexing system for case law materials and an unsurpassed collection of primary law and legal information. By using Westlaw services, researching for the customer is more complete and offers current and accurate legal materials in a timely and cost efficient manner.

The CLEAR tool provides investigative resources to assist in locating and connecting subjects and is a search tool for the City Prosecutor's Office to help locate victims and witnesses as necessary for trials. In addition, the CLEAR tool provides Neighborhood Services easy access to conduct online skip tracing research as required by code enforcement staff for court case preparation and abatement lien foreclosure program research. Search capabilities include reverse phone lookup, credit bureaus, vehicle records and business information. Furthermore, the Police Department utilizes the CLEAR tool for intelligence gathering and analysis when investigating potential Human or Labor trafficking cases which allows for identification of potential victims and suspects of human trafficking. The Police Department also obtains print material for legal updates to the Arizona Statutes.

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded through a competitive process consistent with the City's procurement process, as set forth in the Phoenix City Code, Chapter 43. Utilization of cooperative agreements allows the City to benefit from national government pricing and volume discounts. The State of Arizona contract covers legal research - online, software and material and was awarded May 21, 2012.

Contract Term

The five-year contract shall begin on or about April 1, 2018.

Financial Impact

The aggregate contract value will not exceed $1,100,000 (including applicable taxes) with an estimated annual expenditure of $220,000. Funds are available in all City of Phoenix departments' budgets.

This item was adopted.

31 Purchase Evinrude Boat Motors and Associated Parts - Requirements Contract - IFB 18-106 (Ordinance S-44457)

Request to authorize the City Manager, or his designee, to enter into a contract with Complete Marine to purchase Evinrude Boat Motors and Associated Parts for the Fire Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $90,000.

Summary

The Fire Department, Arizona Task Force One (AZ-TFI), must maintain standardized equipment for deployment to national incidents at the request of the Federal Emergency Management Agency (FEMA). The Evinrude Boat Motors and Associated Parts are state-of-the-art equipment that are approved by the Federal Emergency Management Agency (FEMA) that helps the Arizona Task Force One (AZ-TFI) have reliable equipment to quickly access and rescue victims in flooded and swiftwater environments.

Procurement Information

Invitation for Bid (IFB) 18-106 was conducted in accordance with Administrative Regulation 3.10. There were two offers received by the Procurement Division on Jan. 19, 2018. This contract is being awarded as all or none. Following are the two offers received:

Complete Marine: $16,731.00
Triad Marine: $16,486.00

The offer from Triad Marine was not responsive as their offer did not include all of the items that were required in the Scope of Work. The Deputy Finance Director recommends that the offer from Complete Marine be accepted as a responsive and responsible offer.

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

Financial Impact
The aggregate contract value will not exceed $90,000. Funds are available in the Fire Department's budget.

This item was adopted.

32 Acquisition of Temporary Construction Easements for a Safe Route to School Improvement Project Along Sunland Avenue Between 16th Drive and 15th Avenue (Ordinance S-44458)

Request to authorize the City Manager, or his designee, to acquire temporary construction easements for a Safe Route to School project by donation, within the City's appraised value, or by the power of eminent domain. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
Sunland Avenue between 16th Drive and 15th Avenue is currently an unimproved dirt road that has experienced illegal dumping and homeless camps. Students in this area also use the dirt road for pedestrian access to school. Neighborhood Services' Community Development Block Grant (CDBG) Program funds will be used to improve these roads for a safer route to school, which includes new asphalt, curb, gutter, sidewalk, and Americans with Disabilities Act (ADA) compliant ramps. Parcels affected by the project are identified in **Attachment A**.

Financial Impact

Acquisition for the project will be funded with Capital Construction Funds, available in the Street Transportation Department's Capital Improvement Program budget.

Location

Sunland Avenue, between 16th Drive and 15th Avenue.
Council District: 7

This item was adopted.

33 Pre-Engineered Fabric Shade Structures - MESC 16D-SHADE-0304 and 16D-SSI-0401 (Ordinance S-44466)

Request to authorize the City Manager, or his designee, to allow the use of the Mohave Educational Services Cooperative, Inc's (MESC) contracts with Shade 'N Net of Arizona, Inc. and Shade Structures, Inc. dba USA Shade & Fabric Structures to provide a wide range of shade structure products and services for the Parks and Recreation and Water Services departments. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $325,000 over the life of the contract.

Summary

These contracts will support efforts to repair and replace current shade structures throughout the City. Many existing shade structures are at the end of their lifecycle, and these contracts will ensure that the departments can provide a wide range of shade structure products and services while maintaining uniformity at City sites. These products and services are essential to daily operations at Parks and Recreation and Water Services Department locations, as they provide equipment protection, reduce exposure to harmful UV rays and help maintain cooler temperatures.

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement. The City of Phoenix is a member of MESC and these contracts were awarded through a competitive process consistent with the City's procurement processes as set forth in the Phoenix City Code, Chapter 43. Utilization of these agreements allows the City to benefit from national

governmental pricing and volume discounts.

Contract Term
The five-year contract term will begin on or about April 24, 2018.

Financial Impact
The aggregate contract value will not exceed $325,000, with an estimated annual expenditure of $65,000. Funds are available in the Parks and Recreation and Water Services departments' budgets.

This item was adopted.

34 Recreational and Playground Equipment, Accessories and Supplies - National Joint Powers Alliance (Ordinance S-44469)

Request to authorize the City Manager, or his designee, to allow the use of the National Joint Powers Alliance (NJPA) cooperative contracts with Landscape Structures, Inc. and Miracle Recreation Equipment Company to provide a wide range of playground equipment, accessories and services for the Parks and Recreation Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $2 million, with estimated annual expenditures of $400,000.

Summary
These contracts will support efforts to repair and replace current playground and outdoor fitness equipment throughout the City. Much of the existing playground equipment is at the end of its lifecycle and these contracts will ensure that the department can purchase a wide variety of new equipment to enhance and support the quality of recreational programs and services that are provided to the residents of Phoenix. The playground equipment and accessories will be used in various park locations throughout the City.

Procurement Information
In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement. The City of Phoenix is a member of National Joint Powers Alliance and these contracts were awarded through a competitive process, consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43. Utilization of this agreement allows the City to benefit from

national governmental pricing and volume discounts.

The Deputy Finance Director recommends the City's participation in this agreement with National Joint Powers Alliance be accepted.

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

Financial Impact
The aggregate contract value will not exceed $2 million, with estimated annual expenditures of $400,000. Funds are available in the Parks and Recreation Department's budget.

This item was adopted.

35 Acceptance and Dedication of Easements for Public Utility Purposes (Ordinance S-44475)

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

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

Easement (a)
Applicant: TSALM SERVICES LLC, its successor and assigns
Purpose: Public Utilities
Location: 2639 N. 29th Place
File: FN 180007
Council District: 8

Easement (b)
Applicant: TSALM SERVICES LLC, its successor and assigns
Purpose: Public Utilities
Location: 2639 N. 29th Place
File: FN 180007
Council District: 8

This item was adopted.

36 Hot Mix Asphalt Products - Requirements Contract - RFQu 18-206 (Ordinance S-44479)

Request to authorize the City Manager, or his designee, to enter into contracts with Vulcan Materials Company and Brewer Cote of Arizona to supply various hot mix asphalt products as needed by the Street Transportation and Aviation departments. Further request authorization for the City Controller to disburse all funds related to this item. The five-year aggregate contract value will not exceed $11,232,500 over the life of the contract.

Summary

The Street Transportation and Aviation departments use various hot asphalt mix designs, Citywide, for maintenance and repair work related to asphalt. Typical work includes removal and replacement of damaged asphalt, and repairs due to scabbing, potholes, shoving, and cave-ins. Asphalt work occurs on all major, collector and local streets as well as on paved alleys or City-owned parking lots. In addition, these products will be used to maintain and repair runways, taxiways, aprons and roadways at the three airports managed by the City. The asphalt mix used by the City meets or exceeds the standards as set by the Materials Lab and City Engineer.

Procurement Information

Request for Qualifications (RFQu) 18-206 was conducted in accordance with Administrative Regulation 3.10, with the intent of establishing a Qualified Vendor List (QVL) of qualified vendors to supply various hot mix asphalt products. There were two offers received by the Finance Department's Procurement Division on Feb. 21, 2018.

The following vendors are being recommended to be included in the QVL:
Vulcan Materials Company
Brewer Cote of Arizona

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

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

Financial Impact
The five-year aggregate contract value will not exceed $11,232,500, with an estimated annual expenditure of $2,246,500. Funds are available in the Street Transportation and Aviation departments' budgets.

This item was adopted.

37 Acceptance and Dedication of Easements for Temporary Turnaround and Public Utility Purposes (Ordinance S-44480)

Request for the City Council to accept and dedicate easements for temporary turnaround and public utility purposes. Furthermore, the temporary turnaround easement shall be automatically abandoned at such time as Donner Drive is extended to the west, improved, and accepted by the City of Phoenix. Further ordering the ordinance recorded.

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

Easement (a)
Applicant: Woodside Homes Sales AZ, LLC, its successor and assigns
Purpose: Temporary Turnaround
Location: 3422 W. Baseline Road
File: 170124
Council District: 8

Easement (b)
Applicant: Trellis, its successor and assigns
Purpose: Public Utility
Location: 702 N. 11th St.
File: 180012
Council District: 8

This item was adopted.

38 Fence Supply and Service Contract Award (Ordinance S-44481)

Request to authorize the City Manager, or his designee, to enter into a contract with Western Fence Co., Inc., Phoenix Fence, and Liberty Fence & Supply, LLC to provide the City with various types of fencing supplies and services in the amount not to exceed $250,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Contractors will provide various types of fencing supplies and services. The primary department using these contracts is the Housing Department for their Section 32 Homeownership Program. The requested products are critical and essential to citywide facility operations.

Procurement Information

IFB 18-208 Fence Supply and Service Federally Funded was conducted in accordance with Administrative Regulation 3.10. The solicitation was e-mailed to 68 suppliers and was posted on the City's website. Five offers were received by the Procurement Division on Feb. 23, 2018. Offers were solicited for four Groups:

Group 1: Block and Masonry Fencing - Basically block or concrete walls/fences.
Group 2: Ornamental Steel Fencing - Specialized steel and ornamental, wrought-iron type of fencing.
Group 3: Chain-Link Fencing - Chain-link fences and some gates.
Group 4: Wood Fencing.

The Deputy Finance Director recommends the offer from: Western Fence Co., Inc. for Group 1; the offer from Phoenix Fence Company for Group 2 and Group 3; and the offer from Liberty Fence & Supply LLC for Group 4, be accepted as the lowest, responsive and responsible offers.

Contract Term

The three-year contract will begin on or about May 1, 2018 and end on or about April 30, 2021. There are two one-year renewal options, which can extend the contract to end on or about April 30, 2023.

Financial Impact

The aggregate contract value including all option years shall not exceed

$250,000. Funds are available in the Housing Department's budget.

This item was adopted.

39 Acquisition of Temporary Construction Easements for Montezuma Street Improvement Project, between Fremont Road and Carson Road - ST87110148 (Ordinance S-44482)

Request to authorize the City Manager, or his designee, to acquire temporary construction easements in all or portions of improved or vacant land by donation, purchased within the City's appraised value, or by the power of eminent domain for the Montezuma Street Improvement Project. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

Montezuma Street is currently two lanes beginning at Fremont Road and tapers down to one lane approximately 300 feet south of Carson Road. Acquisition is required to widen Montezuma Street to two lanes at this location to match the roadway width to the south. Roadway improvements included in this project are new Americans with Disabilities Act (ADA) compliant curb ramps, sidewalks, and gutter along the east side of Montezuma Street. The properties impacted by this project are identified in **Attachment A**.

Financial Impact

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

Location

Montezuma Street, south of Carson Road
Council District: 7

This item was adopted.

40 Acceptance and Dedication of Deeds and Easements for Roadway, Sidewalk and Public Utility Purposes (Ordinance S-44484)

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

Summary

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

Easement (a)
Applicant: Project Veterans Pride, an Arizona corporation, its successor and assigns
Purpose: Sidewalk
Location: 6720 N. 27th Ave.
File: FN180014
Council District: 5

Easement (b)
Applicant: Eduardo and Alma Sanchez, husband and wife, its successor and assigns
Purpose: Public Utility
Location: 4526 W. Gelding Drive
File: FN180008
Council District: 1

Deed (c)
Applicant: Christopher Mark and Ashlee Jaye Candelaria, husband and wife, its successor and assigns
Purpose: Roadway
Location: 2046 N. 52nd St.
File: FN180006
Council District: 6

This item was adopted.

41 Information Technology Professional Services - State of Arizona Cooperative Contract - ADSPO12-031581 (Ordinance S-44485)

Request to authorize the City Manager, or his designee, to access the State of Arizona Cooperative Contract ADSPO12-031581 and enter into a contract with Guidesoft Inc., D.B.A. Knowledge Services to provide Information Technology Professional Services for the Phoenix Police Department in an amount not to exceed $204,400. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This request is for IT professional services to implement an online system for submittal, internal tracking, and fulfillment of public records requests for the Police Department. Services will include design of an online portal for records requests, as well as implementation of internal workflows. The online portal will allow users to submit public records requests, check the status of requests, and make any payments for records. The system will utilize the customer relationship management (CRM) application already in use by the city.

The Police Department currently receives more than 75,000 public records requests each year, and has consistently had a backlog of requests. In October 2016, the city selected the public safety public records request process to be part of the city's continuous improvement program, AdvancePhx. This program utilizes LEAN principles and practices to improve city processes. An in-depth analysis of the process, called a Kaizen, was performed on this public records request process, and multiple changes were recommended. These changes have already had a significant impact, but sustained success requires the replacement of labor-intensive manual processes, and outdated, custom-built tracking applications with a modern online request system. Utilizing the CRM already in use by the city will also allow for potential expansion of this system to address other city public requests in the future, if appropriate.

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 competitive process consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43. Utilization of cooperative agreements allows the City to benefit from national government pricing and volume discounts. The State of Arizona contract covers Information Technology Professional Services and was awarded on Sept. 4, 2012.

Contract Term

The two-year contract term shall begin on or about April 18, 2018.

Financial Impact

The aggregate contract value will not exceed $204,400. Funds are available in the Police Department's budget.

This item was adopted.

42 Citywide Fence Supply and Services (Ordinance S-44486)

Request to authorize the City Manager, or his designee, to enter into a contract with Western Fence Co., Inc., Phoenix Fence, and LP Steel Industries to provide the City with various types of fencing supplies and services in the amount not to exceed $1,800,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Contractors will provide various types of fencing supplies and services relating to: replacing, furnishing and installing and/or repairing chain-link, block, ornamental, or any such combination of fencing. Fence rentals will also be covered by this contract. The primary departments using these contracts are the Aviation, Neighborhood Services, Parks and Recreation, Public Works, Street Transportation, and Water Services departments. The requested products are critical to citywide facility operations.

Procurement Information

IFB 18-207 Fence Supply and Service was conducted in accordance with Administrative Regulation 3.10. The solicitation was emailed to 70 suppliers and was posted on the City's website. Six offers were received by the Procurement Division on Feb. 23, 2018.

The Deputy Finance Director recommends the offer from: Western Fence Co., Inc. for Group 1; the offer from Phoenix Fence Company for Group 2 and Group 3; and the offer from LP Steel Industries for Group 4 be accepted as the lowest, responsive and responsible offers.

Contract Term

The five-year contract will begin on or about May 1, 2018 and end on or about April 30, 2023.

Financial Impact

The aggregate contract value through 2023 shall not exceed $1,800,000. Funds are available in various department budgets.

This item was adopted.

44 Fitness Equipment Purchase, Repair and Preventative Maintenance - MESC 17H-GSRC-0930 (Ordinance S-44490)

Request to authorize the City Manager, or his designee, to allow the use of the Mohave Educational Services Cooperative, Inc. (MESC), to contract with Gym Source USA, LLC for fitness equipment purchase, repair and preventative maintenance services for the Parks and Recreation Department. Further request the City Controller to disburse all funds related to this item. The five-year aggregate value of this contract will not exceed $150,000 with an annual estimated expenditure of $30,000.

Summary

The Parks and Recreation Department operates multiple community centers that provide City residents the use of various fitness equipment, such as free and circuit weights and miscellaneous cardio fitness machines. Because it is imperative that the fitness equipment operate safely and according to manufacturer specifications, this contract will be utilized to provide repair services and regularly scheduled preventative maintenance of equipment, as well as allowing the purchase of new fitness equipment, on an as-needed basis. These fitness centers are essential to the operation of Parks, in continuing to provide core services to City residents.

Procurement Information

The City of Phoenix is a member of the MESC, and the contract between MESC and Gym Source USA, LLC was awarded through a competitive process, consistent with the City's procurement processes as set forth in Phoenix City Code, Chapter 43. Utilization of the MESC contract allows the City to benefit from cooperative governmental pricing and volume discounts.

Contract Term

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

Financial Impact

The five-year aggregate value of this contract will not exceed $150,000 with an annual estimated expenditure of $30,000. Funds are available in the Parks and Recreation Department's budget.

This item was adopted.

45 Playground and Outdoor Fitness Equipment, Site Accessories, Surfacing and Related Products and Services - U.S. Communities (Ordinance S-44491)

Request to authorize the City Manager, or his designee, to allow the use of the U.S. Communities contract with Playcore Wisconsin, Inc., dba Game Time, to provide a wide range of playground equipment, accessories and services for the Parks and Recreation Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $200,000, with an estimated annual expenditure of $40,000.

Summary

This contract will support efforts to repair and replace current playground and outdoor fitness equipment throughout the City. Much of the existing playground equipment is at the end of its lifecycle, and these contracts will ensure that the department can purchase a wide variety of new equipment to enhance and support the quality of recreational programs and services that are provided to the residents of Phoenix. The playground equipment and accessories will be used in various park locations throughout the City.

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement. The City of Phoenix is a member of U.S. Communities Government Purchasing Alliance and this contract was awarded through a competitive process, consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43. Utilization of this agreement allows the City to benefit from national government pricing and volume discounts.

Contract Term

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

Financial Impact

The aggregate contract value will not exceed $200,000, with an estimated annual expenditure of $40,000. Funds are available in the Parks and Recreation Department's budget.

This item was adopted.

46 Playground, Fitness and Related Equipment (Ordinance S-44496)

Request to authorize the City Manager, or his designee, to allow additional expenditures and to extend the term of Contract 144992 with Dave Bang Associates, Inc. to provide a wide range of playground, fitness and related equipment for the Parks and Recreation Department. Further request authorization for the City Controller to disburse all funds related to this item. Upon approval of $2 million in additional funds, the revised aggregate value of the contract will not exceed $2.5 million.

Summary

Additional funds are being requested to allow the Parks and Recreation Department to utilize an existing agreement that was originally established, through the use of a Mojave Educational Services Cooperative Contract, to support the Human Services Department Head Start Birth to Five Program. The Parks and Recreation Department will use the contract to repair and replace current playground and outdoor fitness equipment throughout the City. Much of the existing playground equipment is at the end of its lifecycle, and this contract will ensure that the department can purchase a wide variety of the new equipment to enhance and support the quality of recreational programs and services that are provided to the residents of Phoenix. The playground, fitness and related equipment will be used in various park locations throughout the City.

Contract Term

The contract term will be extended through April 30, 2023.

Financial Impact

Upon approval of $2 million in additional funds, the revised aggregate value of the contract will not exceed $2.5 million. Funds are available in the Parks and Recreation Department's budget.

Concurrence/Previous Council Action
Council approval was granted on May 10, 2017 to enter into an agreement utilizing Mojave Educational Services Cooperative Contract 14X-BANG-0220.

This item was adopted.

47 Paralegal Services (Ordinance S-44492)

Request to authorize the City Manager, or his designee, to extend Contract 138292 with Lee Davis and Associates, Inc., and to authorize additional expenditures in an amount of $403,000 for Paralegal Services. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The Law Department sources a large number of litigation cases that had previously been assigned to outside legal counsel. The in-sourcing has resulted in significant savings to the City on an annual basis. In order to properly handle these cases, the City of Phoenix relies on the assistance of Lee Davis and Associates, Inc., a paralegal firm. The firm provides vital services such as document management, medical records analysis, legal research and other duties the Assistant City Attorney or sole in-house litigation paralegal may not have the capacity for and that other staff may not be qualified to handle or prepared to accomplish within important timeframes. The additional funds are needed to continue obtaining services from Lee Davis and Associates, Inc. to bridge the gap in defending the City against lawsuits and to ensure the Law Department operates efficiently and effectively.

The authorization of additional funds will also support the completion of the Aviation Department Planning and Environmental Division's project consisting of Lee Davis and Associates, Inc., reviewing, organizing, and logging approximately 520 boxes of technical and regulatory information. This project is necessary to organize the information in a consistent and orderly manner to support accessibility of the information which may be required to respond to future regulatory inquiries or legal claims.

Contract Term
This request will extend the contract up to 12 months on a

month-to-month basis beginning July 1, 2018. During this time, staff will finalize and issue the new procurement for Paralegal Services.

Financial Impact

With the $403,000 in additional funds, the contract's revised aggregate value is now $1,903,000 (including applicable taxes). Funds are available in the Law Department's operating budget.

Concurrence/Previous Council Action

This contract is a result of RFQu11-LAW-003 awarded by Formal Council Action on April 4, 2014, with an original aggregate value of $1,500,000.

This item was adopted.

48 Real-Time Captioning (CART) and Sign Language Interpreter Services - State of Arizona Cooperative Contracts - ADSPO 13-044183 and ADSPO 13-044185 (Ordinance S-44494)

Request to authorize the City Manager, or his designee, to access the State of Arizona Cooperative Contracts ADSPO 13-044183 with Arizona Interpreting Service, Inc. and ADSPO 13-044185 with Karla M. Martin, RPR, CSR, CR for citywide departments. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $25,000.

Summary

These citywide contracts will provide onsite and remote interpreter and captioning services to include sign language interpreters, oral interpreters, Video Remote Interpreting (VRI) and real-time captioning or communication access real-time translation (CART) services on an as-needed basis. Interpreter and captioning services will support the City's efforts to remove language and other communication barriers during public, private and community meetings and events in addition to complying with the provisions of the Americans with Disabilities Act.

Procurement Information

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

the Phoenix City Code, Chapter 43. Utilization of cooperative agreements allows the City to benefit from national government pricing and volume discounts. The State of Arizona contracts cover real-time captioning (CART) and sign language interpreter services and were awarded on March 27, 2013.

Contract Term

The five-year contract term shall begin on or about April 18, 2018.

Financial Impact

The aggregate contract value will not exceed $25,000 (including applicable taxes), with an estimated annual expenditure of $5,000. Funds are available in all City of Phoenix departments' budgets.

This item was adopted.

50 Contract for Automatic External Defibrillators (Ordinance S-44498)

Request to authorize the City Manager, or his designee, to allow the use of the US Communities Contract (12-JLH-011) with Cintas Corporation for the purchase of automatic external defibrillators (AEDs). Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $2,191,200.

Summary

This contract is necessary to replace the aging inventory of AEDs citywide. The AEDs are used to treat sudden cardiac arrest by sending an electric shock to the heart to restore normal rhythm. The devices are critical to provide life safety efforts to the public in City facilities.

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded through a competitive process consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43. The US Communities contract covers the leasing of equipment, assessment of equipment, installation, online compliance tool, monthly inspections and replacement of pads and batteries. The contract was awarded on April 1, 2012. The use of this cooperative contract will provide the City the deepest national discounts on the devices.

Contract Term
The contract term will be effective through March 31, 2023.

Financial Impact
The aggregate contract value will not exceed $2,191,200. Funds are available in various departments' budgets. Cintas Corporation is offering between $40-$600 for trade in of existing AEDs through July 31, 2018, depending on age of equipment.

This item was withdrawn.

