# City of Phoenix

## Minutes

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

## City Council Formal Meeting

**Wednesday, May 1, 2019** **2:30 PM** **phoenix.gov**

## CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, May 1, 2019 at 2:39 p.m. in the Council Chambers.

**Present:** 8 - Councilwoman Vania Guevara, Councilwoman Felicita M. Mendoza, Councilman Michael Nowakowski, Councilwoman Laura Pastor, Councilwoman Debra Stark, Councilwoman Thelda Williams, Vice Mayor Jim Waring and Mayor Kate Gallego

**Absent:** 1 - Councilman Sal DiCiccio

Councilwoman Williams was present at the meeting via telephone and left the meeting during Item 87. Councilman Nowakowski joined the voting body during Item 26, left the chambers during the second citizen comment but remained present via telephone, and left the voting body during the last citizen comment.

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

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6583 through G-6588, S-45544, S-45548, S-45584 through S-45626, and Resolutions 21740 through 21743 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

## BOARDS AND COMMISSIONS

## 1 Mayor and Council Appointments to Boards and Commissions

**Summary**

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

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

Census Complete Count Committee

Appoint Bishop Eric Ossei Minta, for a term to expire July 1, 2020, as recommended by Mayor Gallego.

Environmental Quality and Sustainability Commission

Appoint Ginger Torres, for a term to expire May 1, 2022, as recommended by Mayor Gallego.

Deer Valley Village Planning Committee

Reappoint Ricardo Romero, for a fourth term to expire Nov. 19, 2020, as recommended by Councilwoman Stark.

North Mountain Village Planning Committee

Appoint Massimo Sommacampagna, and reappoint Jason Barraza, Tyler Carrell, Joshua Matthews, Marcia Veidmark, and Donna Wiedoff, for terms to expire Nov. 19, 2020, as recommended by Councilwoman Stark.

Paradise Valley Village Planning Committee

Reappoint Allison Barnett, Katie Belous, and Robert Gubser, for second terms to expire Nov. 19, 2019, and reappoint Mathew Avrhami, Jay Cantor, Toby Gerst, and Jennifer Hall, for terms to expire Nov. 19, 2020, as recommended by Councilwoman Stark.

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

**Yes:** 7 - Councilwoman Guevara, Councilwoman Mendoza, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Waring and Mayor Gallego

**No:** 0

**Absent:** 2 - Councilman DiCiccio and Councilman Nowakowski

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

Bishop Eric Ossei Minta, Census Complete Count Committee;
Ginger Torres, Environmental Quality and Sustainability Commission;
Ricardo Romero, Deer Valley Village Planning Committee; and
Massimo Sommacampagna, Tyler Carrell and Joshua Matthews, North Mountain Village Planning Committee.

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

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

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

Note: Josh Hopkins submitted a comment card for the record in favor of Item 7.

**A motion was made by Vice Mayor Waring, seconded by Councilwoman Stark, that Items 2-10 be recommended for approval. The motion carried by the following voice vote:**

**Yes:** 7 - Councilwoman Guevara, Councilwoman Mendoza, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Waring and Mayor Gallego

**No:** 0

**Absent:** 2 - Councilman DiCiccio and Councilman Nowakowski

**2 Liquor License - Sagewood**

Request for a liquor license. Arizona State License Application 56404.

**Summary**

Applicant
Andrea Lewkowitz, Agent

License Type
Series 6 - Bar

Location
4555 E. Mayo Blvd.
Zoning Classification: S-1 DRSP
Council District: 2

This request is for a new liquor license for a bar. This location is currently licensed for liquor sales with a Series 12 - Restaurant, liquor license.

The 60-day limit for processing this application is May 15, 2019.

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

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

Sagewood (Series 12)
4555 E. Mayo Blvd., Phoenix
Calls for police service: 30
Liquor license violations: In April 2018, a warning letter was issued for

failure to operate according to the license type.

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Sagewood is an active senior living community that offers resort-style amenities, including restaurant dining, exercise classes and training, musical and cultural events, discussion groups, and more. Sagewood recently added a 10,737 square foot multi-purpose room to expand the community's event and activity areas - and has applied for a series 6 liquor license to allow consumption of alcohol in the new building and the community's secure public areas."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Sagewood
Liquor License Map - Sagewood

**This item was recommended for approval.**

**3 Liquor License - Yin's Chinese Restaurant**

Request for a liquor license. Arizona State License Application 51142.

**Summary**

Applicant
Hai Fu Zhen, Agent

License Type
Series 12 - Restaurant

Location
1950 W. Indian School Road, Ste. 12
Zoning Classification: C-2 SP
Council District: 4

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

The 60-day limit for processing this application was April 12, 2019. 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
The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations on file with the AZ Department of Liquor

Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Lucky Buddha (Series 12)
14270 W. Indian School Road, Ste. C-1, Goodyear
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have taken many courses to filled my knowledge such as getting my managerial certifications and training course for liquor. We currently have a liquor license at our other business. The license is in good standing."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I want to give my customers a choice of having a beer/wine with their meal. This location has previously been approved for a liquor license with the previous owner."

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 - Yin's Chinese Restaurant
Liquor License Map - Yin's Chinese Restaurant

**This item was recommended for approval.**

**4 Liquor License - Special Event - Mesa Association of Hispanic Citizens**

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

**Summary**

Applicant
Teresa Pena

Location
4344 W. Indian School Road, Ste. 100
Council District: 5

Function
Concert

Date(s) - Time(s) / Expected Attendance
May 17, 2019 - 7 p.m. to 11 p.m. / 200 attendees

Staff Recommendation
Staff recommends approval of this application.

**This item was recommended for approval.**

**5 Liquor License - Special Event - St. Theresa Roman Catholic Parish Phoenix**

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

**Summary**

Applicant
Omar Alvarez

Location
5001 E. Thomas Road
Council District: 6

Function
Festival

Date(s) - Time(s) / Expected Attendance
May 10, 2019 - 4 p.m. to 8:30 p.m. / 250 attendees

Staff Recommendation
Staff recommends approval of this application.

**This item was recommended for approval.**

**6 Liquor License - Meat The Ball**

Request for a liquor license. Arizona State License Application 012070003635.

**Summary**

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
2502 E. Camelback Road, Ste. 148A & B
Zoning Classification: PSC CEPCSP