51 Information Systems Disaster Recovery Services (Ordinance S-44461)

Request to authorize the City Manager, or his designee, to enter into an agreement with Sungard Availability Services for citywide information systems disaster recovery services in an amount not to exceed $676,380 over the five-year term of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
Maintaining disaster recovery services ensures that information technology systems supporting critical city processes and services can be recovered within a short period of time in the event of a disaster. Services include alternate locations, reserved computer systems, planning, and communication tools in North America from which to recover critical city business systems in the event that a disaster makes City-owned technology infrastructure inoperable. Examples of critical business systems include SAP, eCHRIS, and the Court Management System. The City currently has a contract for disaster recovery services that is close to expiration. This request is to enter into a new contract for disaster recovery services to replace the expiring contract, as well as to provide more current options for disaster recovery and the capability to support modern, high-availability technology architectures.

Procurement Information
On Jan. 5, 2018, the Information Technology Services Department issued a Request for Proposals for Disaster Recovery and Business

Continuity Services (RFP ITS 18-001). Two proposals were received. A five-member panel, with representatives from the Police, Fire, Municipal Court, and Information Technology Services departments, reviewed and scored the responses. The panel recommended Sungard Availability Services as the most responsive and responsible offeror, as scored below:

Sungard Availability Services: 749.5 points.
LCS Technologies, Inc.: 409.8 points.

Contract Term
The contract is for a term of five years, beginning on or about May 1, 2018 and ending on or about April 30, 2023.

Financial Impact
The total cost for the five-year contract term shall not exceed $676,380, with an expected annual expenditure of $135,276. Funds are available in the Information Technology Services and Municipal Court departments' operating budgets.

This item was adopted.

53 Referral to the Ballot - Southwest Gas Franchise (Ordinance S-44501)

An Ordinance referring to voters for their approval or rejection a gas franchise with Southwest Gas Corporation deemed beneficial to the City.

Summary
Southwest Gas Corporation currently operates within the City of Phoenix under a 25-year franchise agreement, originally approved by Phoenix voters on Oct. 5, 1993. The existing franchise agreement will expire on Dec. 31, 2018.

This item was adopted.

54 Authorization to Amend Agreement 140755 to Accept Additional DES Funding and Extend the Agreement Term (Ordinance S-44471)

Request authorization for the City Manager, or his designee, to amend Intergovernmental Agreement (IGA) 140755 with the Department of Economic Security (DES) to accept funding in the amount of $7,954,776

for the period of July 1, 2018 to June 30, 2019. Further request authorization for the City Treasurer to accept, and City Controller to disburse, all funds related to this item. There is no impact to the General Fund.

Summary

Funding provided to the City of Phoenix through this contract will be used to assist low-income families and individuals in removing barriers to self-sufficiency in regards to employment and/or education, housing assistance, emergency assistance, and to provide on-going supportive services through case management and community coordination.

This funding will allow the City to provide approximately 14,804 emergency financial assistance services and assist with case management and information and referral services.

Funding for fiscal year 2019 will be provided from various fund sources; see **Attachment A**.

Contract Term

This amendment extends the IGA term by one year from July 1, 2018 through June 30, 2019. This is the third of four annual amendments provided by the IGA.

Financial Impact

There are no matching fund requirements.

This item was adopted.

55 Approval to Enter into Multi-year Revenue Agreement with Urban Offsets for Tree Planting (Ordinance S-44499)

Request to authorize the City Manager, or his designee, to enter into a Verified Emission Reductions Purchase Agreement ("VERPA") with Urban Offsets, Inc. under which the City would receive a recurring annual payment of $17,792.19 in exchange for planting and maintaining 137 trees over the anticipated project life of 40 years. The contract value is $88,960.95 over the initial five-year term of the agreement, but could extend up to a maximum contract value of $711,687.60 if the contract is renewed after the initial term to the anticipated project life of 40 years. Further request authorization for the City Treasurer to receive funds

related to this item.

Summary

The agreement with Urban Offsets, Inc., a for-profit startup business located in Greensboro, North Carolina, supports an initiative to plant and grow healthy trees in the City of Phoenix with the intent of selling the associated carbon credits over the life of the project. The agreement is a new revenue model that not only covers the cost of tree planting, but ongoing maintenance throughout the life of the project, making it scaleable to other potential tree planting projects in the future. It also supports the Tree and Shade Master Plan's ambition to increase the tree and shade canopy Citywide. The revenue received by the City would be used to plant and maintain the trees and conduct annual inventories in support of the annual carbon credit verification.

Financial Impact

As part of the agreement, the City will be required to cover the initial cost to plant and maintain the trees; however, the annual revenue from the sale of the carbon offsets will be used to fully recover those costs as well as potentially provide funds for planting and maintenace of additional trees. Staff would place the annual revenues into a "tree fund" as a means to track, reconcile and recover tree planting and maintenance costs spanning several fiscal years.

Location

The exact location of the trees to be planted is yet to be confirmed, although the initial buyer of the offsets, not disclosed as part of the agreement, requested that the trees be planted in low-income neighborhoods, ideally near the Garfield District.
Council District: 8

This item was adopted.

56 Intergovernmental Agreement with Housing Authority of Maricopa County for Coffelt Park and Coffelt-Lamoreaux Recreation Center

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the Housing Authority of Maricopa County (Housing Authority) regarding Coffelt Park and the Coffelt-Lamoreaux Recreation Center.

Summary

Since 1959, the Housing Authority and the City have partnered to provide recreation services in the Coffelt-Lamoreaux Recreation Center and maintain Coffelt Park. The recreation center and park are located at 1510 S. 19th Ave. In 2016, the Housing Authority informed the City that renovations would begin immediately on a new recreation center and park.

The Housing Authority and the City recognize that Coffelt Park and the Coffelt-Lamoreaux Recreation Center provide a substantial benefit to both parties and the community as a whole. Therefore, the Housing Authority and the City have come together and developed an IGA for the future programming and maintenance of the newly-constructed recreation center and park.

The provisions of the draft IGA are as follows:

The City will provide year-round recreation programs at the Coffelt-Lamoreaux Recreation Center, Monday through Friday for four hours daily, excluding holidays, for youth ages 6 to 12.

The City will maintain Coffelt Park and all existing and future amenities in accordance with the City's existing standards and resources.

The Housing Authority and the City will work together to provide infrastructure improvements at Coffelt Park, with the cost of the materials and equipment for replacements, upgrades and additions being the responsibility of the Housing Authority.

The term of the IGA will be 10 years and reviewed every five years.

The IGA is expected to benefit the community by continuing a longstanding relationship between the City and the Housing Authority to operate the recreation center and park for the community.

Contract Term

The IGA will be for a term of 10 years, starting on or about April 19, 2018.

Financial Impact

Programming of Coffelt-Lamoreaux Recreation Center and maintenance of Coffelt Park is already funded by the Parks and Recreation Department's General Fund operating budget.

Location
1510 S. 19th Ave.
Council District: 7

This item was approved.

59 Authorize Intergovernmental Agreement Amendment to Accept and Disburse Workforce Innovation and Opportunity Act Program Year Funds (Ordinance S-44473)

Request to authorize the City Manager, or his designee, to amend the Intergovernmental Agreement (IGA) with the Arizona Department of Economic Security (DES), City Contract 141476, to accept program year 2018-19 Workforce Innovation and Opportunity Act (WIOA) grant funds in an amount up to $13 million and for the City Treasurer to accept funds, and the City Controller to disburse funds, under the IGA.

Summary
The WIOA grant provides opportunities to improve job and career options for Phoenix area workers and job-seekers through an integrated, job-driven public workforce system that links diverse talent to businesses. Funds are utilized to increase the skills and credential attainment, employment, retention, and earnings of adults and youth, as well as provide support services to those most in need of assistance. Under WIOA, rapid-response services are also provided to laid-off workers upon notification of a pending layoff or plant closure to inform them of available services in the community to assist them in transitioning to other employment to talent development opportunities.

Per the IGA, the DES allocated Program Year funds have a two-year limit. Expiration for Program Year 2018-19 funding is June 30, 2020.

The City of Phoenix subcontracts to community-based organizations to provide case management and career services for youth and adult clients. These subcontractors bring collaboration and leveraged partnerships to the WIOA program. The WIOA grant will also continue to fund the Phoenix Business and Workforce Development Center operations and approximately 48 full-time city positions are dedicated to delivering workforce development services.

Procurement Information

As required by the terms of the grant, the City allows WIOA participants to choose among the 300+ vendors on the State of Arizona's Eligible Training Provider List (ETPL) for training. The ETPL and the related eligibility procedures ensure the accountability, quality, and labor-market relevance of training services provided to eligible WIOA participants. Payment authority is requested in the amount of $4 million through the grant period of June 30, 2020.

In addition to the ETPL requirement, as required by the terms of the grant, the City is required to provide WIOA participants with emergency support, and short-term prevocational services such as child care, health care, housing, transportation, one-time classes, utilities, and professional clothing for interviews, to ensure an eligible participant's successful completion of a workforce development program. These services are impractical to compete as payments must be made to a specific participant's landlord, utility provider, car repair facility, healthcare provider, and/or child care provider and the timeframe in which these services are needed is immediate. The provision of emergency support services must comply with the financial limits established by the ARIZONA@WORK City of Phoenix Support Services Policy. Payment authority is requested in the amount of $90,000 through the grant period of June 30, 2020. This is included in the total grant acceptance of $13 million.

All other goods and services obtained to fulfill the grant requirements will be procured in compliance with A.R. 3.10.

Contract Term

The IGA terminates on June 30, 2020.

Financial Impact

There will be no impact to the General Fund as a result of the authorization.

This item was adopted.

60 Strengthening Working Families Initiative Grant Amendment (Ordinance S-44476)

Request authorization for the City Manager, or his designee, to amend Ordinance S-42763 regarding the U.S. Department of Labor (DOL) Strengthening Working Families Initiative (SWFI) grant program, to allow SWFI participants to enroll in educational programs offered by additional vendors on the State of Arizona's Eligible Training Provider List (ETPL) and correct the allocated contracted amounts to Maricopa County Human Services and MAXIMUS, Inc.

Summary

Ordinance S-42763 authorized the City to accept the SWFI grant in the amount of $4 million in funding from DOL to administer the SWFI program to provide workforce and support services including contracts with Maricopa County Human Services and MAXIMUS, Inc.

The original authorization included cohort training through the Maricopa Community College district. This request allows for the use of the ETPL, which includes the college district training programs previously authorized. The ETPL and the related eligibility procedures ensure the accountability, quality, and labor-market relevance of training services provided to eligible SWFI participants. DOL recently approved the City's request to expand educational opportunities for SWFI participants through a formal modification of the grant to support the City's efforts to achieve the grant's objectives. Payment authority for training services is requested in the amount up to $1 million through the grant period, which ends June 30, 2020.

As stipulated by the terms of the grant, the City is required to provide SWFI participants with support services including, but not limited to, child care, after-school care, training materials, testing and certification services, health care, housing, transportation, utilities, and professional clothing for interviews, to ensure an eligible participant's successful completion of a workforce development program. Some services are impractical to compete because payments must be made to a specific participant's landlord, utility provider, car repair facility, healthcare provider, and/or child care provider and the timeframe in which these services are needed is immediate. Services that are practical for competition will be procured in compliance with Administrative Regulation 3.10 (General Procurement Procedures).

The provision of support services must comply with the financial limits established by the City of Phoenix Strengthening Working Families Initiative Support Services Policy. Payment authority is requested for the support services total budget approved by Department of Labor through the grant period of June 30, 2020. This is included in the total grant acceptance of $4 million.

The corrected contracted amount for Maricopa County Human Services is $523,002 and MAXIMUS is $117,500.

Contract Term
The grant period ends June 30, 2020.

Financial Impact
No General Funds are required. Funding is provided by the U.S. Department of Labor.

This item was adopted.

61 Consultant for Transition to National Incident-Based Reporting System (NIBRS) Crime Reporting, Requirements Contract - RFA 18-209 (Ordinance S-44489)

Request to authorize the City Manager, or his designee, to enter into a contract with SEARCH Group, Inc., to provide consultant services to the Police Department by providing business process reviews and recommendations to ensure compliance with the transition to the federal National Incident-Based Reporting System (NIBRS) Crime Reporting Program. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value shall not exceed $128,120.

Summary
The contract is necessary to provide consultant services to assist the City of Phoenix Police Department design and establish a business process for successful transition to the NIBRS program. NIBRS is an incident-based reporting system used by law enforcement agencies in the United States for collecting and reporting data on crimes. Local, state and federal agencies generate NIBRS data from their records management systems.

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

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved determination memo citing the specialized NIBRS experience SEARCH Group, Inc. has. SEARCH Group, Inc. is a National Consortium for Justice Information and Statistics, which has partnered with both the Federal Bureau of Investigation (FBI) and the Department of Justice (DOJ) on implementing the National Crime Statistics Exchange (NCS-X) Initiative across the nation. Additionally, SEARCH Group, Inc. has experienced staff used for the implementation of NIBRS for major agencies across the nation.

Contract Term

The two-year term shall begin upon Council approval on or about April 18, 2018 and end on April 17, 2020. Provisions of the contract may include an option to extend the term up to one additional year, which may be exercised by the City Manager or designee.

Financial Impact

The aggregate contract value shall not exceed $128,120. Funds are available in the Police Department's budget.

This item was adopted.

62 Airspace Analysis Services

Request to authorize the City Manager, or his designee, to issue a Request for Proposals for Airspace Analysis Services. The City estimates an amount up to $160,000, which includes a possible initial customization and startup fee of up to $80,000 and an annual maintenance and licensing fee thereafter of up to $20,000.

Summary

Planning staff requires the use of specialized software to analyze potential hazards and obstructions on and in the vicinity of the City of Phoenix’s three airports. The current software agreement expires in November 2018.

After possible initial customization and startup costs, it is anticipated that

the software will incur a maintenance and licensing fee of up to $20,000 annually. Future updates to the software may be tied to Federal Aviation Administration (FAA) grant projects and funding.

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

Procurement Information
With approval, the Aviation Department will conduct a Request for Proposals to select a vendor for this contract. Responsive and responsible respondents will be evaluated according to the following evaluation criteria; and the highest ranked respondent will be recommended for the award:
Software Capabilities (0-400 points).
Plan and Approach (0-250 points).
Qualifications and Experience (0-200 points).
Fee Schedule (0-150 points).

Contract Term
This contract will have a term of five years, with no options to renew.

Financial Impact
The City estimates an amount up to $160,000, which includes a possible initial customization and startup fee of up to $80,000 and an annual maintenance and licensing fee thereafter of up to $20,000.

Public Outreach
With approval, the Aviation Department will issue a Request for Proposals to select a vendor for this contract. This process will include all standard and required outreach efforts.

Concurrence/Previous Council Action
This item was recommended for approval by the Downtown, Aviation, Economy and Innovation Subcommittee on April 4, 2018 by a vote of 3-0.

Location
Phoenix Sky Harbor International Airport, 3400 E. Sky Harbor Blvd.;

Phoenix Deer Valley Airport, 702 W. Deer Valley Road; and Phoenix Goodyear Airport, 1658 S. Litchfield Road, Goodyear, Ariz.
Council Districts: 1, 8, Out of City.

This item was approved.

63 Environmental Remediation Services - Request to Issue RFP

Request to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for environmental remediation services at Phoenix Sky Harbor International Airport. The City estimates fees up to $50,000 per year, which Honeywell will reimburse the City for according to the provisions of the Agreement.

Summary
In 2008, the City entered into Remediation Agreement 124536 (Agreement) with Honeywell International, Inc. (Honeywell). The Agreement sets forth requirements that Honeywell must satisfy in order to remediate fuel Honeywell released on and beneath real property owned by the City. Aviation Department staff require support from an expert-level remediation consultant to analyze remediation reports, identify issues of concern to the City, advise the City on remediation progress, and make recommendations to the City as remediation nears completion. Honeywell will reimburse the City for costs incurred by the City according to the provisions of the Agreement. The Agreement will expire on Sept. 19, 2018.

Procurement Information
Responsive and responsible proposers will be evaluated according to the following evaluation criteria:
Company Qualifications and Experience of Proposer (0-200 points).
Key Personnel Qualifications and Experience (0-250 points).
Plan and Approach (0-400 points).
Fee Schedule (0-150 points).

The highest ranked proposer will be recommended for the award of a contract.

Contract Term
The term of the contract will be five years. There will be no options to extend the term.

Financial Impact

The City estimates fees up to $50,000 per year. Honeywell will reimburse the City for these costs according to the provisions of the Agreement.

Concurrence/Previous Council Action

This item was recommended for approval by the Downtown, Aviation, Economy and Innovation Subcommittee on April 4, 2018 by a vote of 3-0.

Public Outreach

With City Council approval, the Aviation Department will conduct an RFP to select a vendor for the contract. The RFP process will include all standard and required outreach efforts.

Location

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

This item was approved.

64 Window Cleaning and High Dusting Service - AVN RFP 18-020 (Ordinance S-44452)

Request to authorize the City Manager, or his designee, to enter into a contract with Prestige Window Cleaning, Inc. dba Professional Window Cleaning to provide window cleaning and high dusting services for Aviation Department and Phoenix Convention Center Department (PCCD) in an amount not to exceed $1,848,750 for the five-year aggregate contract term. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The contractor will provide window and glass cleaning and high dusting services at facilities including, but not limited to, Phoenix Sky Harbor International Airport, Goodyear Airport, Deer Valley Airport, and PCCD-maintained facilities. The contract will provide for specialized services and equipment to clean windows at extreme heights and over roadways, airside and to maneuver equipment between parked aircraft in safety and security areas.

Procurement Information

Request for Proposal (RFP) AVN RFP 18-020 Window Cleaning and High Dusting Services was conducted in accordance with Administrative Regulation 3.10. Three proposals were received on Jan. 23, 2018. One proposal was deemed non-responsive.

The proposals were evaluated and scored by a three-member evaluation committee based on the following criteria:
Contractor Qualifications and Experience (0-300 points).
Staff Qualifications and Experience (0-250 points).
Method of Approach (0-250 points).
Cost (0-200 points).

The proposers and their scores are as follows:
Prestige Window Cleaning, Inc. dba Professional Window Cleaning: 776.30 points.
Professional Sky Climbing Services, Inc.: 554.30 points.

Contract Term

The initial three-year contract term will begin on or about June 1, 2018 with two, one-year extension options for an aggregate five-year contract term.

Financial Impact

The total contract will not exceed $1,848,750 for the five-year aggregate contract term for the Aviation Department and PCCD. Funds are available in the Aviation Department and PCCD budgets.

Location

Phoenix Sky Harbor International Airport, 3400 E. Sky Harbor Blvd.; Deer Valley Airport, 702 W. Deer Valley Road; Goodyear Airport, 1658 S. Litchfield Road, Goodyear, Ariz; and the Phoenix Convention Center, 100 N. 3rd St., including Symphony Hall, Orpheum Theater, and Herberger Theater.
Council Districts: 1, 7, 8, Out of City

This item was adopted.

65 LED Conversion/Relamping Service and Parts - AVN IFB 18-003

(Ordinance S-44453)

Request to authorize the City Manager, or his designee, to enter into a contract with Hernandez Companies, Inc. for lamps, ballast, LED lighting retrofits, lighting parts and services at Phoenix Sky Harbor International Airport, Goodyear Airport and Deer Valley Airport on an as-needed basis in an amount not to exceed $1.5 million for a five-year aggregate term. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Aviation Department is actively upgrading Airport lighting to LED fixtures for energy and cost savings as well as the management of interior and exterior replacements of lamps, ballasts, repairs, inspections and installation services. This contract will include, but is not limited to: installation, inspection, maintenance, repair, relamping, and LED retrofit and conversion kits.

Procurement Information

Solicitation AVN IFB 18-003 was conducted in accordance with Administrative Regulation 3.10. Seven bids were received on Dec. 13, 2017. Two bids were determined to be non-responsive. The following is a summary of the lowest bids:

Hernandez Companies, Inc.: $10,038.43*
Kortman Electric, Inc.: $12,748.53

*Bid award tabulation included the comparison of all types of lighting fixtures currently used at the three airports and installation labor and includes comparison of costs for LED retrofit lighting kits.

The bid price listed only represents the total price for the 53 types of fixtures that will be installed throughout the Department. The average cost to replace a fixture is $189. The Aviation Department is retrofitting existing light fixtures to LED with a goal to change approximately 1,587 of existing lamps each year at an annual cost of $300,000. Electrical and maintenance will be reduced by 30 percent annually for each fixture installed at this rate of exchange. Fixtures are warrantied for 8-12 years.

Bids were evaluated on: years of experience; license; and price. The City of Phoenix Aviation Department determined it is in the best interest of the City to award a contract to Hernandez Companies, Inc. who is the responsive and responsible bidder.

Contract Term

The initial contract term is for three years beginning on or about March 1, 2018, with an option to extend the term up to two years, for an aggregate of five years.

Financial Impact

The total aggregate contract value will not exceed $1.5 million for the five-year contract term. Funds are available in the Aviation Department's budget.

Location

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

This item was adopted.

66 Fuel Supply System Maintenance, Repair and Additional Fuel Pumps Contract - Contract 142428 (Ordinance S-44483)

Request to authorize the City Manager, or his designee, for $100,000 in additional payment authority for the contract with A & H Contracting Services, Inc. for fuel supply system maintenance, repair and additional fuel pumps. Further request authorization for the City Controller to disburse all funds related to this item. The additional $100,000 payment authority will increase the aggregate contract value from $115,000 to $215,000.

Summary

The Aviation Department utilizes Contract 142428 for maintenance and repairs of five fuel sites located at Phoenix Sky Harbor International Airport, Deer Valley Airport, Goodyear Airport and the Independent Operator parcel (IOP). The IOP is expanding its fuel site operation to add four additional fuel pumps and two unleaded fuel tanks. The fuel sites must be in compliance with federal and state laws governed by the

Arizona Department of Environmental Quality and Maricopa County Department of Weights and Measures.

Contract Term
The initial three-year term of the contract started on May 5, 2016 and includes an option to extend the contract for one two-year period for an aggregate five-year term.

Financial Impact
The additional $100,000 payment authority will increase the aggregate contract value from $115,000 to $215,000.

Location
Phoenix Sky Harbor International Airport, 3400 E. Sky Harbor Blvd., Phoenix Deer Valley Airport, 702 W. Deer Valley Road, and Phoenix Goodyear Airport, 1654 S. Litchfield Road.
Council Districts: 1, 8, and Out of City

This item was adopted.

67 Northwest Industrial Airpark, Through-the-Fence Agreement (Ordinance S-44493)

Request to authorize the City Manager, or his designee, authorization to amend the agreement between the City of Phoenix and Northwest Industrial Airpark Association (NWIAA), to extend the through-the-fence agreement for a total of 30 years from the date the amended agreement is signed. The anticipated annual revenue for this amended agreement will be approximately $5,900, plus an easement fee that is currently $200.

Summary
NWIAA currently has a through-the-fence agreement at Deer Valley Airport (DVT). The current agreement term is 20 years, with four, five-year options to extend. NWIAA is currently in their third option, which will expire on June 30, 2021. The current agreement allows tenants of NWIAA, who own aircraft and have entered into a Field Use Permit (FUP), to taxi from NWIAA, located at 1507 W. Parkside Lane, "through-the-fence" to the DVT. The access allows the aircraft owners permitted by NWIAA to utilize the taxiways and runways to take off and land at DVT.

Currently NWIAA pays a $200 annual utility easement fee. NWIAA has requested additional agreement term in order to make an investment in the taxiway located on their property. In exchange for this extension, NWIAA will pay the City an access fee for all based aircraft that utilize the gate; the fee will be based on the average tie down fee charged to tenants at DVT and adjusted annually by the Consumer Price Index (CPI). The updated agreement will include requirements from the Federal Aviation Administration (FAA) to ensure grant assurance compliance. The amendment will also include updated standard agreement language.

Contract Term
The contract term shall be 30 years from the date the amended agreement is signed, with no options to extend.

Financial Impact
The anticipated annual revenue for this amended agreement will be approximately $5,900, plus an easement fee that is currently $200. The annual revenue is subject to change based on the number of aircraft that are based at NWIAA.

Concurrence/Previous Council Action
This item was recommended for approval by the Downtown, Aviation, Economy and Innovation Subcommittee on April 4, 2018 by a vote of 3-0.

Location
Phoenix Deer Valley Airport, 732 W. Deer Valley Road.
Council District: 1

This item was adopted.

68 Fleet Towing Services - Contract Recommendation (Ordinance S-44454)

Request to authorize the City Manager, or his designee, to enter into contracts with First Class Auto Transport, LLC, and Western Towing of Phoenix, Inc., for fleet towing services, in an amount not to exceed $1,500,000 over the life of the contracts. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department requests approval to use First Class Auto Transport, LLC, and Western Towing of Phoenix, Inc., to provide towing services for City-owned vehicles. The contractor shall provide all materials, equipment, travel and personnel. Towing services play a critical role in the timely response to vehicle breakdowns. Under this contract vendors must provide citywide towing services for light, medium, and heavy duty vehicles and must sustain three shifts, covering 24 hours a day for seven days a week.

Procurement Information

An Invitation for Bid was conducted in accordance with Administrative Regulation 3.10. Two offers were received. First Class Auto Transport, LLC bid on group I only, and Western Towing of Phoenix, Inc., bid on all three groups. Both were deemed responsive and responsible to all specifications, terms and conditions for the required goods/services.

First Class Auto Transport, LLC
Light Duty, Group I: $53.55 base charge

Western Towing of Phoenix, Inc.
Light Duty, Group I: $58.00 base charge
Medium Duty, Group II: $98.00 base charge
Heavy Duty, Group III: $175.00 base charge

Contract Term

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

Financial Impact

These contracts will have a $300,000 estimated annual expenditure, with a total aggregate amount not to exceed $1,500,000 over the life of the contracts. Funds are available in the Public Works Department's budget.

This item was adopted.

69 Contract Recommendation for Tire Emergency Roadside Service, On-Site Fleet Services, and Purchase of New and Retread Tires

(Ordinance S-44459)

Request to authorize the City Manager, or his designee, to enter into contracts with Community Tire Pros, Coyote Tire, Goodyear Tire, Jack's Tire & Oil, Inc., Phoenix Tire, Purcell, Redburn Tire, and Ride Now for purposes of emergency roadside service, on-site fleet service, and the purchase of new and retread tires. This contract will have an estimated annual expenditure of $3,200,000, with a total aggregate amount not to exceed $16,000,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department operates and maintains a diverse fleet of equipment and vehicles. Various tires are needed for light/medium-duty vehicles, heavy-duty equipment and emergency vehicles to ensure the ability to perform essential City services. These services include, but are not limited to, responding to public safety calls, refuse collection, and street repairs and maintenance. These contracts also require vendors to provide emergency roadside and on-site tire services to support citywide operations.

Procurement Information

Invitation for Bid (IFB) 18-FSD-066 was conducted in accordance with Administrative Regulation 3.10. Ten offers were received with four offers being awarded for Group A1 and Group A2 as light and medium duty vehicles are serviced in greater volumes and three vendors are being awarded for Group A3 to manage heavy duty equipment service needs volume. The offers for the services are based on total job cost. Eight vendors are being awarded the purchase of new tires and retread tires.

Group A1 - Light and Medium Duty Vehicles Service
Community Tire Pros: $209.90
Phoenix Tire: $238
Purcell: $266
Goodyear Tire: $287

Group A2 - Medium Duty Vehicles Service
Community Tire Pros: $209.90

Phoenix Tire: $238
Purcell: $266
Goodyear Tire: $287

Group A3 - Off the Road (OTR), Boom Truck Service
Purcell: $300
Jack's Tire & Oil, Inc.: $340
Phoenix Tire: $344

Attachment A shows the new tire, retread tire and casing awards as the pricing differs based on tire size.

New Tire Purchase
Ride Now
Phoenix Tire
Community Tire Pros
Jack's Tire and Oil, Inc.
Redburn Tire
Goodyear Tire
Purcell

Retread Tire and Casing Purchase
Phoenix Tire
Coyote Tire
Community Tire Pros
Jack's Tire and Oil, Inc.
Redburn Tire
Goodyear Tire
Purcell

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

Financial Impact
This contract will have an estimated annual expenditure of $3,200,000, with a total aggregate amount not to exceed $16,000,000 over the life of

the contract. Funds are available in the Public Works Department's budget.

This item was adopted.

70 Palm Fronds Diversion Program - RFP 16-SWD-010 (Ordinance S-44467)

Request to authorize the City Manager, or his designee, to allow expenditures in the amount of $408,000 for one additional year under Contract 144903 with Palm Silage, LLC for processing of palm fronds into livestock feed at the City of Phoenix Resource Innovation Campus (RIC). Further request authorization for the City Controller to disburse all funds related to this item. Expenditures will be offset by estimated lease revenues and decreased hauling and landfill expenses during this one-year period.

Summary

In 2013, the City adopted the goal of diverting 40 percent of trash from the landfill by the year 2020. In April 2016, this goal was expanded to achieve Zero Waste by 2050. In June 2016, in collaboration with the Community and Economic Development Department, the Public Works Department finalized an operating contract and lease agreement with Palm Silage, LLC to process palm fronds diverted from the City's landfill into quality livestock feed at the City's RIC.

Financial Impact

The amount of $408,000 is needed for one additional year beginning on or about April 18, 2018. Funds are available in the Public Works Department's budget. Expenditures will be offset by estimated lease revenues and decreased hauling and landfill expenses during this one-year period.

Concurrence/Previous Council Action

City Council approved Contract 144903 with Palm Silage, LLC for Palm Fronds Diversion on June 22, 2016.

Location

The RIC is located at 27th Avenue and Lower Buckeye Road next to the 27th Avenue Transfer Station, 3060 S. 27th Ave.
Council District: 7

This item was adopted.

71 Additional Expenditures for Chiller Maintenance and Repair Services (Ordinance S-44497)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 140449 with Trane US, Inc. for chiller maintenance and repair services for the Public Works Department. The additional amount of $562,080 is needed, and the revised aggregate value will not exceed $1,212,080 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The agreement with Trane US, Inc. is used for chiller maintenance and repair services at locations throughout the City. The additional funds will allow the Public Works Department to facilitate required chiller repairs at the Phoenix Art Museum, Fire Operations, Arizona Science Center, Phoenix Crime Lab, Police Academy, Phoenix City Hall, Adams Street Garage, 91st Avenue and 23rd Avenue Wastewater Treatment Plants, and various other facilities throughout the City. This equipment is inspected and monitored regularly; however, these new repairs were not known at the time the contract was let in 2015.

Financial Impact

The additional amount of $562,080 is needed, and the revised aggregate value will not exceed $1,212,080 over the life of the contract. Funds are available in the Public Works Department's budget.

Concurrence/Previous Council Action

Contract 140449 was approved by City Council on April 15, 2015.

This item was adopted.

72 2017 PVC-Lined Concrete Sewer Pipe and Manhole Rehabilitation, North - Construction Manager at Risk Construction Phase Services - WS90500272 (Ordinance S-44450)

Request to authorize the City Manager, or his designee, to enter into an agreement with Achen-Gardner Construction, LLC to provide Construction Manager at Risk (CMAR) Construction Phase Services in support of the 2017 PVC-lined concrete sewer pipe and manhole

rehabilitation project in multiple locations within the City of Phoenix rights-of-way or easements, generally located north of Dunlap Avenue. Further request authorization to execute amendments to the contract as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $26,540,519, including all subcontractor and reimbursable costs.

Summary

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

Achen-Gardner Construction, LLC's initial contract services will include preparation of a Guaranteed Maximum Price (GMP) proposal for the construction services provided under the contract and participating with the City in a process to achieve the local and Small Business Enterprise (SBE) goal of 2 percent that was set for the project. Achen-Gardner Construction, LLC will be required to solicit bids from prequalified subcontractors and to perform the work using the City's subcontractor selection process. Achen-Gardner Construction, LLC may also compete to self-perform limited amounts of work.

Achen-Gardner Construction, LLC will then assume the risk of delivering the project through the GMP. The construction services include, but are not limited to: bidding, awarding and managing subcontractors; preparing necessary GMP proposals; and implementing the rehabilitation solutions determined in the pre-construction phase.

Procurement Information

Achen-Gardner Construction, LLC was chosen for this project using a qualifications-based selection process according to section 34-603 of the Arizona Revised Statutes. Scoring and selection were made in

conjunction with the CMAR Design Phase Services Contract.

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

Financial Impact
Staff will execute the initial contract for GMP preparation services for a fee not-to-exceed $50,519, including subcontractor and reimbursable costs. Contract amendments may be executed for GMP services or other contract services totaling an amount not-to-exceed the remaining $26,490,000, for a total contract amount of $26,540,519. Contract amendments will be reviewed and approved separately by the Budget and Research Department. Funds are available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to the contract limits for all rendered contract services, which may extend past the contract termination.

Concurrence/Previous Council Action
The City Council approved the CMAR Design Phase Services Contract 147089 (Ordinance S-44338) on March 21, 2018.

Location
The project is located in various City of Phoenix rights-of-way or easements, which are generally north of Dunlap Avenue.
Council Districts: 1, 2, 3

This item was adopted.

73 2017 PVC-Lined Concrete Sewer Pipe and Manhole Rehabilitation, South - Construction Manager at Risk Construction Phase Services - WS90500272 (Ordinance S-44451)

Request to authorize the City Manager, or his designee, to enter into an agreement with B&F Contracting, Inc. to provide Construction Manager at Risk (CMAR) Construction Phase Services in support of the 2017

PVC-lined concrete sewer pipe and manhole rehabilitation project in multiple locations within the City of Phoenix rights-of-way or easements, generally located south of Dunlap Avenue. Further request authorization to execute amendments to the contract as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $26,540,519, including all subcontractor and reimbursable costs.

Summary

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

B&F Contracting, Inc.'s initial contract services will include preparation of a Guaranteed Maximum Price (GMP) proposal for the construction services provided under the contract and participating with the City in a process to achieve the local and Small Business Enterprise (SBE) goal of 2 percent that was set for the project. B&F Contracting, Inc. will be required to solicit bids from prequalified subcontractors and to perform the work using the City's subcontractor selection process. B&F Contracting, Inc. may also compete to self-perform limited amounts of work.

B&F Contracting, Inc. will then assume the risk of delivering the project through the GMP. The construction services include, but are not limited to: bidding, awarding and managing subcontractors; preparing necessary GMP proposals; and implementing the rehabilitation solutions determined under the pre-construction phase.

Procurement Information

B&F Contracting, Inc. was chosen for this project using a qualifications-based selection process according to section 34-603 of

the Arizona Revised Statutes. Scoring and selection were made in conjunction with the CMAR Design Phase Services Contract.

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

Financial Impact
Staff will execute the initial contract for GMP preparation services for a fee not-to-exceed $50,519, including subcontractor and reimbursable costs. Contract amendments may be executed for GMP services or other contract services totaling an amount not-to-exceed the remaining $26,490,000, for a total contract amount of $26,540,519. Contract amendments will be reviewed and approved separately by the Budget and Research Department. Funds are available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to the contract limits for all rendered contract services, which may extend past the contract termination.

Concurrence/Previous Council Action
The City Council approved the CMAR Design Phase Services Contract 147090 (Ordinance S-44339) on March 21, 2018.

Location
The project is located in various City of Phoenix rights-of-way or easements, which are generally south of Dunlap Avenue.
City Council Districts: 4, 5, 6, 7, 8

This item was adopted.

74 Water Main Replacement: Area Bounded by Harrison Street to Van Buren Street and 27th Avenue to 23rd Avenue - Construction Manager at Risk Design Phase Services - WS85509032 (Ordinance S-44460)

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

agreement with Haydon Building Corp. to provide Construction Manager at Risk (CMAR) Design Phase Services in support of a water main replacement project in the area bounded by Harrison Street to Van Buren Street and 27th Avenue to 23rd Avenue. Further request authorization for the City Controller to disburse all funds related to this item. The fee for services will not exceed $9,986.

Summary

The Water Main Replacement Program focus is on evaluation and replacement of aging water mains within the City of Phoenix. The current primary focus of the program is on water mains in alleys and easements, which historically have had high break rates and are difficult to repair. Work for these projects typically includes: installing new 6-inch to 12-inch water mains; plugging abandoned mains; and installing or relocating fire hydrants. Coordination with City staff and plumbing contractors regarding relocation of water services also may be required.

Haydon Building Corp. will begin in an agency support role for the design phase service and then hold the construction contract with the City for construction of the project. Services during the CMAR design phase include: providing detailed cost estimating from knowledge of marketplace conditions; planning and scheduling project/construction phases to minimize interruption to City operations; evaluation of alternate systems; providing constructability studies and long-lead procurements; assisting in permitting processes; and participation in the Small Business Enterprise (SBE) process to establish the SBE goal for construction.

Procurement Information

Haydon Building Corp. was selected for this project using a qualifications-based selection process according to section 34-603 of the Arizona Revised Statutes (A.R.S.). Pursuant to A.R.S. title 34, the City may not release the scoring of proposers until a contract has been awarded. Five firms submitted proposals. The top three rankings follow:

Haydon Building Corp.: Ranked 1
Pulice Construction Inc.: Ranked 2
TALIS Construction Corp.: Ranked 3

Contract Term

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

Financial Impact

Haydon Building Corp.'s fee will not exceed $9,986, including all subconsultant, subcontractor, and reimbursable costs. Funding for these services is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to the contract limits for all rendered contract services, which may extend past the contract termination.

Location

The project is located in an area bounded by Harrison Street to Van Buren Street and 27th Avenue to 23rd Avenue.
Council District: 7

This item was adopted.

75 Salt River Project Land Use License for City of Phoenix Water Main Replacement Project; Area Bounded by 7th Avenue to Central Avenue and Southern Avenue to Roeser Road - WS85509014 (Ordinance S-44462)

Request to authorize the City Manager, or his designee, to enter into a land use license with Salt River Project (SRP) for a City of Phoenix Water Services Department Water Main Replacement Project bounded by 7th Avenue to Central Avenue and Southern Avenue to Roeser Road. There is no financial impact to the City of Phoenix.

Summary

The land use license is necessary for installation of a new water main on Roeser Road from 7th Avenue to Central Avenue and will be consistent with and shall not interfere with U.S. Bureau of Reclamation fee property.

Indemnification

The SRP license agreement includes authorization pursuant to Phoenix City Code Section 42-20 to indemnify, release and hold harmless SRP

for: (A) acts of omissions of the City, its agents, officers, directors or employees; (B) the City's use of occupancy of the licensed property for the purposes contemplated by the license, including but not limited to claims by third parties who are invited or permitted onto the licensed property, either expressed or implied by the City or by nature of the City's improvement or other use of the licensed property pursuant to this license; and (C) the City's failure to comply with or fulfill its obligations established by the license or by laws. Per City of Phoenix Code, indemnification of another public entity requires approval from the City Council.

Location

Area Bounded by 7th Avenue to Central Avenue and Southern Avenue to Roeser Road.

Council District: 7

This item was adopted.

76 Lift Station 40 Force Main Rehabilitation - Construction Manager at Risk Design Phase Services - WS90501000 (Ordinance S-44463)

Request to authorize the City Manager, or his designee, to enter into an agreement with B&F Contracting, Inc. to provide Construction Manager at Risk (CMAR) Design Phase Services in support of the Lift Station 40 Force Main Rehabilitation project located at I-10 and Ray Road. The fee for services will not exceed $166,000. Further request authorization to execute amendments to the contract as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item.

Summary

This force main conveys wastewater from Lift Station 40, which is approximately three miles to the north, to a discharge structure near Guadalupe Road and I-10. The force main has three 24-inch-diameter ductile iron pipes. A 2017 condition assessment report concluded the entire length of the oldest force main pipe, and portions of the other two pipes, were in need of rehabilitation.

B&F Contracting, Inc. will begin in an agency support role for Design Phase Service and then hold the construction contract with the City for construction of the project.

Services during the CMAR Design Phase include: providing detailed cost estimating and identification of marketplace conditions; planning and scheduling project/construction phases to minimize interruption to City operations; evaluating alternate systems; providing constructability studies; advising on potential efficiencies in project delivery; performing and initiating long-lead studies and procurements; assisting in permitting processes; and participating in the Small Business Enterprise (SBE) process to establish the SBE goal prior to construction.

Procurement Information
B&F Contracting, Inc. was chosen for this project using a qualifications-based selection process according to section 34-603 of the Arizona Revised Statutes (A.R.S.). Pursuant to A.R.S. title 34, the City may not release the scoring of proposers until a contract has been awarded. Four firms submitted proposals. The top three rankings follow:

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

Contract Term
The term for CMAR Design Phase Services is expected to be 10 months after issuance of the Notice to Proceed. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties and work may extend past the termination of the contract. No additional contract work scope may be executed after the end of the contract term.

Financial Impact
B&F Contracting, Inc.'s fee will not exceed $166,000, including all subconsultant, subcontractor, and reimbursable costs. Funding for these services is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to the contract limits for all rendered contract services, which may extend past the contract termination.

Location

The project is located in the area of 50th Street and Ray Road.
Council District: 6

This item was adopted.

77 Water Production Well 301 Equipment and Installation - Construction Administration and Inspection Services - WS85010055 (Ordinance S-44464)

Request to authorize the City Manager, or his designee, to enter into an agreement with Narasimhan Consulting Services, Inc., dba NCS Engineers, to provide construction administration and inspection (CA&I) services to support infrastructure development of Water Production Well 301. The fee for services will not exceed $347,017.72. Further request authorization to execute amendments to the contract as necessary within the Council approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item.

Summary

The City is equipping Well 301 and adding an arsenic treatment facility to serve as a new groundwater production facility, and a reliable drought and peak production resource. The project involves equipping a new well including a well pump, header piping and valves, arsenic absorption vessels, vessel piping, flow meters and control valves, structural design of pipe supports and concrete slabs, a new disinfection system and building, new electrical service and electrical switchgear, new site controls panels, and communications systems, along with telemetry upgrades to accommodate the treatment system.

NCS Engineers will provide CA&I services for the infrastructure development of Well 301 as related to the construction and post-construction phases of the project.

Procurement Information

NCS Engineers was chosen for this project using a qualifications-based selection process according to section 34-603 of the Arizona Revised Statutes. Scoring and selection were made in conjunction with Engineering Design Services selection.

Contract Term

The term of this contract is expected to coincide with the duration of

construction, which is expected to be 12 months from the Notice to Proceed. Contract work scope identified and incorporated into the contract prior to the end of the contract term may be agreed to by the parties and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

Financial Impact

NCS Engineers' fee will not exceed $347,017.72, including all subconsultant and reimbursable costs. Funding is available in the Water Services Department’s Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

Concurrence/Previous Council Action

The City Council approved Engineering Design Services Contract 144844 (Ordinance S-43430) on April 19, 2017.

Location

In the area of the 16000 block of 47th Avenue
Council District: 1

This item was adopted.

78 Water Production Wells and Aquifer Storage Recovery Wells - Program Management Services Phase I Amendment - WS85010054-2 (Ordinance S-44465)

Request to authorize the City Manager, or his designee, to execute an amendment to increase the value of Contract 145495 with Carollo Engineers, Inc. to provide Program Management Services in support of design and construction of production wells and Aquifer Storage Recovery (ASR) wells. Further, request authorization to execute amendments to the contract as necessary within the Council approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for additional services will not exceed $820,000.

Summary

The City is designing and constructing four production wells and six ASR wells by 2021. Water pumped from the wells will be used to supplement

water resources during times of long-term water shortages, emergency outages, and to meet water system demand balancing.

Carollo Engineers, Inc.'s services include: organizing, coordinating, and providing technical advice; and overseeing the necessary resources required to conduct the design, construction, permitting, public communications, and initial operations of production and ASR wells. Carollo Engineers, Inc. will ultimately be responsible for assisting the Water Services Department with planning and implementation of the well program.

This increase in contract value is necessary to expand the capacity of the Program Management Services contract to include scope of work for construction-related services as well as design services that were approved by Council on June 28, 2017.

Procurement Information
Carollo Engineers, Inc. was chosen for this project using a qualifications-based selection process according to section 34-603 of the Arizona Revised Statutes.

Contract Term
The term of this contract is expected to coincide with the duration of Phase I of design and construction, which is expected to be completed by 2021. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

Financial Impact
The initial contract value was established at a not-to-exceed amount of $2,000,000. If approved, this amendment would increase the contract amount by $820,000, including all subconsultant and reimbursable costs, for a new total contract value of $2,820,000. Funding is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

Concurrence/Previous Council Action

The City Council approved:

Program Management Services Contract 145495 (Ordinance S-43707) on June 28, 2017;

Engineering Design Services Contracts 145611-145613 (Ordinance S-43784) on July 6, 2017;

Construction Manager at Risk Design Phase Services (Ordinance S-43783) on July 6, 2017; and

Construction Manager at Risk Construction Phase Services (Ordinance S-43968) on Oct. 18, 2017.

Location

Various

Council Districts: 1, 2, 3

This item was adopted.

79 Aquifer Storage and Recovery Well 303 - Construction Administration and Inspection Services - WS85010051 (Ordinance S-44468)

Request to authorize the City Manager, or his designee, to enter into an agreement with Brown and Caldwell, Inc. to provide construction administration and inspection (CA&I) services to support the infrastructure development of Aquifer Storage and Recovery (ASR) Well 303. The fee for services will not exceed $325,972. Further request authorization to execute amendments to the contract as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item.

Summary

The City is equipping Well 303 to serve as a new groundwater production and storage facility and a reliable drought and peak production resource. The project involves equipping the new well including a well pump, header piping and valves, flow meters, control valves, structural design of pipe supports and concrete slabs, a new disinfection system, new chlorination system and building, new electrical service and electrical switchgear, new site control panels, and communications systems.

Brown and Caldwell, Inc. will provide CA&I services for the infrastructure

development of Well 303 as related to the construction management inspections and oversight, preparation of guidance documents, oversight of backwash operations and well development activities, development of Supervisory Control and Data Acquisition programming specifications, and post-construction phases of the project.

Procurement Results
Brown and Caldwell, Inc. was chosen for this project using a qualifications-based selection process according to section 34-603 of the Arizona Revised Statutes. Scoring and selection were made in conjunction with the Engineering Design Services selection.

Contract Term
The term of this contract is expected to coincide with the duration of construction, which is expected to be 14 months from the Notice to Proceed. Contract work scope identified and incorporated into the contract prior to the end of the contract term may be agreed to by the parties and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

Financial Impact
Brown and Caldwell, Inc.'s fee will not exceed $325,972, including all subconsultant and reimbursable costs. Funding is available in the Water Services Department’s Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

Concurrence/Previous Council Action
The City Council approved Engineering Design Services Contract 144850 (Ordinance S-43436) on April 19, 2017.

Location
In the area of the 5000 block of Ashler Hills Drive.
Council District: 2

This item was adopted.

80 Interstate Telecommunications Services License to MCI

Communications Services, Inc. (Ordinance S-44472)

Request to authorize the City Manager, or his designee, to execute a nonexclusive, revocable license with MCI Communications Services, Inc. to construct, install, operate, maintain and use a telecommunications system in, under, over, and across public rights-of-way in the City of Phoenix. There is no cost to the City.

Summary

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

Contract Term

The request is for a five-year renewal of an existing five-year Interstate Telecommunications Services License that was granted on April 27, 2013 (Contract 136359).

Financial Impact

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

This item was adopted.

81 **Intergovernmental Agreement with Arizona Department of Transportation for Interstate 17 and Happy Valley Road Traffic Interchange Bridge Aesthetics and Pier Rustifications (Ordinance S-44477)**

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the Arizona Department of Transportation (ADOT) for bridge aesthetics and pier rustification at the Interstate 17 (I-17) and Happy Valley Road traffic interchange. Further request authorization for the City Controller to disburse funds in an amount not to exceed $1,140,000.

Summary

The I-17, Happy Valley Road and Pinnacle Peak Interchange Improvement project will involve the reconstruction of the existing Happy Valley and Pinnacle Peak traffic interchanges, crossroads, ramps and

frontage roads. The purpose of the project is to improve regional traffic flow as the population grows and development continues in this area of north Phoenix. On May 31, 2017, City Council approved a contract for Arizona artist Daniel Mayer to collaborate with an ADOT design team and construction manager at risk (CMAR) to enhance the design of the fencing and columns for the Happy Valley Road and I-17 vehicular bridge.

Financial Impact

The City agrees to pay an amount not to exceed $1,140,000 to the State to integrate improvements into the bridge construction.
Percent-for-the-Arts funds are available for this project in the Street Transportation Department's Capital Improvement Program.

Public Outreach

The City and ADOT hosted a public meeting on March 22, 2018 to present the landscape and aesthetic design for the I-17 interchanges at Happy Valley and Pinnacle Peak Roads.

L**ocation**

I-17 at Happy Valley Road
Council District: 1

This item was adopted.

82 Ammonia Study (Tres Rios) Contract (Ordinance S-44449)

Request to authorize the City Manager, or his designee, to enter into a contract with Aquatic Consulting & Testing, Inc. to provide an ammonia study of the wetlands at Tres Rios for the Water Services Department. Expenditures are not to exceed $250,000 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 allow the Water Services Department (WSD) to test and analyze the levels of ammonia in the Tres Rios wetlands during all four seasons. The results of the study will enable WSD to provide consistent, predictable water quality, enhance operational strategies in the wetlands, and remain in compliance with the Arizona Administrative Code Water Quality Standards.

Procurement Information
A solicitation was completed in accordance with City of Phoenix Administrative Regulation 3.10. The Water Services Department received one offer, which was determined to be responsive to the solicitation requirements.

Aquatic Consulting & Testing, Inc.: Score 960

Contract Term
The contract term will be for one year effective July 1, 2018, through June 30, 2019. The contract has one 6-month option to extend at the discretion of the City Manager or designee.

Financial Impact
Expenditures are not to exceed $250,000 over the life of the contract. Funding for the contract is available in the Water Services Department's operating budget.

Location
The Tres Rios Wetlands is west of South 91st Avenue and south of West Broadway Road.
Council District: 7

This item was adopted.

83 Salt River Project Pre-Design Agreement for Substation Improvements at 91st Avenue Wastewater Treatment Plant (Ordinance S-44502)

Request to authorize the City Manager, or his designee, to enter into two separate service agreement contracts with Salt River Project (SRP) for payment of pre-design services for two substations located at the 91st Avenue Wastewater Treatment Plant, in an amount not to exceed $47,000. Further request authorization for the City Controller to disburse all funds related to this item. Additionally request the City Council to grant an exception pursuant to Phoenix Code section 42-20 to authorize inclusion of indemnification and assumption of liability provisions in the documents pertaining to this transaction that otherwise would be prohibited by Phoenix Code section 42-18.

Summary

The contracts with SRP are for pre-design services for each of the two substations at the 91st Avenue Wastewater Treatment Plant, Tres Rios and Unified Substations for the Water Services Department (WSD). These substations do not currently meet SRP standards for isolated redundancy and are at risk of experiencing power failures. Pre-design services are used to determine SRP design changes necessary to prevent failure of the two substations which would result in a complete plant shutdown. SRP will consult WSD on the pre-design services only. WSD will review SRP's recommendations before entering into contracts with SRP for the design and construction phase for these substation modifications.

Contract Term

Each of the two contracts are for one year starting on or about April 4, 2018, through March 31, 2019.

Financial Impact

Funding in the amount of $47,000 is available in the Water Services Department's Capital Improvement Program budget.

Location

The 91st Avenue Wastewater Treatment Plant is located at 5615 S. 91st Ave.
Council District: 7

This item was adopted.

84 Risk Management Program Services Contract (Ordinance S-44470)

Request to authorize the City Manager, or his designee, to enter into a contract with Safety & Risk Management Group to provide consulting and auditing services to ensure the Water Services Department's seven facilities remain in compliance with the Environmental Protection Agency (EPA) Risk Management Plan (RMP) Rule under the Clean Air Act. The aggregate contract value, including all option years, will not exceed $259,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Water Services Department (WSD) operates seven facilities that must remain in compliance with the RMP rules of the Clean Air Act, Section 112(r). Implementation of this contract authorizes a contractor to update and revise the City's RMP, perform Process Hazard Analysis and Triennial Compliance Audits to ensure the City remains in compliance with federal, state, county, and City regulations.

Procurement Information

RFP 1718-WES-33, Risk Management Program Services was conducted in accordance with Administrative Regulation 3.10. Six offers were received, all of which were determined to be responsive to the solicitation requirements.

The proposals were scored by a three-member evaluation panel, based on the following criteria:

Method of Approach: 375 points
Company and Staff Qualifications: 325 points
Cost of Services: 300 points

The proposers and their scores are as follows:

Safety & Risk Management Group: 848
Risk Management Professionals: 785
Acutech Group: 730
Tetra Tech: 714
Trinity Consultants: 616
Jensen Hughes: 410

The evaluation panel recommended acceptance of the offer from Safety & Risk Management Group as the highest scored, responsive, and responsible offeror that is the most advantageous to the City.

Contract Term

The contract term shall be for a period of three years, with two 2-year options to extend, to be exercised at the City's discretion. The contract term shall begin on or about July 15, 2018, with an end date of July 14, 2025.

Financial Impact

The aggregate contract value, including all option years, will not exceed $259,000 (including applicable taxes). Funds are available in the Water Services Department's operating budget.

This item was adopted.

85 Contract with Pickering Laboratories for Instruments Used to Test Drinking Water Samples (Ordinance S-44474)

Request to authorize the City Manager, or his designee, to enter into a contract with Pickering Laboratories, Inc., for maintenance of two Pickering Pinnacle PCX instruments for the Water Services Department. The aggregate value will not exceed $100,710 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Water Services Department currently uses two Pickering Pinnacle PCX instruments in its Environmental Laboratories. The instruments are used in conjunction with the High Pressure Liquid Chromatograph instruments to analyze drinking water samples to ensure compliance with Safe Drinking Water Act and Clean Water Act regulations.

Procurement Information

In accordance with City of Phoenix Administrative Regulation 3.10, normal competition was waived because there is only one source for the necessary goods and services. Pickering Laboratories, Inc., is the only company that is authorized to provide certified parts and technicians, and to ensure that the City receives the proprietary software updates for the instruments.

Contract Term

The contract term is for five years effective from July 1, 2018, through June 30, 2023.

Financial Impact

The aggregate value of the contract is not to exceed $100,710. Funding for this contract is available in the Water Services Department's operating budget.

This item was adopted.

86 Biosolids Removal Services Contract (Ordinance S-44478)

Request to authorize the City Manager, or his designee, to enter into a contract with Synagro of California, LLC to provide biosolids removal services for the Water Services Department. Expenditures are not to exceed $12,000,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Wastewater Treatment Plants produces 600 wet tons of nutrient biosolids per day. Biosolids are reused for land applications or disposed of in landfills after being dried in drying beds. This contract will facilitate relocation of biosolids to drying beds, and subsequent daily hauling to either land applications or landfills, activities necessary to meet the Environmental Protection Agency Regulations for biosolids disposal.

Procurement Information

A solicitation was completed in accordance with City of Phoenix Administrative Regulation 3.10. The Water Services Department received four bids, which were determined to be responsive to the solicitation requirements.

Synagro of California, LLC: $1,885,004
New Earth, LLC: $1,903,518.50
Denali Water Solutions, LLC: $1,989,940
AG Tech, LL: $2,389,357

Contract Term

The contract term will be for two years effective June 1, 2018, through May 31, 2020. The contract has two, 2-year options to extend.

Financial Impact

Expenditures are not to exceed $12,000,000 over the life of the contract. Funding for the contract is available in the Water Services Department's operating budget.

Location

23rd Avenue Wastewater Treatment Plant located at 2470 S. 22nd Ave.

91st Avenue Wastewater Treatment Plant located at 5615 S. 91st Ave.
Council District: 7

This item was adopted.

87 Modification of Stipulation Request for Ratification of March 21, 2018 Planning Hearing Officer Action - Z-212-83-4

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on March 21, 2018. This ratification requires formal action only.

Summary
Application: PHO-2-18--Z-212-83-4
Current Zoning: C-1
Acreage: 3.65
Applicant: Wendy Riddell, Berry Riddell, LLC
Representative: Wendy Riddell, Berry Riddell, LLC
Owner: Clarendon Funding, LLC

Proposal:
1. Deletion of Stipulation 3 regarding freestanding signs.

Location
Northwest corner of 3rd Avenue and Clarendon Avenue
Council District: 4
Parcel Address: N/A

Concurrence
Village Planning Committee (VPC) Recommendation: The Encanto Village Planning Committee chose not to hear this case.
Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval on March 21, 2018.

This item was approved.

88 Modification of Stipulation Request for Ratification of March 21, 2018 Planning Hearing Officer Action - Z-106-92-6(4)

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the

City Council on matters heard by the Planning Hearing Officer on March 21, 2018. This ratification requires formal action only.

Summary

Application: PHO-1-18--Z-106-92-6(4)
Current Zoning: C-2
Acreage: 2.95
Applicant: Barry Gardner, C/O Food for the Hungry
Representative: Barry Gardner, C/O Food for the Hungry
Owner: Food for the Hungry, Inc.

Proposal:
1. Deletion of Stipulation 2 regarding establishment of a wholesale art vendor within 18 months of the final City Council approval.
2. Deletion of Stipulation 5 regarding reversion of the zoning C-O/G-O upon change of use on the property.

Location

Approximately 310 feet north of the northeast corner of 14th Street and Indian School Road.
Council District: 4
Parcel Address: N/A

Concurrence

Village Planning Committee (VPC) Recommendation: The Encanto Village Planning Committee recommended approval with change by a 12-0 vote on March 5, 2018.
Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended denied as filed and approved with modifications on March 21, 2018.

This item was approved.

89 Modification of Stipulation Request for Ratification of March 21, 2018 Planning Hearing Officer Action - Z-14-98-5(4)

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on March 21, 2018. This ratification requires formal action only.

Summary

Application: PHO-1-18--Z-14-98-5(4)
Current Zoning: C-2 HGT/WVR
Acreage: 1.39
Applicant: Identity Mutual, LLC
Owner: Khodiyar, LLC
Representative: Michael Clark

Proposal:
1. Modification of Stipulation 1 regarding general conformance to site plan and elevations stamped Jan. 10, 1998.
2. Technical correction to Stipulation 3.

Location
Approximately 194 feet east of the northeast corner of 27th Avenue and Indian School Road.
Council District: 4
Parcel Address: N/A

Concurrence
Village Planning Committee (VPC) Recommendation: The Alhambra Village Planning Committee chose not to hear this case.
Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval on March 21, 2018.

This item was approved.

90 Modification of Stipulation Request for Ratification of March 21, 2018 Planning Hearing Officer Action - Z-333-79-6

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on March 21, 2018. This ratification requires formal action only.

Summary
Application: PHO-1-18--Z-333-79-6
Current Zoning: C-O
Acreage: 0.34
Applicant/Representative: Ed Bull, Burch & Cracchiolo, P.A.
Owner: Robert A. Lynn

Proposal:
1. Modification of Stipulation 1 regarding the development of an interior decorator's office.
2. Modification of Stipulation 2 regarding the limitation of a one-story building height.
3. Deletion of Stipulation 3 regarding the development of an interior decorator's office.
4. Deletion of Stipulation 4 regarding retaining the existing structure.

Location
Approximately 120 feet south of the southwest corner of 40th Street and Hazelwood Street.
Council District: 6
Parcel Address: N/A

Concurrence
Village Planning Committee (VPC) Recommendation: The Camelback East Village Planning Committee chose not to hear this case.
Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval on March 21, 2018.

This item was approved.

91 Final Plat - Legacy Traditional School - 170080 - Northeast Corner of 99th Avenue and Campbell Avenue

Plat: 170080
Project: 17-1951
Name of Plat: Legacy Traditional School
Owner(s): Legacy Traditional School
Engineer(s): Hunter Engineering, Inc.
Request: A 2 Lot Commercial Subdivision Plat
Reviewed by Staff: Jan. 17, 2018
Final Plat requires Formal Action Only

Summary
Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with Abandonment V170049, V170066A, and V180007A.

Location
Generally located at the northeast corner of 99th Avenue and Campbell Avenue.
Council District: 5

This item was approved.

92 Final Plat - Cityscape Block 23 - 170049 - South of Washington Street and East of 1st Street

Plat: 170049
Project: 16-2834
Name of Plat: Cityscape Block 23
Owner(s): City of Phoenix, Arizona, An Arizona Municipal Corporation
Engineer(s): David Evans and Associates, Inc.
Request: A 1 Lot Commercial Plat
Reviewed by Staff: March 14, 2018
Final Plat requires Formal Action Only

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

Location
Generally located south of Washington Street, east of 1st Street.
Council District: 7

This item was approved.

93 Final Plat - Mountain Views - 180018 - East of 75th Avenue and North of Lower Buckeye Road

Plat: 180018
Project: 14-535
Name of Plat: Mountain Views
Owner(s): Torino Holdings, LLC & Southwest Next NWC Indian School and Falcon, LLC
Engineer(s): Clouse Engineering
Request: A 105 Lot Residential Plat
Reviewed by Staff: March 22, 2018

Final Plat requires Formal Action Only

Summary

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

Location

Generally located 816.24 feet east of 75th Avenue on the north side of Lower Buckeye Road.
Council District: 7

This item was approved.

94 Abandonment of Right-of-Way - V170049A - 98th Avenue North of Campbell Avenue (Resolution 21629)

Abandonment: V170049A
Project: 17-1951
Applicant: Provestus Development Solutions, Limited Liability Company
Request: To abandon a portion of the 98th Avenue right-of-way and the cul-de-sac bulb dedicated per the plat Campbell Commerce Center, Book 1154 Page 06, Maricopa County Recorder, adjacent to the parcels identified as Lot 2 (APN 102-18-961), Lot 3 (APN 102-18-962), and Lot 4 (APN 102-18-963), along with the 8-foot Public Utility Easement adjacent to the same right-of-way.
Date of Hearing: Oct. 31, 2017.

Summary

The resolution of the abandonment and the subdivision plat Legacy Traditional School, Plat 170080, 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

98th Avenue north of Campbell Avenue
Council District: 5

Financial Impact

A fee was also collected as part of this abandonment in the amount of $25,293.30.

This item was adopted.

95 Abandonment of Easement - V170066A - 98th Avenue North of Campbell Avenue (Resolution 21630)

Abandonment: V170066A
Project: 17-1951
Applicant: James A. Brucci, R. L. S., of Hunter Engineering, Incorporated
Request: To abandon four drainage easements dedicated per the plat Campbell Commerce Center, Book 1154 Page 06, Maricopa County Recorder, on the parcels identified as Lot 1 (APN 102-18-960), Lot 2 (APN 102-18-961), Lot 3 (APN 102-18-962), and Lot 4 (APN 102-18-963), located north of Campbell Avenue and adjacent to 98th Avenue.
Date of Decision: Nov. 15, 2017.

Summary
The resolution of the abandonment and the subdivision plat Legacy Traditional School, Plat 170080, 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
98th Avenue north of Campbell Avenue
Council District: 5

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

This item was adopted.

96 Abandonment of Easement - V180007A - 4545 N. 99th Ave. (Resolution 21631)

Abandonment: V180007A

Project: 17-1951
Applicant: James A. Brucci, R. L. S., of Hunter Engineering, Incorporated
Request: To abandon the 8-foot Public Utility Easement retained in Resolution 21250, currently located on the parcel addressed 4545 N. 99th Ave. (APN 102-18-003Q).
Date of Decision: Feb. 23, 2018

Summary
The resolution of the abandonment and the subdivision plat Legacy Traditional School, Plat 170080, 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
4545 N. 99th Ave.
Council District: 5

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

This item was adopted.

97 Amend City Code - Official Supplementary Zoning Map 1171 (Ordinance G-6445)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1171. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-11-C-75-2, Z-11-F-75-2, Z-133-99-2, Z-59-05-2 and Z-92-04-5 and the entitlements are fully vested.

Summary
To rezone a parcel located at the northwest corner of Greenway Road and Kierland Boulevard.

Z-11-C-75-2
Zoning: RH PCD
Owner: Host Kierland LP
Acreage: Approximately 31.68
Location: Northwest corner of Greenway Road and Kierland Boulevard.
Council District: 2

To rezone a parcel located 300 feet northwesterly of the northwest corner of Greenway Road and Kierland Boulevard.
Z-11-C-75-2
Zoning: RH MR PCD
Owner: Host Kierland LP
Acreage: Approximately 5.04
Location: 300 feet northwesterly of the northwest corner of Greenway Road and Kierland Boulevard.
Council District: 2

To rezone a parcel located 400 feet west of the northwest corner of Greenway Road and Kierland Boulevard.
Z-11-C-75-2
Zoning: RH SP PCD
Owner: Host Kierland LP
Acreage: Approximately 19.29

Location: 400 feet west of the northwest corner of Greenway Road and Kierland Boulevard.
Council District: 2

To rezone a parcel located 500 feet west of the northwest corner of Greenway Road and Kierland Boulevard. This site encompasses north and south of Greenway Road.
Z-11-C-75-2
Zoning: R-3A PCD
Owner: Host Kierland LP
Acreage: Approximately 19.65
Location: 500 feet west of the northwest corner of Greenway Road and Kierland Boulevard.
Council District: 2

To rezone a parcel located on the southeast corner of 64th Street and Greenway Boulevard.
Z-11-C-75-2
Zoning: PSC PCD
Owner: Host Kierland LP
Acreage: Approximately 19.57
Location: Southeast corner of 64th Street and Greenway Boulevard.
Council District: 2

To rezone a parcel located on the northeast corner of 64th Street and Greenway Boulevard.
Z-11-C-75-2
Zoning: C-1 PCD
Owner: Host Kierland LP
Acreage: Approximately 5.86
Location: Northeast corner of 64th Street and Greenway Boulevard.
Council District: 2

To rezone a parcel located 300 feet south from the corner of 68th Street and Paradise Lane.
Z-11-C-75-2
Zoning: R1-8 PCD
Owner: Host Kierland LP
Acreage: Approximately 4.41
Location: 300 feet south from the corner of 68th Street and Paradise Lane.
Council District: 2

To rezone a parcel located on the southwest corner of 71st Street and Paradise Lane.
Z-11-C-75-2
Zoning: CP/GCP PCD
Owner: Host Kierland LP
Acreage: Approximately 69.52
Location: Southwest corner of 71st Street and Paradise Lane.
Council District: 2

To rezone a parcel located 300 feet west from the corner of Greenway Road and Kierland Boulevard.
Z-11-F-75-2
Zoning: GC/PCD
Owner: Host Kierland LP
Acreage: Approximately 55.48
Location: 300 feet west from the corner of Greenway Road and Kierland Boulevard.
Council District: 2

To rezone a parcel located on the southwest corner of Scottsdale Road and Sandra Terrace.
Z-11-F-75-2
Zoning: CP/GCP PCD
Owner: Host Kierland LP
Acreage: Approximately 8.73
Location: Southwest corner of Scottsdale Road and Sandra Terrace.
Council District: 2

To rezone a parcel located 500 feet north from Scottsdale Road and Kierland Boulevard.
Z-11-F-75-2
Zoning: C-2 PCD
Owner: Host Kierland LP
Acreage: Approximately 26.19
Location: 500 feet north from Scottsdale Road and Kierland Boulevard.
Council District: 2

To rezone a parcel located 400 feet west from the corner of Scottsdale Road and Kierland Boulevard.
Z-11-F-75-2
Zoning: R-4 PCD
Owner: Host Kierland LP
Acreage: Approximately 11.71
Location: 400 feet west from the corner of Scottsdale Road and Kierland Boulevard.
Council District: 2

To rezone a parcel located 550 feet west from the corner of Scottsdale Road and Kierland Boulevard.
Z-11-F-75-2
Zoning: GC/PCD
Owner: Host Kierland LP
Acreage: Approximately 149.16
Location: 550 feet west from the corner of Scottsdale Road and Kierland Boulevard.
Council District: 2

To rezone a parcel located north 400 feet from the intersection of Greenway Road and 66th Street.
Z-11-F-75-2
Zoning: R-3A PCD
Owner: Host Kierland LP
Acreage: Approximately 10.27
Location: north 400 feet from the intersection of Greenway Road and 66th Street.
Council District: 2

To rezone a parcel located 300 feet southwesterly from the southwest corner of Scottsdale Road and Paradise Lane.
Z-133-99-2
Zoning: C-2 PCD HGT/WVR
Owner: Host Kierland LP
Acreage: Approximately 2.18
Location: 300 feet southwesterly from the southwest corner of Scottsdale Road and Paradise Lane.
Council District: 2

To rezone a parcel located on the southwest corner of Mayo Boulevard and 68th Street.
Z-59-05-2
Zoning: R-5 PCD
Owner: Host Kierland LP
Acreage: Approximately 22.66
Location: southwest corner of Mayo Boulevard and 68th Street.
Council District: 2

To rezone a parcel located 100 feet west from the northwest corner of Northern Avenue and 19th Avenue
Z-92-04-5
Zoning: PSCOD
Owner: AZG Northern LLC
Acreage: Approximately 11.57
Location: 100 feet west from the northwest corner of Northern Avenue and 19th Avenue.
Council District: 5

This item was adopted.

98 Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-18--Z-34-15-2 - Southwest Corner of Cave Creek Road and Quail Avenue (Ordinance G-6448)

Request authorization for the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Wednesday, March 21, 2018.

Summary
Current Zoning: C-2 DVAO
Acreage: 1.98
Applicant: Nathan Bisch/One Architecture
Owner: SG Pad Mesa, LLC
Representative: Brad Flahiff/Barnett Management Co.

Proposal:
1. Modification of Stipulation 1 regarding general conformance to the site plan, landscape plan, and elevations date stamped June 16, 2015.

Location
Southwest corner of Cave Creek Road and Quail Avenue.
Council District: 2
Parcel Addresses: N/A

Concurrence
Village Planning Committee (VPC) Recommendation: The Paradise Valley Village Planning Committee heard the case on March 5, 2018 and

recommended approval with an additional stipulation by a 13-0 vote.
Planning Hearing Officer (PHO) Recommendation: The Planning Hearing Officer heard the case on March 21, 2018 and recommended approval with an additional stipulation.

This item was adopted.

99 Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-18--Z-SP-5-14-4 - Approximately 121 Feet South of the Southeast Corner of 7th Street and Devonshire Avenue (Ordinance G-6450)

Request authorization for the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Wednesday, March 21, 2018.

Summary
Current Zoning: C-2 HGT/WVR SP
Acreage: 0.60
Applicant: Upper Image Services, LLC
Owner: 4201 North 7th SP, LLC
Representative: 3K1 Consulting Services, LLC

Proposal:
1. Modification of Stipulation 1 regarding general conformance to site plan and elevations date stamped Oct. 27, 2014.
2. Deletion of Stipulation 1(a) regarding parking/manuvering between the buildings and the 7th Street frontage.

Location
Approximately 121 feet south of the southeast corner of 7th Street and Devonshire Avenue.
Council District: 4
Parcel Addresses: N/A

Concurrence
Village Planning Committee (VPC) Recommendation: The Encanto Village Planning Committee heard the case on March 5, 2018 and recommended approval with a modification by a 11-0 vote.
Planning Hearing Officer (PHO) Recommendation: The Planning Hearing

Officer heard the case on March 21, 2018 and recommended approval with additional stipulations.

This item was adopted.

100 Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-18--Z-118-14-4 - Approximately 121 Feet South of the Southeast Corner of 7th Street and Devonshire Avenue (Ordinance G-6449)

Request authorization for the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Wednesday, March 21, 2018.

Summary

Current Zoning: C-2 HGT/WVR SP
Acreage: 0.60
Applicant: Upper Image Services, LLC
Owner: 4201 North 7th SP, LLC
Representative: 3K1 Consulting Services, LLC

Proposal:
1. Modification of Stipulation 1 regarding general conformance to site plan and elevations date stamped Oct. 27, 2014.
2. Deletion of Stipulation 1(a) regarding parking/manuvering between the buildings and the 7th Street frontage.

Location

Approximately 121 feet south of the southeast corner of 7th Street and Devonshire Avenue.
Council District: 4
Parcel Addresses: N/A

Concurrence

Village Planning Committee (VPC) Recommendation: The Encanto Village Planning Committee heard the case on March 5, 2018 and recommended approval with a modification by a 11-0 vote.
Planning Hearing Officer (PHO) Recommendation: The Planning Hearing Officer heard the case on March 21, 2018 and recommended approval with additional stipulations.

This item was adopted.

101 Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-18--Z-61-09-8 - Approximately 500 Feet East of the Southeast Corner of 7th Street and Dobbins Road (Ordinance G-6447)

Request authorization for the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Wednesday, March 21, 2018.

Summary

Current Zoning: R-2 PRD BAOD, R1-6 PRD BAOD, R1-10 PRD BAOD and R1-8 PRD BAOD
Acreage: 149.06
Applicant: Wendy Riddell, Berry Riddell, LLC
Representative: Wendy Riddell, Berry Riddell, LLC
Owner: MGC Properties, LLC

Proposal:
1. Review of Stipulation 19 which requires that the Planning Hearing Officer review the conceptual elevations before preliminary site plan approval.
2. Technical correction to Stipulations 1, 3, 4, 5, 6.a, 6.b, 7, 10, 11, 12, 13, 14, 15, 17, 18, 20, 21, 22, 22.c, 22.d, 25, 26, 27, 28 and 30.

Location

Approximately 500 feet east of the southeast corner of 7th Street and Dobbins Road.
Council District: 8
Parcel Addresses: N/A

Concurrence

Village Planning Committee (VPC) Recommendation: The South Mountain Village Planning Committee heard the case on March 13, 2018 and recommended approval by a 11-4 vote.
Planning Hearing Officer (PHO) Recommendation: The Planning Hearing Officer heard the case on March 21, 2018 and approved the conceptual elevations presented by the applicant on behalf of Marcary Homes.

This item was adopted.

102 Amend City Code - Ordinance Adoption - Rezoning Application Z-78-17-8 - Southwest Corner of 13th Street and Roosevelt Street (Ordinance G-6444)

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-78-17-8 and rezone the site from R-5 RI ACSBO HP to R-5 RI ACSBO to allow the removal of Historic Preservation (HP) overlay for Bobo House/Craftsman Bungalow at 1241 E. Roosevelt St.

Summary
Current Zoning: R-5 RI ACSBO HP
Proposed Zoning: R-5 RI ACSBO
Acreage: 0.51 acres
Proposed Use: Removal of Historic Preservation (HP) zoning overlay for Bobo House/Craftsman Bungalow at 1241 E. Roosevelt St.

Owner: Miriam Hayenga
Applicant: City of Phoenix, Historic Preservation Commission
Representative: Kevin Weight, City of Phoenix, Historic Preservation

Staff Recommendation: Approval
VPC Action: The Central City Village Planning Committee did not make a recommendation due to a lack of quorum.
Historic Preservation Commission Action: The Historic Preservation Commission heard the case on Dec. 18, 2017 and recommended approval by an 8-0 vote. However, this recommendation did not include the RI zoning on the property.
PC Action: The Planning Commission heard the case on Feb. 1, 2018 and recommended approval as recommended by the Historic Preservation Commission by a 6-0 vote. However, this recommendation did not include the RI zoning on the property.
PC Action: The Planning Commission heard the request on April 5, 2018 and recommended approval as recommended by staff with the corrected zoning per the memo from Kevin Weight dated March 29, 2018 by a 6-0 vote.

Location
Southwest corner of 13th Street and Roosevelt Street
Council District: 8
Parcel Addresses: 1241 E. Roosevelt St.

This item was adopted.

103 Amend City Code - Ordinance Adoption - Rezoning Application Z-6-18-8 - Northwest Corner of 32nd Street and Van Buren Street (Ordinance G-6452)

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-6-18-8 and rezone the site to allow a medical clinic.

Summary
Current Zoning: R-5, C-2, and C-3
Proposed Zoning: WU Code T5:7 GWY
Acreage: 16.96
Proposed Use: Medical clinic

Owner: Berkana 32nd & Van Buren, LLC
Applicant: Law Office of David Cisiewski, PLLC
Representative: Pathangay Architects, Navin Pathangay

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Central City Village Planning Committee heard this case on March 12, 2018 and recommended approval per the staff recommendation by a 11-7 vote.
PC Action: The Planning Commission heard the request on April 5, 2018 and recommended approval as recommended by the Central City Village Planning Committee by a 6-0 vote.

Location
Northwest corner of 32nd Street and Van Buren Street.
Council District: 8
Parcel Addresses: 302, 342, 390, 402, 410, 418, and 424 N. 32nd St.; and 3148 E. Van Buren St.

This item was adopted.

A motion was made by Vice Mayor Williams, seconded by Councilwoman Pastor, to suspend the rules and take Item 52 out of order. The motion carried by voice vote:

Yes: 9 - Councilman DiCiccio, Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Vice Mayor Williams and Mayor Stanton

No: 0

52 Referral to the Ballot - Charter Amendments Relating to City of Phoenix Election Dates (Ordinance S-44500)

An Ordinance referring four proposed amendments to the Charter of the City of Phoenix to voters for their approval or rejection related to changing the dates for the regular City of Phoenix candidate elections to November of even-numbered years, and the potential Runoff election to the following March. If approved by the voters, these Charter Amendments would consolidate the regular City of Phoenix candidate elections for mayor and city council members to November of even years with the State General Elections conducted by Maricopa County.

Summary

At the March 7, 2018, Formal meeting, the City Council voted to direct staff to draft language to refer Charter Amendments to the ballot to change the dates on which regular City of Phoenix candidate elections are held. This item is an ordinance to refer four proposed Charter Amendments to voters to appear on the ballot at the State Primary Election conducted by Maricopa County on Aug. 28, 2018. The proposed Ordinance containing the text of the proposed changes is included as **Attachment A**.

1. The first ballot measure proposes amendments to the following sections of the City Charter necessary to change the election dates and consolidate the City election with the State General Election conducted by the County.

Chapter XIII, Section 6 - Amendment to remove the prohibition on

holding elections for mayor and council on the same date as State elections.

Chapter III, Section 6 - Change the date for regular mayor and council and runoff elections from August and November of odd years, to November of even years and the following March, respectively; change the date that council terms begin to the third Monday in April to align with the new election dates; change the latest date for the canvass of vote from within 15 days after the election to within 15 days after the final unofficial results are received from the County to provide the additional time needed by the county to tabulate votes in a state election; and authorize the County to designate the polling places for City elections when the election is conducted by the County.

2. The second ballot measure proposes to amend Chapter XXII, Section 3 to remove the requirement that the full text of proposed Charter amendments be printed on the ballot unless the City Council votes unanimously for the measure to appear on the ballot using a shorter descriptive title. This change is necessary because there is limited space available on the County ballot for the State primary and general elections. The full text of proposed Charter Amendments will still be available to all voters in the publicity pamphlet and other materials.

3. The third ballot measure proposes to change the term for the Citizens Commission on Salaries for Elected City Officials, which is appointed to review and make recommendations to voters on the salaries for the mayor and council members, from odd years to even years to align with the year of the election. It also would change the frequency of appointment of the Commission from every two years to every four years in the year of the regular elections for mayor, as recommended by the Salary Commission in 2015.

4. The fourth ballot measure is not required to implement the change to election dates, but has been recommended as an efficiency measure to expedite certification of petitions and reduce the cost of verification. This measure proposes to amend Chapter XV, Section 3, and Chapter XVI, Section 3, to change the requirement for verifying signatures on initiative and referendum petitions from verifying 100 percent of the signatures to

verifying a random sample of 20 percent of the signatures. Under State law, statewide initiative and referendum measures, and those in all other jurisdictions, are verified based on a five percent random sample.

Public Outreach

At the request of the City Council during the March 7, 2018, Formal meeting, the City Clerk Department conducted eight public hearings about the proposed change of regular City election dates. These meetings were held either before or after City of Phoenix Budget Hearings that had already been scheduled throughout the City. Phoenix residents had an opportunity to learn about the proposed changes, ask questions, and make comments. The presentation and video of the hearings also were made available to the public online.

Discussion

Note: Due to the City Clerk's role for this item, Deputy City Clerk Elizabeth Martin Parker assumed the meeting duties of the City Clerk.

Mayor Stanton announced this item concerned consolidated elections in the City of Phoenix and whether or not Council referred to the ballot a measure related to election dates for the City. He sought a motion and a second to put on the floor followed by testimony, noting staff was present to answer questions.

Vice Mayor Williams moved to refer to the August ballot the recommended Charter changes to move Phoenix elections to even-numbered years beginning in November 2020 and with March runoff elections. The motion was seconded by Councilwoman Pastor.

City Clerk Cris Meyer conveyed the Council gave staff direction to study three options for consolidating elections or how to conduct elections in the future. The first option was to maintain the current election method which had the City conducting elections in August of odd-numbered years. He continued the second option was to consolidate with State elections in August and November of even-numbered years. He remarked a third option arose to consolidate with the State general election, noting the first City election would be in November of even-numbered years on the County ballot with the run-off if necessary in March.

Mr. Meyer stated the Council further directed staff to conduct public hearings and staff made presentations at eight meetings in conjunction with the City budget. He indicated staff took feedback from about 25 people that attended those meetings and provided the following statistics: 10 people expressed support for keeping elections the current way; 4 people were interested in consolidating August-November with the county, noting no one spoke in support of November-March option; and 11 people did not have an opinion.

Mr. Meyer said as directed by Council, this item referred charter amendments for Option 3, November-March, as reflected in the motion. He advised an ordinance calling a special election and adopting the form of the ballot would appear on the May 2nd formal agenda. If approved, Charter amendments would be sent to the voters on the August 2018 State ballot. He added if those Charter amendments were approved, the next regular citywide election, currently scheduled for August 2019, would be in November 2020.

Mr. Meyer conveyed there were required Charter amendments that voters would have to approve in order to change the election dates since that information was contained in the City Charter. The first proposition would remove the restriction on consolidated candidate elections with state elections, change the candidate election and inauguration dates, extend the time for the canvass of vote because the county needed additional time in a countywide election, and authorize the county to designate polling places for consolidated elections.

The next proposition would amend the Charter to do the current requirement for the full text of Charter amendments be placed on the ballot unless the Council referred it by descriptive title by a unanimous vote. Mr. Meyer remarked there was concern as there was limited space on the county ballots so there might not be room for a full text Charter amendment. Another proposition would change the Citizens Commission on Salaries for Elected Officials to align with the election dates in even years since the commission currently met in odd years leading up to the fall election. He noted it would also propose to change the salary review from every two years to every four years at the mayoral election, as

recommended by the last salary commission.

He stated one additional charter amendment had been proposed, which was optional, to change the requirement on signature verification for initiative and referendum petitions. Mr. Meyer explained the City Charter currently required the City Clerk to verify all signatures filed on the petition, whereas this proposal would change that to use a 20 percent random sample. He pointed out state law used a 5 percent sample, which applied to state petitions as well as petitions in other jurisdictions. There was concern about the time and effort it took to complete the petition check to meet the deadline to place it on the ballot with the fixed election dates in November.

Mr. Meyer announced HB2604 was passed in this current session and recently signed by the Governor. The bill required cities and towns to consolidate elections with the state in August and November of even years if future turnout was 25 percent lower than the turnout in state general elections. He noted the bill had provisions that resolved the alternative expenditure limitation issue that came up during discussion pertaining to consolidating and moving election dates. The bill also aligned the terms of Council at the time of election consolidation with the new election date which would extend terms. He thought a legal challenge would occur on this bill at some point over the issue of local control.

Councilman DiCiccio wanted to see the chart that showed the City's voter turnout. He noticed it had been below the 25 percent threshold, except for one, and asked what the specific language was in HB2604.

Mr. Meyer responded the language in the bill stated if the turnout in the city or town election was 25 percent less than what was obtained in the elections for Governor the city or town would need to consolidate. So, the City would need to be at 75 percent of whatever the turnout was in the Governor's elections, noting the last election for Governor showed a 43 percent turnout. Therefore, the City would need to be approximately 30 percent which was close in some of the City's elections.

Councilman DiCiccio recalled his district had the highest turnout but it was

not that way across the board since it was combined. He inquired if it was the mayoral or any election that triggered it.

Mr. Meyer replied the bill was not that specific as it just said the regular city candidate elections.

Councilwoman Pastor understood HB2604 was the speaker's bill which was added on and pushed through the legislation with some assistance from her colleagues. She asked for an explanation about the lawsuit.

Mr. Meyer answered this was the second or third bill that had been passed over the past 20 years with regard to consolidating elections. A couple of those efforts were challenged by cities and towns over a matter of local control and whether the legislature could dictate, to Charter cities in particular, when to hold their elections. He pointed out lawsuits were filed on the prior two consolidation efforts, noting one pertained to just dates and the other dealt with going to the fall of even years. He anticipated some of the cities and towns that held elections other than those dates might file the same challenge.

In further response to Councilwoman Pastor, Mr. Meyer conveyed the first challenge in 1996 was filed by the City of Tucson over the dates when cities and towns were limited to four dates a year. He specified Tucson lost that lawsuit which was why cities and towns, including Phoenix, changed election dates to the four dates in state law which was currently August and November. The second challenge was in 2012 where Tucson and Phoenix challenged the forced consolidation to the fall of even years. He indicated the cities and towns prevailed in that litigation as the main issue was local control and whether the state could control the method of how cities conducted their elections.

Councilman Waring also wanted to see the voter turnout chart. He thought the discussion pertained to the November-March option and inquired if the City had ever topped 30 percent in the last 20 years.

Mr. Meyer replied 29 percent was the highest turnout over the last 20 years.

Councilman Waring remarked the Council was only acting on whether to send this forward for voters to decide. He referred to the chart and emphasized this bill would increase turnout from less than 30 percent to over 70 percent. He pointed out the state passed a bill and could sue the city if elections were kept at status quo, but thought there would be a lawsuit either way. He recalled the Council voted a preference to switch to even numbered years when turnout was higher, noting other cities had done this and it was not an issue.

Councilwoman Pastor requested staff address the expenditure limitation issue.

Mr. Meyer stated the state constitution contained a spending limitation that could not be exceeded which applied to cities and towns based on a formula that dated back to the early 1980s. However, the constitution provided an option for each jurisdiction to have voters approve an alternate expenditure limitation that deviated from the state formula. He mentioned the City of Phoenix currently had one in effect which expired July 1, 2020, and was set at whatever the approved budget was based on revenues and expenditures. He explained the issue with consolidating elections without resolving that matter was the City's expenditure limitation would have run out before placing it on a ballot for voters to renew which would have been about a $1 billion hit on the budget. He added the state legislature adopted a resolution that waived enforcement of penalties which allowed the City to continue using the existing expenditure limitation until after elections were consolidated on the first available election for voters to approve it.

Councilwoman Pastor confirmed that Council's first vote requested staff explore this direction but there was discussion about sending it to the voters if it happened. She stressed her support of that first vote was to explore this consideration, but her second vote of no pertained to moving this forward to the voters.

Mr. Meyer interjected the second vote directed staff to prepare the language for charter amendments to consolidate elections and to bring back to Council.

Councilwoman Pastor expressed the direction could shift and Council had the ability to change their vote based on new information. She did not think the voters understood what would be referred to the ballot and wanted staff to explain how the County determined what went on the November ballot.

Mr. Meyer explained due to the number of items on the November general election ballot there was a limited amount of space so placing items on the ballot for other jurisdictions depended on what other things were required to be on it. He advised the County's best estimate for the November election was that there would be room for the City to have two to four ballot measures but it could be less or more depending on what else was on the ballot. He noted the language on the ballot was limited to approximately a 50-word description of the item due to limited space. Therefore, the description of the item and what it did would appear in other materials, such as the publicity pamphlet and ballot text pamphlet that was mailed with the ballots.

Councilman DiCiccio said he had been pushing for consolidated elections since the mid-1990s and helped write the two bills that passed at the legislature. He thought the City had to consolidate their elections per state law which was signed by the Governor.

City Attorney Brad Holm replied the statute did not take effect until August, noting the central provision did not take effect until 2019 so as of today it was not applicable to the City. He conveyed if the City did not meet the 75 percent threshold of the gubernatorial turnout in 2019 then it would apply to the City's 2020 or 2022 election.

Councilman DiCiccio asked if the City had ever reached the 25 percent threshold in the last 20 years.

Mr. Meyer responded the City had not done so consistently, but could not recall if the City had never reached it.

Councilman DiCiccio expressed the City would have the strongest argument moving forward if this passed because 70 percent of candidates were decided in the first election. Thus, he thought the best

case for those who did not want consolidated elections was to move forward with this model as it meant higher turnout. He wanted to know how many cities had not consolidated elections with the state.

Mr. Meyer replied there were 19 Charter cities that were not required to consolidate, but believed it was six or nine that had not consolidated elections.

Councilman DiCiccio thought this was the right thing for City taxpayers and voters to have access and be able to go to the voting polls and vote on the same day. Also, consolidating elections would meet the threshold which made for a stronger case.

Vice Mayor Williams stated there was concern with the August-November option because the majority of voters were registered as Independents and it would require them to take an extra step which could prevent them from participating. She confirmed by doing the November-March option that problem was eliminated. She wondered if the City could still hold special elections in March.

Mr. Meyer responded bond elections were required to be done in November but other special elections could be held in March.

Vice Mayor Williams inquired if the City would conduct the elections in March as well as be a back-up to County elections.

Mr. Meyer answered the Council could approve whether the City or County conducted elections in March. However, he understood the direction was Council intended for the City to conduct the election in March. Further, the City would continue to be a back-up for the County, but would need to replace the ballot tabulation system for the 2020 election. He pointed out prior to this discussion the City and County had been planning to do a joint procurement so they could be a back-up to each other and provide the legally required back-up location.

Councilman Valenzuela commented he had been opposed to this from the beginning because it brought partisanship into a local election. His biggest concern was that Independents would have to take an extra step

and ask for a Republican or Democrat ballot in order to vote. He stressed there were recent efforts made to move from August-November to November-March and felt this was being rushed. He recalled there were only 25 people that came out to the hearings and did not think folks were informed about the changes. Again, his concern was putting local candidates on a ballot in partisan races.

Councilman Valenzuela thought the City conducted the best elections as people could vote over three days at universal polling places in person or by mail. Although turnout and access were incredibly important he believed consolidating elections with the county would reduce those opportunities. He conveyed there were important questions that needed answered but wanted to hear from those in the audience who came to speak on this topic.

Brent Kleinman spoke in opposition as he thought City elections were unique with their own time and place. He referred to the 2012 presidential election and expressed if the candidates running for District 4 had been on that ballot it would have been an after-thought for most people. He agreed improvements could be made to increase voter turnout but this change to a November-March election would not enhance the quality of candidates. He confirmed if this matter failed today or during the August election the state could only sue if the City's elections went below the 25 percent threshold.

Rebecca Wininger spoke in opposition. She conveyed she did not hear about the hearings so it did not surprise her that only 25 people attended them. She remarked the 70 percent turnout number was misleading because items farther down the ballot received less votes. She said there were other ways to increase turnout without doing this change. Also, she was concerned about consolidating elections as some council members would have more time in office.

Councilwoman Pastor interjected the matter pertaining to term of office extension was listed in HB2604.

Mayor Stanton stated if this item passed the City would not be in compliance with state law and would likely be in litigation with the State

over their attempt to preempt cities. Regardless of what the state legislature did he thought Council should do what was best for the City.

Kevin Patterson spoke in opposition. He read through similar charters at other cities and spoke with those who were more knowledgeable on this topic and did not think this was right for the City. He agreed the level of turnout would not increase on items placed farther down the ballot. Moreover, he thought this would take away local control and degrade the non-partisanship of Council. He emphasized the current method provided people the opportunity to learn about candidates and believed consolidating with state elections would discourage attention toward local issues. Further, he did not think it was fair to lengthen Council terms as that was not what citizens voted for and felt this was being rushed.

George Galliher indicated he was opposed to the proposed Charter amendments but supported consolidation of elections for greater efficiency. Also, he thought taking this matter to the state legislature circumvented the city process.

Councilman DiCiccio expressed he had the right as a citizen to petition government. In fact, he would continue to do so as he thought this was in the best interest for City voters to have the ability to vote with everyone else.

Mr. Galliher restated he was opposed to the following items:

Amending the City charter with regard to lack of full text changes due to space constraints;
Removing the long-standing prohibition of holding elections for Mayor and Council on the same date as state elections; and
Taking a city election issue to the state legislature, not as a citizen's right but as individuals representing the City.

Mayor Stanton clarified the motion as made was not consistent with what passed in the legislation. So, whether the City kept its current election cycle or this motion passed the City would not be following the preemption attempt by the state legislature. He emphasized this was a decision for Council as to what was best for the City regardless of what

the legislature passed.

Councilwoman Pastor thought there was a bigger agenda to this which was the 2020 census with redistricting to follow which was more critical. Still, she wondered if voters would benefit from this change.

Steve Beuerlein, president of the United Phoenix Firefighters Association, spoke on members' behalf who were opposed to sending this change to voters in August as it was voter suppression. He conveyed association members, like many in the community and around the country, abandoned their party and became Independents and the August election took away their vote. He said the current cycle had been challenged but it was legal so there was no reason to rush this issue. Moreover, there were lingering questions so he urged everyone to slow down.

Susan Edwards spoke in opposition as she thought Phoenix was a haven of non-partisanship. Plus, she felt she had more access with the way elections were currently held. She believed people got ballot fatigue with big elections so people would run out of steam before voting on city charter amendments and ballot initiatives.

Jason Stokes, president of ASPTEA, spoke in opposition. He read several headlines from different sources regarding election problems, noting none of them mentioned the City of Phoenix. He did not think it was wise to hand over city elections to another entity that did not have a good track record. Additionally, he was concerned about the second ballot measure which eliminated transparency from the process by removing the full text of future amendments. He remembered Councilman DiCiccio previously insisted on ballot language because a summary might have bias. He was also concerned about the fourth ballot measure which reduced the signature verification from 100 percent to 20 percent. He emphasized Phoenix's 100 percent signature check ensured integrity of the system. Further, he did not think any politician would object to an extra year on their term. He asked that Council vote no on this agenda item.

Ron Ramirez, board of director of ASPTEA, stated Phoenix had a strong

history of holding elections in non-even years to create a more concentrated focus on local issues. He remarked consolidated elections would take that focus away and bury items relevant to the community. He pointed out Phoenix had established laws and rules to self-govern itself and this process would prohibit the City's ability to self-govern.

Jose Rivera expressed he was neutral on this item but wanted to talk about unintended consequences. He indicated the affect of this change would be partisan and with City items at the bottom of the ballot people would vote their party so Council's voices would be lost.

Mayor Stanton said he understood Mr. Rivera's point that people would vote in a more partisan way but wanted to make sure everybody knew there would be no party designation by city candidates on the ballot.

Peter Ospitale, chief representative of ASPTEA, spoke in opposition as the state through legislation was attempting to force the City to enact this measure against its will of local authority.

Mayor Stanton reiterated Council's decision would be based on what each councilmember thought was in the best interest of the citizens of Phoenix. He acknowledged there was a lot of state interest in this matter but it was unrelated to state legislation. In fact, if this motion passed City elections would be on the highest voter turnout elections possible in November of even-numbered years. However, the state would sue the City to force moving its elections to significantly lower voter turnout elections in August.

Beth Benning, secretary of ASPTEA, was opposed to this item based on four points. First, she did not want Council terms extended because she had already cast her vote with the expectation of four years. Secondly, she did not want the county to remove the full text of Phoenix initiatives due to outside controls of the ballot process as that would diminish the information provided to citizens. Her next concern dealt with the reduction of validating petition signatures from 100 percent to 20 percent. She emphasized the City had an obligation to protect the public's trust in, and ensure integrity of, the petition and ballot voting process. Lastly, she did not want to see local issues buried under state and federal political

processes and requested city elections remain non-partisan and under the City's control.

Mayor Stanton clarified if this motion passed it would not limit the City's ability to set special elections for referendums and petitions which would be set at a time when the City Clerk's office could run that election.

Joe Garcia, president of AFSCME 2384, concurred this was being rushed as he had attended a couple budget hearings and was not aware of this consolidation. He also agreed it was unfair to lengthen Council terms as that was not the vote of citizens. Phoenix had a strong history of conducting non-partisan elections and he thought this change would degrade that as well as dilute local control.

Joseph Larios thanked Council for having this conversation and acknowledged the leadership of Councilmen DiCiccio and Waring about increasing civic participation. He recognized the participation disparity that existed among Districts and wondered if the conversation should be among Council so the solution was internal instead of external. He opposed this item given the concerns already mentioned by others and thought it needed more dialogue and deliberation.

Abe Arvizu submitted a speaker comment card with a neutral position and wished to donate his time to Gilbert Arvizu.

Gilbert Arvizu indicated he was a registered Independent voter and marked undecided on his comment card because he believed intentions behind this item were true. If this item passed the City's cost would be reduced and voter participation would increase. However, there were unintended consequences such as all registered voters with no party preference received a ballot when the City was in control but only 15 to 18 percent of that same party received a ballot when the County controlled elections. He said since Phoenix was non-partisan it could offer services to other cities and counties as a back-up to their established system but might lose that opportunity by consolidating elections. The goals of lower cost and increased participation could be achieved by a different route and he was committed to work with Council to make that happen.

Mayor Stanton conveyed Mr. Arvizu brought up important issues that should be addressed. Mayor Stanton recalled when the county recorder was at a previous Council meeting he stated if the City got out of the election business it would no longer serve as the secure back-up to County elections. He asked if the City Clerk's office would remain the secure back-up under the current motion.

Mr. Meyer replied under Council's proposal the City would still have the equipment and system, and based on his discussions with the county recorder the City would continue to be the back-up.

Mayor Stanton mentioned another issue was the difference in getting ballots into the hands of all voters. He wanted to know, under the current motion, if the City would have the opportunity to fund the mailing of ballots to Phoenix citizens regardless of political party.

Mr. Meyer responded all registered voters in Phoenix, including Independents, received a ballot. The issue with the Independents existed in the primary elections in August because those were partisan primary elections. That being said, he was not sure there was a final answer as to whether the City could fund the mailing of ballots. He understood that was not an option right now but did not think it was a closed question.

In further response to Mayor Stanton, Mr. Meyer confirmed under the current proposal for the November general election all voters on the PEVL, regardless of political party, would receive a ballot by mail as that was the City's current policy. He added that was also the County's current practice for the general election, but they did not follow that practice for the August primary election.

Mayor Stanton noted it was not part of the motion but suggested Council pursue the ability of the City to make a budget decision so that every Phoenix voter received a ballot in the mail. He thought that would provide the City additional opportunities to have greater say in other elections throughout the State.

Mayor Stanton stated comment cards were submitted in opposition by

the following individuals who did not wish to speak:

Cynthia Malicki
Tom Carelto
Mike Brannan
Tim Knobbe
G.G. George
Louisa Stark
Ruth Ann Marston
Angie Hernandez
Pam Fitzgerald
Linda Colino
Philip Susinbein
Carlos Rascon
James Deibler

Councilwoman Pastor wanted clarification as she thought Council previously voted on the budget of mailing ballots to every Phoenix voter.

Mr. Meyer replied the Council approved funding last year to mail a postcard to all Phoenix voters who were not on the permanent early voting list to give them an opportunity to add their names to it. He conveyed that postcard, based on Council direction and funding, was mailed in January of this year and staff had been processing the returns, noting some individuals were added to PEVL.

Councilwoman Stark explained that she was in support, as she ran in a special election in 2016 with a higher turnout than usual, and that she believed that was evident voter engagement and that she thought voters knew what they were voting for in a consolidated election. She stated that the voters are informed and this will take the issue to the voters, allowing them to decide if they think it would work better, and she seconded the motion.

Councilman Valenzuela noted that they had just heard from more people in the Council meeting than they had heard from citywide on this issue, and that as such, he did not think this issue was ready. He expressed concern about consolidated elections causing a loss of local control,

which he felt was important in keeping a nonpartisan City election. He stated that he did not think the City needed to move in the direction of the state legislature and that he was in agreement with those that opposed this measure.

Councilwoman Pastor spoke about transparency, and the challenge that there was funding coming from an outside source when the petition to consolidate elections was originally filed. She noted that that petition was denied, although the issue returned again. She expressed concern abut the language on a ballot, and that in a County election, that the Recorder determines what will be printed on the ballot. She cited Ordinance S-41592 from April 15, 2015 when Council established the form of the ballots for August 2015 Mayor and Council elections, and recalled that Councilman DiCiccio was not in support of the item at that time, as he wanted full language on the ballot for voters to ensure transparency. She asked the City Clerk to clarify what the voters will get to see.

Mr. Meyer responded that on a November general election ballot, there is a limit of 50 words to describe the title of the measure, what the measure does, and what the yes or no vote would do.

Councilwoman Pastor asked what the City ballot currently had.

Mr. Meyer replied that on the City ballot, there was a descriptive title that summarized what the item does, the impact of it and what a yes or no vote would do. He added that there was significantly more on the City ballot because there is space to put all of the wording, as well as the City Charter requirements. He added that although the City would continue to mail the publicity pamphlets for both elections, there would not be as much on the County ballot.

Mayor Stanton acknowledged the difficulty of the issue and that he thought it was their duty to do what was best for residents of Phoenix, and that he believed the motion would mean significant increases in voter turnout in City elections. He provided voter turnout statistics of independent, Latino, and African-American voters from his elections which showed increases during the November elections in even-numbered years. He asserted that some Councilmembers were

concerned about increasing voter turnout among diverse populations, and pointed out that school board elections are held on the November partisan ballots in even-numbered years. He stated his support for the motion, although he understood there are trade-offs, he still felt that this was the right move for Phoenix voters.

City Attorney Brad Holm asked if the ballot measure was to refer all four ballot measures referred to in the City Council Report and to adopt the related measure.

Vice Mayor Williams answered yes.

Councilwoman Pastor talked about her district, which is very diverse. She explained that the way the district was mapped, that the pattern of voting in her district saw a greater proportion of voters in the Central Phoenix area, where the voting patterns dropped west of the Interstate 17. She wanted to examine which people would benefit from the measure, and how this could affect redistricting in the future.

Mayor Stanton spoke about the District 4 voter turnout and provided statistics on Latino voting increasing in a November election from 22.8 percent to 36.15 percent.

Councilman DiCiccio commented that the issue was very simple, in that the question is whether or not it is better for voters to vote when everyone else is voting. He asserted that he believes it is better for voter turnout, and that it is a simple matter.

Councilwoman Pastor agreed that a greater number of Latino voters participated in 2016 elections, and that great efforts are being expended to increase Latino voter turnout, including "Get Out the Vote", and that it is only natural that the turnout would be higher.

Councilman Valenzuela reiterated that he does not think this measure is smarter for voters, and that putting nonpartisan elections on a partisan ballot is not a good choice for Phoenix. He stated he believed this could be further vetted and that there was not a need to do this before the August ballot. He added that it was important to not open the door to

partisan politics.

Councilman Waring clarified his vote, expressing his gratitude to Councilwoman Stark, as he learned from her experience, and Councilman DiCiccio for his work on this issue and stated his support for this measure.

A motion was made by Vice Mayor Williams, seconded by Councilwoman Stark, to refer to the August ballot recommended Charter amendments to move Phoenix elections to even-numbered years beginning in 2020 to November and March City elections, and to adopt the related Ordinance. The motion carried by the following vote:

Yes:	7 -	Councilman DiCiccio, Councilwoman Gallego, Councilman Nowakowski, Councilwoman Stark, Councilman Waring, Vice Mayor Williams and Mayor Stanton
No:	2 -	Councilwoman Pastor and Councilman Valenzuela

25 (CONTINUED FROM APRIL 4, 2018) - Request for Reconsideration of Item 41 from the March 21, 2018 Formal Council Meeting

Request for reconsideration of Item 41 (proposed Ordinance S-44262) from the March 21, 2018 City Council Formal Meeting pertaining to the authorization to enter into contracts with DV Towing, LLC and Western Towing of Phoenix, Inc. to provide the Police Department with general police towing services.

Summary

At the March 21 meeting, the vote of the City Council on the General Police Towing Services - Requirements Contract - RFP 17-182, was 3-5 with Councilman DiCiccio, Councilwoman Gallego, Councilman Nowakowski, Councilman Valenzuela, and Mayor Stanton dissenting. (Councilwoman Pastor was absent.) Therefore, the item failed to pass because it did not receive sufficient affirmative votes.

This reconsideration is being placed on the next available agenda in accordance with a written request filed in the City Clerk Department by Mayor Stanton on March 23, 2018 **(Attachment A)**.

Pursuant to the Rules of Council Proceedings, Item 41 from the March

21, 2018, Formal Council Meeting has been placed on the agenda immediately following this request for reconsideration. If this request is approved, the City Council will reconsider the item. If this request is not approved, the City Council will not reconsider the item and the original action on the item will stand.

Discussion

Mayor Stanton explained that he asked for the reconsideration of the item as there was a tie 4-4 vote when the item was brought before the Council at the previous meeting. He clarified that City staff had recommended a vendor in the RFP for towing services based on the lowest cost to the consumer, as Council had directed them. On that recommendation, staff recommended awarding 2 of the towing zones to Western. He added that there was a significantly lower cost to choose the vendor that staff recommended, rather than another vendor and that he believed the highest priority was to have the lowest cost to the residents of Phoenix.

Note: Speaker comment cards were submitted in favor of the item, but the individuals did not wish to speak:

Paul Gilbert - Items 25 and 26.
Elaine Hall - Item 26.
Jose Rivera - Item 26.
Mitch Cole - Item 26.

Note: Speaker comment cards were submitted in opposition to the item, but the individuals did not wish to speak:

Todd DeMasseo - Item 26.
Jeffrey Dunn - Item 26.
Kevin O'Malley - Item 26.

A motion was made by Mayor Stanton, seconded by Councilwoman Stark, that the request to reconsider be approved. The motion failed by the following vote:

Yes: 3 - Councilwoman Stark, Vice Mayor Williams and Mayor Stanton

No: 6 - Councilman DiCiccio, Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilman Valenzuela and Councilman Waring

26 **(CONTINUED FROM APRIL 4, 2018) - Reconsideration of Item 41 from the March 21, 2018 Formal Council Meeting - General Police Towing Services - Requirements Contract - RFP 17-182 (Ordinance S-44262)**

Request to authorize the City Manager, or his designee, to enter into contracts with DV Towing, LLC and Western Towing of Phoenix, Inc. to provide the Police Department with general police towing services. Further request authorization for the City Controller to disburse, and City Treasurer to accept, all funds related to this item. The aggregate amount will not exceed $531,500.

The City Council considered this item for towing services at the March 21, 2018 formal meeting, but the item did not pass. However, pursuant to Rule 5(k) of the Rules of Council Proceedings, a request for reconsideration was filed, and the request for reconsideration was placed on the April 4, 2018 formal agenda. If the Council approves the request for reconsideration, which precedes this item on the agenda, then the Council will reconsider this item.

Summary

The Police Department requires general towing services to provide assistance to citizens involved in accidents, towing abandoned vehicles, vehicles left in the roadways, illegally parked vehicles and other law enforcement impoundments. The Police Department also requires auctioning services when vehicles have been lawfully impounded and determined to be abandoned by the Arizona Department of Transportation Motor Vehicle Division (MVD).

The costs associated with this contract will be passed on to the citizens of the City of Phoenix, and the revenue portion allows the Police Department the ability to fund the towing program.

Procurement Information

RFP 17-182, General Police Towing Services was conducted in accordance with Administrative Regulation 3.10. The solicitation was

emailed to 68 vendors and was posted on the City's website. Four offers were received by the Procurement Division on July 7, 2017. The proposals were scored by an evaluation panel based on the following criteria:

Capacity / Experience of Offeror	350 points
Cost (Includes Line Item Pricing and % of Sales Proceeds)	350 points
Method of Approach	300 points

Following is a summary of the highest scored offers:

Zone A
DV Towing, LLC 929 Points

Zone B
DV Towing, LLC 940 Points

Zone C
Western Towing of Phoenix, Inc. 1,000 Points

Zone D
Western Towing of Phoenix, Inc. 901 Points

On Oct. 19, 2017, All City Towing submitted a protest of award recommendation. On Nov. 15, 2017, the City denied their protest. On Nov. 27, 2017, ACT submitted an appeal on the protest denial, which was referred to the Office of Administrative Hearing (OAH). On Jan. 10, 2018, the City received a favorable review from OAH and was forwarded to the City Manager's Office for their review and final decision. On Jan. 24, 2018, the City Manager's Office agreed with the OAH and dismissed ACT's appeal and recommends the City Council award four agreements under RFP 17-182 to DV Towing, LLC and Western Towing of Phoenix, Inc.

The Deputy Finance Director recommends the offers from DV Towing, LLC and Western Towing of Phoenix, Inc. be accepted as the highest scored, responsive and responsible offers.

Contract Term

The three-year contract term will begin on or about April 1, 2018 and end on or about March 31, 2021. Provisions of the contract include an option to extend the term for one, two-year contract term of up to five years, which may be exercised by the City Manager or his designee.

Financial Impact

The expenditures against this contract shall not exceed the aggregate amount of $531,500. Funds are available in the Police Department's budget. This is a revenue contract that allows the Police Department to fund the towing program, however, there are some costs involved for improper tows. The cost submitted by the proposers are passed on to the citizens of the City of Phoenix.

Concurrence/Previous Council Action

The Public Safety and Veterans Subcommittee approved this item on Oct. 12, 2016. On Nov. 30, 2016, the City Council approved the issuance of RFP 17-182.

This item was not heard, as the request for reconsideration, Item 25, failed.

28 Multi-City Subregional Operating Group (SROG) User Charge Rates (Ordinance G-6446)

Request City Council approval to amend Phoenix City Code for the Multi-City Subregional Operating Group (SROG) User Charge Rates.

Summary

This request amends the Phoenix City Code Chapter 28, Article V, Section 28-39 (a) 4, implementing changes to the sewer user rates to the Multi-City Subregional Operating Group (SROG) members effective July 1, 2018 (**Attachment A**).

The City of Phoenix participates with the cities of Glendale, Mesa, Scottsdale, and Tempe in Intergovernmental Agreement 22699 (IGA), for construction, operation and maintenance of the jointly-used 91st Avenue Wastewater Treatment Plant (WWTP). As lead agency, the City of Phoenix is responsible for the planning, budgeting, construction, operation and maintenance of the plant, and for billing member cities. The other members pay for costs of operation and maintenance based

on anticipated use of the facility measured by sewage flows and strengths. These costs are recovered from the other members through user charge rates implemented annually on July 1 of each fiscal year.

The rates, to be effective July 1, 2018, are used as a basis to fairly allocate costs to the member cities for use of the 91st Avenue WWTP for Fiscal Year 2018-19. The Fiscal Year 2018-19 estimated costs shown below were included in this year's wastewater financial planning process.

The following SROG user charge rates and allocation of estimated costs were approved by the SROG Committee on March 14, 2018 (**Attachment B**).

SROG Member	User Charge Rate per 1,000 Gallon	Allocation of FY 2018-19 Estimated Costs
City of Glendale	$1.26694	$3,653,219
City of Mesa	1.10251	7,243,519
City of Scottsdale	1.33976	4,401,122
City of Tempe	0.79027	5,696,838
Subtotal		**$20,994,698**
City of Phoenix	0.92232	28,110,066
Total		**$ 49,104,764**

Concurrence/Previous Council Action
This item was previously approved by City Council on March 22, 2017 (Ordinance G-6291).

Discussion

City Clerk Cris Meyer read the title of the ordinance for the record.

A motion was made by Vice Mayor Williams, seconded by Councilwoman Stark, that this item be adopted. The motion carried by

the following vote:

Yes: 9 - Councilman DiCiccio, Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Vice Mayor Williams and Mayor Stanton

No: 0

43 Community Facility Districts Financial Policy Guideline and Process (Ordinance S-44487)

Request for the City Council to adopt the revised Financial Policy Guideline and Process for forming Community Facility Districts. The existing policy was revised as a result of the new Senate Bill 1480 adopted in 2017.

Summary

Community Facility Districts (CFD) are authorized by the Arizona Community Facilities District Act, which went into effect in September 1988, and has been amended from time to time. The law allows a municipality to establish a CFD within its boundaries to finance public infrastructure and the operation and maintenance of public infrastructure, and enhance municipal services in qualifying areas. A CFD may issue bonds to finance public infrastructure which can be repaid with annual property tax levies, special assessments, or user fees and charges, depending on the type of bonds issued. Another option is to do a private placement of non-rated bonds subject to the approval by the Finance Department.

In May 1991, the City Council adopted a Financial Policy Guideline and Process for Community Facilities Districts. This document is intended to address certain risk, as well as practical, legal and financial requirements. Only one CFD has existed in Phoenix: the Tatum Ranch Community Facilities District, which paid off its bonds and was abolished in July 2017.

The Governor approved Senate Bill 1480 on April 26, 2017 which revised the law on CFDs. Key revisions to the law include:

1. The City shall hold a public hearing within 60 days to consider the formation of the CFD, on presentation of an application and a signed petition of 25 percent of landowners to be included in a district.
2. If the City Council does not adopt a resolution declaring its intention to form a CFD following the public hearing, the City must provide a written basis for not adopting the resolution including specific changes needed for the application to be approved.
3. Upon its formation, the governing CFD board has to include City Council and two additional members who are designated by the land owner who owns the largest amount of acreage in the proposed district board. Members of the board of deemed public officers shall comply with A.R.S. title 38 - Public Officers and Employees.
4. Fees assessed by the City in connection with the consideration of the application cannot exceed $15,000.
5. The CFD must establish and maintain an official website that the public can access for meeting minutes, financial information and other records required by law and to include more information on the City process.

Given the above changes to the state law, the Finance Department has revised the Financial Policy Guideline and Process for the consideration of formalizing CFDs. The City will need to have clear procedures in place to meet the timelines, including having a public hearing within 60 days after the CFD application is received. **Attachment A** is the Financial Policy Guideline and Process and has only been revised to reflect changes due to SB 1480.

The Financial Policy Guideline and Process for Community Facilities Districts has been developed with the Community and Economic Development, Planning and Development, Street Transportation and Law Departments in accordance with the state law. In January 2018, the working group met with the development community stakeholders to solicit feedback and incorporate modifications to the draft CFD Policy.

Based on changes to the state law, the Finance Department recommends adopting the attached revised Financial Policy Guideline and Process.

Concurrence/Previous Council Action

The Financial Policy Guideline and Process for Community Facilities Districts was recommended for approval by a unanimous vote at the Downtown, Aviation, Economy and Innovation Subcommittee on March 13, 2018.

Discussion

Councilman Waring asked for clarification from City staff that this item was in compliance with State law, to confirm that this is not creating any one particular facilities district.

Director of Community and Economic Development, Chris Mackay replied that was correct.

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

Yes: 9 - Councilman DiCiccio, Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Vice Mayor Williams and Mayor Stanton

No: 0

49 Statewide Foreign Language Interpretation and Translation Services - State of Arizona Cooperative Contract - ADSPO 13-050996 and ADSPO 13-050997 (Ordinance S-44495)

Request to authorize the City Manager, or his designee, to access the State of Arizona Cooperative Contracts ADSPO 13-050996 with AT Translators, LLC and ADSPO 13-050997 with PCI&TS, LLC for citywide departments. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $190,000.

Summary

These citywide contracts will allow the City to provide in-person, telephone and written interpretation and translation services on an as-needed basis. Interpreter and translation services will be provided during public, private and community meetings and events in addition to

emergency and non-emergency situations such as natural disasters or to provide support for an increase in call volume from the general public.

Procurement Information
In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contracts were awarded through a competitive process consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43. Utilization of cooperative agreements allows the City to benefit from national government pricing and volume discounts. The State of Arizona contracts cover foreign language interpretation and translation services and were awarded on July 3, 2013.

Contract Term
The five-year contract term shall begin on or about April 18, 2018.

Financial Impact
The aggregate contract value will not exceed $190,000 (including applicable taxes), with an estimated annual expenditure of $38,000. Funds are available in all City of Phoenix departments' budgets.

Discussion

Councilwoman Gallego asked City staff to clarify on the interpreter services; whether there was the flexibility to hire local native speakers of Somalian and other preferred languages, as she had been approached by constituents on that matter.

Deputy Finance Director Jim Campion replied that yes, there are local Somalian interpreters included in the contract.

Note: Speaker comment card was submitted in favor of the item by Haley T. Ritter, who did not wish to speak.

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

Yes: 9 - Councilman DiCiccio, Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Vice Mayor Williams and Mayor Stanton

No: 0

57 **Papago Baseball Complex (Ordinance S-44448)**

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement with the City of Scottsdale for the improvement, operations, maintenance and use of the Papago baseball fields for Major League Baseball and to enter into other related agreements as necessary and appropriate. Further request to authorize the City Treasurer to accept all funds related to this item, pursuant to the agreements.

Summary

The baseball complex at Papago Park, including four full fields, a clubhouse and batting tunnels, was utilized by the Oakland A's for practice and player development during their tenure at nearby Phoenix Municipal Stadium, where they played their home spring training games. After 2014, the A's relocated their spring training operations to the City of Mesa and the City of Phoenix partnered with Arizona State University (ASU) to utilize Phoenix Municipal Stadium as the home of Sun Devil Baseball.

Though ASU utilizes the stadium, it does not use the Papago baseball complex, so Phoenix has rented the facility to various baseball users such as charter schools and tournament organizers. Currently, Phoenix spends about $1.1 million annually to operate and maintain the Papago baseball complex, plus capital replacement as needed. Phoenix also receives approximately $250,000 in revenue, for a net cost of about $850,000 per year.

In 2016, Phoenix entered into a letter agreement with the City of Scottsdale to allow the San Francisco Giants to utilize the Papago baseball complex for player development and practice in the event the Scottsdale practice fields became temporarily unavailable. This letter

also expressed Scottsdale's intent to explore the possibility of permanently relocating the Giants' player development program from the nearby Scottsdale Indian School Park to Papago. These agreements would not impact the adjacent softball fields or archery range in Papago Park.

Under the terms of a new Letter of Intent between the cities of Scottsdale and Phoenix, Scottsdale would lease the Papago baseball complex for 35 years. Together with the Giants, Scottsdale would invest approximately $35 million to expand the clubhouse, improve the playing fields and batting tunnels and make other upgrades, including netting and lighting. They would take responsibility for the baseball complex beginning December 1, 2018, and would be responsible for all improvements, operations, maintenance and capital replacement costs for the life of the agreement. Phoenix will also receive lease payments after initial renovations are completed.

Additionally, at no cost to Phoenix, Scottsdale would develop trail improvements around this area of Papago Park, add a shared-use parking lot for the benefit of the Giants as well as those using the trails, softball fields and archery range. In addition, the Giants have committed to hosting at least four clinics annually for the benefit of Phoenix youth.

Construction is anticipated to temporarily close the baseball facilities from the start of the term for about fourteen months. Shortly after the initial renovations to the Papago baseball complex are complete, Scottsdale would make the four nearby, lighted fields currently utilized by the Giants available to the public, including current users of the Papago baseball fields. Additionally, Scottsdale and the Giants will make both Papago and Scottsdale Stadium available to the public when not in use.

This action, if approved, would save the City of Phoenix Parks and Recreation budget approximately $51 million over the term in upkeep of the Papago baseball complex; it would also save Phoenix Parks and Recreation approximately $10 million in future capital replacement expenses. Additionally, this would be an important step toward retaining one of the Cactus League's most popular teams in the Valley for the long-term, preserving a significant economic engine for the entire state.

Lastly, the current users of the Papago baseball fields will have long-term access to not only Papago, but also Indian School Park and Scottsdale Stadium.

Financial Impact
There is no cost to the City of Phoenix from this item. The agreements will result in approximately $61 million in savings and approximately $2 million in rental income for the Parks and Recreation Department over the term.

Concurrence/Previous Council Action
This item was recommended for approval at the Parks and Recreation Board meeting on March 22, 2018, by a vote of 6-0.

Location
Papago Baseball Complex: 1802 N. 64th St.
Council District: 6

Discussion

Note: Mayor Stanton temporarily left the voting body. Vice Mayor Williams assumed the Chair.

Councilman Waring commented that although he did not necessarily think that the City should partner with a sports team, he wanted to ask staff whether this would mean that the City would be receiving funds as a result of this agreement at Papago Park.

Director of Parks and Recreation Ingrid Erickson replied that yes, that was correct.

Councilman Waring commented that he understood that citizens would have limited access to the facilities during the year that the facility was under construction, but that he wanted to clarify that there would be better facilities and more availability once the project was complete, and that there would not be a cost to the taxpayers in Phoenix.

Ms. Erickson replied that yes, there would be an additional 94 days per year available for use at the facility, and there would be no cost to

Phoenix taxpayers, as City of Scottsdale would be handling that.

Councilman DiCiccio asked staff to clarify that the children using the field now, would there be access to go to other fields. He also commented this would save a considerable amount of money per year.

Ms. Erickson responded it was correct the access would be available, and added $850 thousand would be saved per year.

Councilman DiCiccio discussed how he brought up the focus on Papago Park several years ago to find a way to improve the park and increase activity there. He talked about the timeline of events at the Park over the past several years, and mentioned examples of the baseball fields used by the Arizona State University baseball team, and the new clubhouse at the golf course. He stated there had to be a way to improve the parking situation at the zoo, and added overall the master plan was to increase activity in the park and make it family-orientated while also providing a safety net for the Cactus League. He thanked City staff for their work on this item.

Bill Murphy introduced himself as the Community Services Director from the City of Scottsdale. He spoke in support of the item, and noted he had worked with City staff from 2016 to make this a reality. He expressed his appreciation for the support and work from City of Phoenix staff and Council.

Ken Knutson spoke as a baseball coach, and stressed that access was very important for youth to have a place to play and practice baseball. He noted that other facilities will be used more heavily during the time that Papago Park is out of service.

Councilwoman Pastor commented that she agreed on the need for urban facilities for baseball, and that there are not urban fields in Phoenix besides Papago. She expressed her hope that there would be additional times set at other fields.

Note: Mayor Stanton returned to the voting body.

A motion was made by Vice Mayor Williams, seconded by

Councilwoman Stark, that this item be adopted. The motion carried by the following vote:

Yes: 9 - Councilman DiCiccio, Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Vice Mayor Williams and Mayor Stanton

No: 0

58 Authorization to Issue Request for Proposals for the Lease and Redevelopment of the City-Owned Parcel at 300 N. Central Ave.

Request authorization for the City Manager, or his designee, to issue a Request for Proposals (RFP) to select a development team and begin negotiations for the lease and redevelopment of the City-owned transit center parcel known as the Central Station Transit Center (Central Station) at 300 N. Central Ave.

Summary

The Central Station Transit Center consists of approximately 2.6 acres with bus shelters, amenities, and a 4,960-square-foot transit building (collectively, the "Site"). Central Station was built in 1997 and renovated in 2011 using federal funds. In 2008, light rail stations were constructed adjacent to the Site on Central and First avenues. The Site was the subject of an RFP in 2014 that did not result in a disposition. Since cancellation of those negotiations, staff has received significant development interest in the Site for potential mixed use, transit-oriented development, while still serving transit uses.

The intent of this RFP is to seek proposals that complement and enhance the transit system through developing a mixed-use, transit-oriented development. This includes ensuring existing transit service is not negatively impacted and maintaining efficient circulation for all modes of traffic on adjacent and nearby streets. One area of need to be addressed in the RFP is the expansion of the Public Transit facility. This facility will be replaced with a larger commercial space to accommodate administrative functions such as ticket vending and sales, customer service, security, restrooms and storage, all of which are critical services for transit passengers. Additionally, the revenues gained

resulting from this RFP will be directed to the City's Public Transit fund for transit uses per Federal Transit Administration (FTA) guidelines.

The proposal is a collaboration between the City of Phoenix and one or more partners to build transit-oriented development, which is typically dense, walkable, mixed-use development while improving the transit system. The goals of the joint developments include:

To enhance the transit system in the context of the multimodal transportation network.

To generate revenue for public transit.

To build vibrant, mixed use, economically successful transit-oriented communities.

Proposers will be required to:

Enhance effectiveness of Public Transit operations and ridership.

Retain the Polk Street alignment and provide a south-to-north connecting drive aisle from Van Buren Street within the site for Transit use.

Retain bus routes on site.

Provide pedestrian and passenger oriented amenities.

Integrate dense, mixed-use, infill project.

Design distinct and diverse architecture.

Provide the City with approximately 9,000 square feet (SF) of commercial space (at least 3,000 SF on the ground floor) for transit operations.

Offer a minimum annual return to the City of five percent of the appraised value in cash lease payments.

Demonstrate experience successfully completing at least one vertical development of at least seven stories within the past five years.

Retain and relocate the existing interpretive Transit history sign.

Comply with Federal Transit Administration regulations.

The RFP will include the following evaluation criteria:

1. Concept to Activate the Site: (0-375 points) This includes continuing all existing transit functionality and routes; create a dense, infill redevelopment project; capitalizing on the unique transit-centric characteristics of the site; ground floor activation along all four sides of Site; promoting walkability with connections to bus and light rail, Civic Space Park, pedestrian links and bicycle facilities; maximizing shared use

area of the Polk Street alignment and a south to north driveway from Van Buren; providing transit passenger amenities; and developing an innovative, appropriate, high quality design with distinctive and diverse architecture.

2. Return to the City: (0-325 points) This includes a proposed lease term and cash lease payment with a minimum return of $614,300 annually; economic, fiscal, employment and other tangible public benefits; and any requested City assistance.

3. Proposer's Qualifications and Experience: (0-300 points) This includes the number of years and type of experience successfully developing similar projects and financial capacity to successfully develop and complete the proposed project.

An appraisal of the Site was completed in October 2017 valuing the Site at $12,286,000 and net proceeds from the agreement resulting from this RFP will be directed to the City's transit fund per FTA requirements.

Staff plans to issue the RFP in late spring 2018 and keep it open for at least 60 days. Responsive proposals will be evaluated by a diverse panel including City staff and community representatives. Following negotiations with the recommended proposer, business terms will be presented to the DAEI Subcommittee for review and recommendation, and then to the full City Council for approval.

The RFP will ensure that existing transit is not negatively impacted and that efficient circulation for modes of transportation on adjacent and nearby streets is maintained. The RFP will also address needed expansion of the Public Transit facility, with larger space to accommodate ticket sales, customer service, security, and other needs.

Concurrence/Previous Council Action
This item was heard at the March 29, 2018 Citizens Transportation Commission (CTC) meeting and approval was recommended by a vote of 8-0. The CTC included in its motion use of the specific criteria outlined above.

This item was heard at the April 4, 2018 Downtown, Aviation, Economy and Innovation Subcommittee meeting and approval of the CTC's motion was recommended by a vote of 3-0.

An informational report on this item will be included in the April 18, 2018 Transportation and Infrastructure Subcommittee packet.

Location
300 N. Central Ave.
Council District: 7

Discussion

James Deibler spoke in support of the proposal, as he stated his belief that it would bring more development and professional people to work in downtown Phoenix.

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

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

104 (CONTINUED FROM MARCH 21, 2018) - Public Hearing - Certificate of Appropriateness - Appeal of Historic Preservation Commission Decision - 2330 N. 12th St. (Lot 11), Coronado District

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

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

Applicant: Joel Contreras

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

First Appellant: Arthur (Artie) A. Vigil (Resident of the Coronado Neighborhood)
Reason for Vigil appeal: 1. Compatibility within context, 2. Parking in front yard, 3. Front porch, 4. Roofline and, 5. No windows on facade "eyes on the street."

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

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

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

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

*Commissioner Scheel, who made the motion that was approved by the HP Commission, explained that the intent of Stipulation 4 was to provide windows that were approximately three to five feet tall, large enough for a

person to see out of them, to allow "eyes on the street."

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

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

Discussion
Note: Councilman DiCiccio left the voting body during Item 104 and rejoined the voting body via telephone. Councilwoman Pastor left the voting body during Item 104.

Planning and Development Director Alan Stephenson presented a map showing the Coronado Historic District placement within the Coronado Neighborhood, as well as the outline of vacant lots and those currently under development.

Historic Preservation Officer Michelle Dodds presented regarding the lot in question, which was currently vacant and the proposal for construction. She showed the parcels to the north and south of the vacant lot, the site plan for the proposed development, and the changes that would be made as a result of the stipulations from the Historic Preservation Commission. She explained the options for approving or denying the proposal and the stipulations.

Mayor Stanton opened the Public Hearing on Item 104.

Joel Contreras spoke as the Applicant on this item, he explained that he was asked to design the home and had reviewed the national historic preservation standards. He stated he felt there were people afraid of change in the community, and was concerned that the standards are not being applied correctly. Mr. Contreras noted he had received awards for his historic preservation efforts and that Phoenix needed more variety at its core. He also outlined the ways in which the home will meet the standards and noted his willingness to compromise on the items given in modifications from the Historical Preservation Commission, including the

windows on the front of the home and the front porch.

Arthur Vigil presented as a resident of the Coronado district and the Appellant to the proposal. He stated that he represented 125 residents in Coronado and submitted petitions from the neighborhood to appeal this item. Mr. Vigil expressed his concerns for the precedent this development would set for future infill projects in the neighborhood for compatibility. He agreed with the Historic Preservation Commission modifications and stipulations for windows and porch, but asked that the roof line be modified to be more compatible with the neighborhood.

Ginger Mattox spoke in opposition to the design proposal, and expressed concern for the ultra modern design being incorporated into the historic neighborhood, and the possibility for other incompatible designs to be built which detract from the feel of the Coronado neighborhood.

G.G. George stated that she spent time in the Coronado neighborhood and was concerned with the roof line change, as she agreed with Mr. Vigil, that there needs to be attention to that item.

Note: Speaker comment cards were submitted in support of the appeal by Mr. Vigil by the following people, but the individuals did not wish to speak:

Julianne Mate
Katie Leake

Mayor Stanton closed the Public Hearing.

Councilwoman Pastor stated that she drove through Coronado often and was aware of the challenge the neighborhood is having between original design and more modern homes.
She asked that the designer and Historic Preservation Commission work together to create a design that more closely reflects the neighborhood standards for rehabilitation, and cited construction guidelines for building on vacant lots. She moved to remand the Certificate of Appropriateness back to the Historic Preservation Commission in order to consider

stipulations that would make the design more compatible in character.

The hearing was held. A motion was made by Councilwoman Pastor, seconded by Councilman Nowakowski, to remand the Certificate of Appropriateness back to the Hsitoric Preservation Commission to consider other stipulations that make the design more compatible with the character of historic houses on the street. The motion carried by the following vote:

Yes: 9 - Councilman DiCiccio, Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Vice Mayor Williams and Mayor Stanton

No: 0

105 Amend City Code - Public Hearing and Ordinance Adoption - Community Residences Text Amendment - Z-TA-6-17 (Ordinance G-6451)

Request to hold a public hearing on a proposed text amendment for the following item and for the City Council to adopt the related Ordinance.

Summary

This proposed text amendment is part of the Group Home Comprehensive Improvement package that also includes a City proposed licensing program for structured sober living homes. The text amendment proposal updates zoning regulations related to group homes for individuals with disabilities, including sober living homes, based on input from a months-long public working committee process with a diverse stakeholder group that included several dozen residents and Take Action Phoenix (TAP) neighborhood coalition members, sober living home operators and former sober living home residents, experts in addiction and substance abuse treatment, fair housing advocates and representatives for providers of services to people with disabilities, and a current assisted living home operator and industry representative. PDD staff also contracted with nationally renowned group home expert Daniel Lauber to help craft these regulations and ensure we are protecting people living in community residences and as a result improve surrounding neighborhoods, while working within the limits of the Federal Fair Housing and Americans with Disabilities Acts and other applicable

state and federal laws.

Staff from the City Clerk and Neighborhood Services departments led efforts to draft the licensing program proposal. Staff from the Equal Opportunity, Finance, Fire, and Police departments, as well as the Government Relations and City Prosecutor's offices, and representatives from several state agencies, were on hand throughout the working committee process to provide updates and feedback on group home related topics on which they are subject matter experts.

This text amendment limits unstructured and unlicensed group homes with six to 10 residents in residential districts, updates definitions to create the new Community Residence Home and Center classifications, adds community residence spacing safeguards to prevent clustering, establishes a Zoning Disability Accommodation Committee to review reasonable accommodation requests by an applicant, increases parking requirements to limit on-street vehicle impacts and addresses the use of multifamily apartments as community residence centers.

Application: Z-TA-6-17
Request: Group Homes/Community Residences Text Amendment
Proposal: Amend several sections of the Phoenix Zoning Ordinance regarding group homes, community residences, and associated uses and regulations. For the affected sections, see the Draft Ordinance (**Attachment A**).
Applicant: City of Phoenix Planning Commission
Representative: City of Phoenix Planning and Development Department (PDD)
Staff: Approval per the language in Exhibit A of the Addendum B Staff Report, dated April 5, 2018 (**Attachment B**).

Concurrence/Previous Council Action
Fourteen Village Planning Committees heard this case and 10 recommended approval as proposed in the Addendum A Staff Report (**Attachment C**), and four recommended approval as proposed in the Addendum A Staff Report with modifications. See **Attachment D** for a summary of the results.

The Planning Commission heard this case on April 5, 2018 and recommended approval per the language in Exhibit A of Addendum B (**Attachment B**) dated April 5, 2018 by a vote of 6-0.

Discussion

Note: Due to the City Clerk's role for this item, Deputy City Clerk Elizabeth Martin Parker assumed the meeting duties of the City Clerk.

Note: Councilman DiCiccio and Councilman Nowakowski left the voting body during Items 105 and 106 and rejoined the voting body via telephone.

City Clerk Cris Meyer read the titles of the ordinances for Items 105 and 106 for the record, as the items would be heard together.

Planning and Development Director Alan Stephenson presented regarding the proposed change to City Code for zoning ordinances related to regulating group living homes. He outlined the additional requirements for parking, stronger regulations for community residence centers, and the adoption of the state definition of a structured sober living home. He also explained the disability accommodation provisions and the state law that there cannot be public disclosure of a sober living home location. He added that staff recommended the formation of a committee to address any accommodation requests and that the Planning and Development, Neighborhood Services, and Equal Opportunity departments take part in that as well as citizen members appointed by the City Manager.

City Clerk Cris Meyer presented the proposed licensing framework developed by City staff. He explained the timeline of steps taken by City staff to create the licenses, which included the fee range and initial ordinance posted online, stakeholder meetings held, public comments were collected, and a revision to the draft ordinance was completed with notification to the stakeholders of changes that were proposed. Mr. Meyer also identified the specific revisions to the initial ordinance items.

Mayor Stanton opened the Public Hearing for Items 105 and 106.

Jeff Taylor spoke as a representative of the Arizona Recovery Housing

Association, in opposition to the proposal, as he believes that the State Bill 1465 will supercede the licensing portion of this item and expressed concerns about the ordinance details that relate to number of feet for setbacks, as he believed it would become an issue with reasonable accommodations, as the national standard is the length of an average city block. He suggested that there be an amendment that a good group living home operator with no complaints from the community in the prior year or two could be exempt from the licensing requirements and setback standards.

Paul Campbell spoke as a retired firefighter and person in recovery. He stated his support for recovery homes and the licensing procedure. He suggested amending the section stating that at least one manager must be on site at all times, except for 3 hours allowance for errands. He expressed concern about the cost that would create for sober living homes and the ability to provide services at a reasonable cost. Mr. Campbell also stated his opposition to the language requiring a resident of a sober living home must seek employment or volunteer their time, as he believed that it is in violation of the 13th Amendment to the U.S. Constitution.

Wally Graham identified himself as President of the Arcadia Osborn Neighborhood Association and a founding member of Take Action Phoenix, but noted he was not speaking on their behalf at the meeting. Mr. Graham stated his support for the text amendment and the licensing and regulation items. He stated his opposition to the structure of a disability accommodation committee, as there were only 2 positions on the committee that would not be City staff. He also opposed the appointment of members by the City Manager, not the Council. He felt there was not a process in that committee for residents of Phoenix to speak on or appeal decisions that were made. Mr. Graham suggested that the committee only be comprised of five citizens, appointed for no more than three years and that they could be removed by Council. He further suggested that 3 of the committee should be comprised of members of registered neighborhood associations, or representatives from assisted living organizations, with one from the licensed sober living industry. He wanted to see City staff as advisors only, with no vote on actions by the disability accommodation committee.

Councilwoman Stark asked City staff to confirm about the State Bill, whether there was a provision about notice to the community on these homes.

Mr. Stephenson replied that was correct, that under the new state law there was a provision that a city or town may not disclose the address of a sober living home except to law enforcement or emergency personnel. He clarified that due to that provision, City staff recommends that the committee be appointed by the City Manager to maintain that confidentiality and that due to the nature of the accommodations requests, they could not be posted on an agenda with an address or personal information.

Linda Colino thanked the Mayor and Council, Planning and Development and City Clerk's offices and praised the solutions brought forth on the issue of sober living homes with public input. She stated that the text amendment was overwhelmingly approved in all Village Planning meetings. Ms. Colino stated her strong support for the amendment and licensing requirements.

Mark Lewis spoke in support of the item as a representative of New Dimensions. He requested a change to the licensing section requirement about breathalyzer tests being performed by home staff. He expressed his concern about the timeline and wanted to see the item go back to subcommittee for further review of details to finalize the best compromise for everyone involved.

Leslie Dornfeld stated she had some concerns about the zoning stipulations, and licensing. She asked her time to be given to Jeff Taylor to speak on that item.

Jeff Taylor spoke about the importance of drug testing and criminal background checks. He stated that frequent drug testing was crucial, as well as curfew. He related that with the new state law there were requirements to have medical histories on residents of the homes. Mr. Taylor expressed concerns about the types of crimes that would preclude someone from being a home operator, as he felt that needed to

be more specific to violent offenses.

Jeff Spellman introduced himself as a member of Take Action Phoenix and thanked the Council for their assistance to residents creating a group to explore the sober living industry and how it impacted Phoenix. He stated he felt it was important to have good zoning and good licensing and although this proposal was probably not perfect, but that it could be revisited later. He stated his support of the licensing ordinance and the text amendment as presented by staff.

Mayor Stanton closed the Public Hearing.

Councilwoman Stark moved to approve the item based on the Planning staff recommendation and related amended text as per City staff on Item 105. She thanked Mr. Stephenson, Councilman DiCiccio, and Councilman Valenzuela.

Mr. Stephenson clarified that the modification to the text was referenced in Addendum C to the staff report on Z-TA-6-17, in the add-on packet to the meeting agenda.

Councilman DiCiccio thanked Councilwoman Stark and several individuals who spoke on the issue at the meeting for their work on this item. He stated his belief that this will be the best and most comprehensive policy in the nation. He added that this would protect individuals as well as neighborhoods and that this would be a national model.

Councilman Valenzuela thanked Councilwoman Stark, neighborhood leaders and those who worked on and spoke out about the issue. He acknowledged that this would need work in the future, but expressed that this was a step in the right direction and needed to be done correctly.

Councilman Waring acknowledged that there are state and national laws that will impact the item and implementation would need to work within those confines. He added that he understood there were a few bad operators that caused the need for more regulation of this important type of treatment program. He advised that this should not be the end of the

conversation, that there should be continued monitoring to maintain acceptable group homes.

The hearing was held. A motion was made by Councilwoman Stark, seconded by Vice Mayor Williams, that this item be adopted as recommended by the Planning Commission per revised Addendum C. The motion carried by the following vote:

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

No: 0

Absent: 1 - Councilwoman Pastor

106 Structured Sober Living Home Licensing Program (Ordinance G-6453)

Request to amend Chapter 10 and Chapter 19 of the Phoenix City Code to establish a structured sober living home licensing program to be effective July 1, 2018 and contingent on allocation of the related staff and funding requested in the City Manager's Trial Budget for Fiscal Year 2018-19.

Summary

The proposed licensing program was developed in response to City Council direction after the State passed legislation in 2016 empowering municipalities to regulate structured sober living homes. It reflects the efforts of a working group representing a broad range of community and industry stakeholders convened by the Planning and Development Department in 2017 and the input of the Law, Planning and Development, Neighborhood Services and City Clerk departments.

The proposed ordinance **(Attachment A)** establishes:
Definitions related to the licensing program.
Application and license requirements for structured sober living home owners, managers and homes.
Minimum operation and supervision standards.
Basis for denial of a license application/renewal.
Inspection and criminal history review standards.
Criteria for suspension, revocation, and other penalties.

Notification and appeal procedures.

The ordinance also enumerates the related application fees:
Structured sober living home license $1,500
Structured sober living home license annual renewal $1,500
Structured sober living home manager $200
Structured sober living home manager annual renewal $40

Based on a preliminary estimate of 400 homes and 800 managers, funding is proposed in the City Manager's 2018-19 Trial Budget for training, equipment, supplies, two licensing staff in the City Clerk Department to administer the application and renewal processes, and five inspection staff in the Neighborhood Services Department to conduct inspections and enforce licensing requirements.

Pending State legislation related to sober living homes is being monitored and could impact the scope and cost of the program in the future.

Financial Impact
License application and renewal fees will be charged to recover the costs to the City of the application process and the required inspections. Funding for enforcement is contingent upon approval of the 2018-19 Trial Budget. The estimated impact to the General Fund of $235,000 in the first year is based on preliminary estimates of the number of homes and managers. The total cost will change if the scope of licensing, total number of applicants or proposed application fees are modified in any way.

Concurrence/Previous Council Action
The City Council approved a Group Home Comprehensive Improvement Package that included a conceptual framework for a Structured Sober Living Home licensing program on Dec. 13, 2017. The motion to approve the package included direction to staff to develop a proposed ordinance and incorporate a requirement for annual inspection as part of the license renewal process for structured sober living homes.

Public Outreach

Following Council approval of the conceptual framework in December 2017, staff developed and posted proposed fees and a draft ordinance in January 2018 and February 2018, respectively. More than 900 community and industry stakeholders were notified of the draft ordinance via email and an additional 240 via mail, and a public meeting was held to discuss the proposed program and ordinance. More than 30 individuals attended the public meeting on Feb. 22, and 15 offered comments at that hearing. Staff also received comments via email and telephone and attended other meetings with stakeholders and the Group Home Work Committee to answer questions and accept input.

Stakeholders provided input regarding the proposed licensing program and ordinance, application fees, disclosure of home addresses, application requirements, fingerprinting and background checks, criteria for denial, suspension and revocation of licenses, drug testing of residents, work/volunteer requirements for residents, operations standards and homes rules and regulations, inspections, frequency of renewal inspections, penalties and overall applicability of the proposed ordinance. Comments on these issues reflected significant diversity of opinion among a wide range of stakeholders.

Elements of the initial draft ordinance that were modified based on public input include:

Addition of a requirement that applicants disclose all business names under which they operate other homes.

Removal of the high school diploma or GED requirement for managers.

Clarification that parole/probation will be a basis for denial only if the parole/probation is related to one of the offenses specifically listed in the ordinance as a basis for denial.

Revisions to the requirements related to manager presence on site to allow managers to be off premises on a limited basis.

Exemption from work/volunteer requirements for residents who are diagnosed with a disability (including mental illness) that prevents them from meeting the requirement.

Clarification of reasonable accommodation procedure for license applications.

Exemption for homes that do not provide meals from the requirement to post/inform residents of meal schedules.

Clarification that unpaid taxes or fees are only a basis for denial for a structured sober living home license, not a manager license.

A motion was made by Councilwoman Stark, seconded by Vice Mayor Williams, that this item be adopted and for it to come back to Council in one year. The motion carried by the following vote:

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

CITIZEN PETITIONS

107 Consideration of Citizen Petition Related to Complete Streets Design Guidelines

This report provides the City Council with information in response to a citizen petition submitted by Connor Descheemaker at the April 4, 2018 Formal City Council meeting regarding Complete Streets Design Guidelines (**Attachment A**).

Summary

The petitioner requests the City Council "enact within 15 days a resolution(s), ordinance(s), or measure(s) that will adopt the Complete Streets Design Guidelines dated March 8, 2018 and recommended to the full Council by the Complete Streets Advisory Board per Ordinance G-5937, to inform and guide the design, construction, maintenance, and operations of public streets".

Background

The purpose of the Complete Streets Design Guidelines Manual is to support the City’s vision for a more sustainable transportation system that is safe and accessible for everyone. Complete Streets principles, policies, and design guidelines provide infrastructure that encourages active transportation such as walking and bicycling, transportation choices, and increased connectivity. On July 2, 2014, the City Council established the Complete Streets Advisory Board as well as the Complete Streets Guiding Principles.

The Complete Streets Advisory Board (CSAB) is comprised of community (voting) and City staff (non-voting) members, and meets monthly to discuss and develop elements of the complete streets program. As outlined in the ordinance that established the CSAB, the duties include preparing and recommending for adoption by Council a Complete Streets Design Guidelines Manual to guide the construction, design, maintenance, and operations of streets within the City.

Stakeholder Input and Legal Analysis

It is standard practice that any proposed design guidelines be reviewed by the Law Department for a complete, due-diligence legal analysis; as well as reviewed professionally against adopted codes and ordinances for conformance and conflict identification and resolution; then presented for public comment and vetted with affected stakeholders. The CSAB recommended the proposed Complete Streets Design Guidelines Manual (**Attachment B**) for City Council approval with a 6-1 vote at its Jan. 2, 2018 meeting. At this meeting the CSAB also unanimously approved a recommendation for submittal of the Complete Streets Design Guidelines Manual to appropriate Boards and Commissions with the goal of requesting Council approval in May or June of 2018.

The proposed Complete Streets Design Guidelines Manual was presented at the March 15, 2018 Development Advisory Board (DAB), which recommended it be heard by the DAB Technical Subcommittee in April, with a subsequent DAB hearing scheduled for May 17, 2018. A presentation of the Complete Streets Design Guidelines Manual to the Planning Commission is scheduled for May 3, 2018 and the Citizens Transportation Commission on May 31, 2018. This item is tentatively scheduled for possible action by the Transportation and Infrastructure Subcommittee on June 12, 2018 and possible action by the City Council on June 20, 2018.

Options for Council Action

A. Pass an ordinance to adopt the CSAB-recommended Complete Streets Design Guidelines dated March 8, 2018.
B. Direct staff to continue the public review and comment process as noted above regarding the Complete Streets Design Guidelines, as

approved by the CSAB on Jan. 2, 2018.
C. Provide other direction to staff.

Staff recommends Option B. This will allow the proposed guidelines to be reviewed and commented on by appropriate Boards and Commissions, the public and stakeholders, prior to City Council action.

Discussion

Note: Councilman DiCiccio left the voting body via telephone. Councilman Nowakowski and Councilwoman Gallego joined the voting body via telephone.

Deputy City Manager Mario Paniagua introduced Maria Hyatt to present about Complete Streets.

Street Transportation Director Maria Hyatt presented the Complete Streets Advisory Board actions and dates on the timeline and upcoming items. She noted that the final steps were for the advisory board to present to the Planning Commission May 3, 2018, then to the Transportation and Infrastructure Subcommittee meeting June 12, 2018, and the City Council Meeting scheduled for June 20, 2018. She added that the board was focused on getting information to Boards and Commisions and expedite design guidelines to Council after the work had been reviewed by the Law Department. Ms. Hyatt conveyed that the Complete Streets guidelines are a comprehensive guide encompassing all modes of transportation in the urban environment. She relayed that the staff recommendation is to continue the public review process, to allow more evaluation from multiple viewpoints and stakeholders.

Mayor Stanton expressed concern about the issue of pedestrian safety and that the City has a pedestrian fatality rate higher than the national average.

Mr. Paniagua agreed that the pedestrian safety issue was of great concern and that Street Transportation and the Police Departments have evaluated what street engineering changes, community education and enforcement changes could improve the situation.

Assistant Chief of Police Jim Burgett spoke on the intent of the Police Department to realign their department forces into more specialized units to concentrate efforts to prevent collisions with pedestrians. He cautioned that there will be stiff penalties for those under the influence involved in an accident and stressed that this is a community problem. He added that there would be additional enforcement and educational programs conducting increased community contact to reduce the tragic problems of pedestrian fatalities.

Mayor Stanton commented that as Phoenix has grown and the speed issue on arterial streets has grown, that the City faces a choice whether to design new streets or retrofit our existing streets to increase safety.

City Manager Ed Zuercher stated that the issue is a serious one, and requires great effort, and as such the proposed City budget addresses the problem with a full time person dedicated to pedestrian safety. He added that the budget in May would include that added recommendation.

Vice Mayor Williams moved that the Council direct staff to accelerate the review process by moving up the date for the Complete Streets design guidelines item for consideration by the Citizens Transportation Commission to their April 28 meeting, and that the item be placed on the May 8 Transportation and Infrastructure Subcommittee meeting agenda.

Adrienne Udarbe introduced herself as representing Pinnacle Prevention in support of Complete Streets Advisory Board guidelines that have been submitted. She noted that as it is bike to work day, she is in support of the expedited process motion. She clarified that the guidelines are flexible not prescriptive and she believes this will help the recommendations move forward more quickly.

Haley Ritter stated she had ridden a bicycle in Phoenix for 23 years instead of driving a car, as she has epilepsy. She commented on the lack of infrastructure for bicycles and recommended the inclusion of a bike lane on Indian School Road, as it was designed more like a freeway but has room for a bike lane. She added that there needs to be additional progress made on the west side of Central Ave.

Gabriel Leon stated his support for the Complete Streets Advisory Board recommendations, and his concern about the lack of mid-block pedestrian crossings and pedestrian islands, particulary in majority Latino neighborhoods. He expressed his desire to make streets throughout Phoenix that are more inclusive, not just for motorists but also for pedestrians, bicyclists and transit users.

Connor Descheemaker spoke in support of Complete Streets Advisory Board guidelines, and cited a statistic that ranked Phoenix number one in pedestrian deaths. He discussed the history of the design guidelines timeline and urged the expedition of the process. He disagreed with the multiple delays he felt would result from consulting with all boards and commissions, as he felt those could be done in tandem when guidelines were submitted to Council. He submitted letters of support from local coalitions and organizations to Council regarding support for adopting the guidelines immediately.

Stephen Jennings spoke as a registered lobbyist on behalf of AARP, and urged support of Vice Mayor Williams' motion to adopt the guidelines for Complete Streets as soon as possible.

Leslie Dornfeld spoke as Chair of the Complete Streets Advisory Board and explained that there were no cost impacts from the guidelines as there was a great amount of flexibility to their use. She expressed sadness over the tragic deaths of pedestrians during the past year of the process. She spoke in support of the City using the guidelines now, as they are not regulatory in nature, more of guidance. She stated that working with the document now could prevent further deaths and urged the Council to act on the item today.

Speaker comment cards were submitted in favor of the item with the individuals not wishing to speak:

Terry Benelli
Jaclyn Chamberlain
Katelyn Harris Lange
Rockne Hanish
Rebecca Wininger

Suzanne Day
Sherry Rampy
Jessie Gruner
Ryan Leith
Bill McComas
Raymundo Cabrera III
Parker Wick
Mani Kandan
Piper Nelson
Jennifer Guzman
Marilyn Rodriguez
Samuel Richard
Quinn Tempest
Patrick Brennan
Andrew Bernier, PhD
Ryan Boyd
Dianne Baker
Diane E. Brown
Sean Sweat
Stacey Champion
Tabitha R. Myers
David Dube
Jennifer Boucek
Andie Abkarian
Caroline Van Slyke
Courtney Nush
Brent Kleinman
Aimee Esposito
Jeff Sherman
Nicole Rodriguez
Nathan Fidel
Meghanne Bearden

A motion was made by Vice Mayor Williams, seconded by Councilwoman Stark, to direct staff to accelerate the process for consideration of the Complete Streets Design Guidelines. The motion carried by the following vote:

Yes: 6 - Councilwoman Gallego, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Vice Mayor Williams and Mayor Stanton

No: 1 - Councilman Waring

Absent: 2 - Councilman DiCiccio and Councilwoman Pastor

108 Consideration of Citizen Petition Related to Tree and Shade Master Plan

This report provides the City Council with information in response to a citizen petition submitted by Dwayne Allen at the April 4, 2018, Formal City Council meeting regarding Tree and Shade Master Plan, **Attachment A**.

Summary

The petitioner requests the City Council to (1) create the Citizen Tree and Shade Committee that was called for in the adopted 2010 Tree and Shade Master Plan; and (2) direct City staff to operationalize the citizen-created Citizen Tree and Shade Committee's Ordinance Guidelines.

Implementation of Tree and Shade Master Plan

The City of Phoenix dedicates approximately $5 million annually to a robust urban forestry management program based on the overarching Tree and Shade Master Plan adopted in 2010 (Master Plan). Since adoption of the Master Plan, the City has celebrated many accomplishments, such as:

Adoption of the Downtown Code with minimum shade requirements and incentives for enhanced landscaping (2010)
Completion of a Community Forest Assessment (2014)
Voter approval of PlanPHX General Plan Update (2015) which reinforced tree and shade goals
Adoption of the Walkable Urban Code (2016) which requires an enhanced and shaded streetscape
Adoption of the Complete Streets Policy (2017)

Numerous projects that increase public shade have also been a priority. In addition to dedicated funding in Parks and Recreation for planting and

maintaining trees, several public art projects have been completed that increase public shade, such as Bloomcanopy on Pierce Street; and numerous green infrastructure projects showcase the ecosystem benefits of trees and other green infrastructure, such as Taylor Mall at the Arizona State University (ASU) Downtown Campus and Civic Space Park.

The City's Love Your Block PHX and Resilient PHX initiatives, funded by Cities of Service, has partnered with neighborhood volunteers, non-profit organizations and City staff to develop a Community Tree Shade Blueprint, a guide to volunteer-led tree planting projects in Phoenix and are continuing to work with the community on numerous planting projects in Phoenix neighborhoods.

In recent years, the City has ramped up tree planting efforts: In 2017, the Parks and Recreation and Street Transportation Departments planted over 2,000 trees, and over 3,000 are either planned or in progress on City property and right-of-way during 2018. Staff plan to plant 4,000 trees per year by 2019 by leveraging existing budgets and partnerships with the community. For example, the City has a tree fund that accepts donations for tree planting. Through an outreach program for donations, the City could take advantage of the high community interest in trees (over 50 percent of residents surveyed said they would consider donating to a tree campaign).

In 2017, the City of Phoenix partnered with Arizona State University and Urban Offsets to plant 200 trees in Phoenix for carbon credits to help provide funds for future tree maintenance. In 2018, this partnership is evolving, with the City now considering a proposal to receive over $17,000 annually for the next 40 years to maintain 137 trees on City property - a potential value of $700,000 over 40 years.

For a number of years, the City has continued its partnership with Arizona Public Service (APS) to remove and replace trees under power lines, in which trees are "banked" and planted as needed. In 2017, a similar partnership began with Salt River Project (SRP) to remove trees under SRP power lines and replace them with smaller profile trees nearby in the street landscape, parks, schools or other City facilities. Over 1,200 trees will be planted in 2018 to replace the 400 trees removed under SRP

power lines.

Phoenix was selected as one of a group of international cities with a strong urban forestry program to be included in a United Nations International Day of Forests (March 21st) publication by the United Nations Food and Agriculture Organization.

The City is participating in the Bloomberg 2017 Mayor's Challenge, having submitted a proposal to develop a "Heat Ready City" model. Phoenix was recently selected as one of 35 finalist cities to receive $100,000 to move forward with idea development and testing. Integral to the proposal is the need to focus on planting trees to create shade and reduce temperatures in neighborhoods, particularly for vulnerable populations.

Recently, the Parks and Recreation Department has been involved in several partnerships aimed at enhancing tree maintenance and health. In the last year alone, the Department accomplished the following:

Worked with Maricopa County Air Quality and other community partners to help develop a list of tree species appropriate for planting in Maricopa County;
Provided educational programs and urban forestry presentations to community groups, the University of Arizona Master Gardener's Program, the Desert Botanical Garden staff, and the Arizona Parks and Recreation Association annual conference in Phoenix;
Implemented a Gardener Apprentice Program with assistance from Laborers' International Union of North America, Local 777;
Partnered with the Arizona State Forestry and the USDA Forest Service to establish a monitoring plan to study the cause of Aleppo Pine Blight in the Valley;
Collaborated with the Davey Research Institute to conduct a soil and fertilizer/amendment study for trees in desert southwest soils.

<u>Petitioner Request: Create Citizen Tree and Shade Committee</u>
The Master Plan, in a policy recommendation to "establish partnerships and outreach programs to raise awareness about the benefits of the urban forest," called for creation of a Citizen Tree and Shade Committee

to oversee urban forest issues. To date that has not occurred, nor did the Master Plan assign specific action items to such a committee. In a separate policy recommendation the Master Plan called for establishment of an Urban Forest Infrastructure Team (UFIT) consisting of various City departments to oversee implementation of the Master Plan. Numerous action items in the Master Plan were assigned to the UFIT, which was established and completed many of the action items for which it was responsible. Staff has surveyed communities that created citizens' tree boards or committees in order to identify best practices. An effective citizens tree committee could be charged to raise awareness and resources, build partnerships, advocate, and give recognition to individuals and organizations that contribute to improving the urban forest.

Petitioner Request: Operationalize the citizen-created Citizen Tree and Shade Committee's Ordinance Guidelines

In 2016, staff began working with stakeholders, City departments and the community to review existing policies, practices and regulations related to installation, maintenance and removal of trees in the public right-of-way and private property. Staff is presenting an update to the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee on April 17, 2018 regarding this review and to receive input on the scope of the potential revisions. The petitioner's Citizen Tree and Shade Committee Ordinance Guidelines were included for the Subcommittee's reference. These Ordinance Guidelines address trees in the following areas: planting, maintenance, removal, development projects and enforcement. All of the group’s focus areas could be addressed in one of the three tiers of the recommended updates; however, it would be challenging to implement all of the group’s suggestions immediately without extensive stakeholder outreach and dedicated funding to hire additional staff. For purposes of the Subcommittee discussion, staff organized the proposed updates into three categories or tiers, with increasing scope and need for staff and budgetary support.

Tier 1:

Strengthen existing procedures and standards prior to issuance of permits from the Planning and Development Department. No additional staff and budgetary resources would be required.

Examples of Tier 1 updates could include:

Text Amendment to the Zoning Ordinance to strengthen landscape inventory and salvage requirements.
Permitting process for onsite landscaping to allow for more thorough inspections.
Enhanced enforcement language tied to all approved landscape plans.
Minimum canopy height for trees to reduce conflicts with vehicles, bicyclists and pedestrians and reduce incidents of overpruning.
Additional pruning and best practices educational materials and incentives for planting trees.

In addition, inherent in Tier 1, is the expanded tree planting program that aspires to reach 4,000 new tree plantings each year on City property and right-of-way by 2019.

Tier 2:
Create procedures and standards to be administered after completion of Planning and Development Department inspections. Additional staff and budgetary resources would be required.

Combined with the efforts in Tier 1, examples of Tier 2 updates could include:

Addition of enforcement related to non-permitted tree removal/replacement subsequent to completion of all Planning and Development Department inspections.
Mechanisms to respond to and investigate complaints regarding the removal/replacement of trees in the right-of-way and on private property.
Outline of penalties for property owners in violation of requirements.

Tier 3:
Expanded service model through substantial shifts in staffing and budgetary resources to create new planning, maintenance and regulatory framework for trees. Significant staff and budgetary resources would be needed to accomplish this level.

Including the efforts in Tiers 1 and 2, examples of Tier 3 updates could include:

New regulations, staffing allocations and enforcement mechanisms that monitor the health of permitted trees.
Develop unique landscape character elements and shade priority for each area of the City.
Organizational and regulatory framework for landscape review based on geography or site conditions.

Based on feedback from the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee, staff will continue to work on the supported elements and commence an outreach effort to stakeholders for feedback. Staff will then return to the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee to seek recommendation for City Council approval of a work program for implementation and detailed proposals.

Options for Council Action

A. Staff will continue to work on the supported elements and commence an outreach effort to stakeholders for feedback. Staff will then return to the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee to seek recommendation for City Council approval of a work program for implementation and detailed proposals.

B. Provide other direction to staff.

Discussion

Note: Councilwoman Gallego left the voting body via telephone.

Deputy City Manager Karen Peters spoke about the Tree and Shade Master Plan for the City of Phoenix and explained that the overall goal was to achieve a 25 percent canopy in the City. She reported on tree inventory for the City, and stated there were 92,000 trees in the City currently. She pointed out that although there were not funds previously in the budget to replace all trees as they were lost, there was now an aggressive replanting due to Mayor and Council leadership and support. She stated that there were 2,000 trees planted in 2017 and that they are

on track to plant 3,000 trees in 2018. Ms. Peters explained that there are multiple funding sources and partners involved, including a partnership with SRP to replant trees that had to be removed as they encroached on power lines.

Planning and Development Director Alan Stephenson discussed the tiered system to update the Tree and Shade program as it relates to those areas where landscaping was over the street and pedestrian sidewalk areas. He presented that Tier 1 would strengthen procedures and standards with amended text for tree inventory and salvage, permitting process for onsite landscaping and required maintenance of existing trees. He continued that there would be an adjustment to the service vehicle height clearance, lowering to fourteen feet from eighteen to maintain canopy. He further stated that Tier 2 would create procedures and standards after inspections.

Vice Mayor Williams asked about the issue with the City violating these tree standards, in regards to irrigation lines, and whether this would apply to trees the City removes.

City Manager Ed Zuercher clarified that the budget proposal included resources for long term tree planting and maintenance, including irrigation and trimming needs.

Mr. Stephenson continued that Tier 3 would expand service with a new focus on the health of permitted trees and a framework for landscape review, including shade priority areas and walkability for the City.

Ms. Peters added that the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee approved the proposal as presented and recommended that staff pursue ordinance changes in consultation with the community and return to the subcommittee in the fall.

Councilwoman Stark added that the Environmental Quality and Sustainability Commission heard this item, and made the motion which passed unanimously. She moved to forward Tier 1 and direct the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee to review this item again in the fall.

Tabitha Myers spoke as a member of the Citizens Tree and Shade Committee and explained that the group formed in 2017 when they became aware of shade trees being removed from a plaza in the downtown area without any input. She referenced items given to Council including guidelines drafted with the help of community members, City staff, and others. She asked that Council renew its commitment to the 2010 Tree and Shade Master Plan and formally create the Empowered Citizen Tree and Shade Committee that the original plan called for, and to direct staff to implement the Citizen Tree and Shade Committee guidelines.

Haley Ritter spoke as a member of the citizen committee and stated that she received trees for her property as a part of that process. She encouraged Council to move forward with this as soon as possible.

Robert Diehl spoke about his involvement with the process and his concern that not enough had been done to implement the goal of a 25 percent canopy in the City. He stated his belief that a citizen led committee would be better positioned to plant enough trees in the timeframe prescribed in the plan, but that all City departments would need to be involved to move this forward.

Zoe McCune talked about the heat of the City and the benefits of more trees in the area, including oxygen, sound reduction, greenhouse gas and heat reduction and encouraged the Council to make trees a priority.

Stacey Champion stated that the City had not increased the overall tree canopy percentage in the eight years since the adoption of the Tree and Shade Master Plan. She spoke about increased overnight temperatures and increase in poor air quality. She asked that the Council appoint the citizen committee, as stated in the Master Plan. Ms. Champion pointed out that this was the first item in the original plan, and expressed concern that the subcommittee recommendation was merely a bandaid on the issue that had not received the attention over the past eight years.

Nicole Rodriguez introduced herself as a certified arborist who served on the Citizen Tree and Shade Committee, and explained that the group

used the same process that the City subcommittees use, and felt that this could be done quickly with City staff. She expressed concern that although the subcommittee had heard this item, they were not experts in the field. She stated her desire to see the committee formed with experience in tree and shade, as this is such an important issue.

Mayor Stanton agreed the City lost many trees during the last several years during a difficult budget time period, and remarked that they were putting more resources into planting and maintaining trees and hoped to continue to do so. He acknowledged that there was debate about which group should oversee the efforts, but trusted the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee to provide guidance on the issue and stated his support for the motion.

Councilman Valenzuela thanked those who spoke on the importance of this item and pledged to connect with those who wanted to see more responsiveness from the City to help move things forward as quickly as possible.

Note: Speaker comment cards were submitted in favor of the petition by the following individuals that did not wish to speak:

Rockre Hanish
Sherry Rampy
Ryan Leith
Bill McComas
Brian Ballard
Raymundo Cabrera III
Patrick Brennan
Andrew Bernier, PhD.
Ryan Boyd
Sean Sweat
David Dube
Jennifer Boucek
Caroline Van Slyke
Andie Abkarian
Brent Kleinman
Leslie Dornfeld

Katelyn Harris Lange
Aimee Esposito
Jeff Sherman
Nathan Fidel

A motion was made by Councilwoman Stark, seconded by Vice Mayor Williams, to direct staff to move forward on the Tier 1 recommendation, prioritize additional funding for trees and form a subcommittee of the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee to focus on tree issues. The motion carried by the following vote:

Yes:	5 -	Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Vice Mayor Williams and Mayor Stanton
No:	1 -	Councilman Waring
Absent:	3 -	Councilman DiCiccio, Councilwoman Gallego and Councilwoman Pastor

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

CITIZEN COMMENTS

Note: Councilman Valenzuela left the Chambers but remained part of the voting body via telephone.

Pasquale Labate expressed concern about the approved rezoning of property located at 1529 E. Willetta St., plus the parking situation and closing of an alleyway that did not occur.

ADJOURN

There being no further business to come before the Council, Mayor Stanton declared the meeting adjourned at 7:19 p.m.

Thelda Williams

MAYOR

ATTEST:

CITY CLERK

SC

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the formal session of the City Council of the City of Phoenix held on the 18th day of April, 2018. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 5th day of July, 2018.

CITY CLERK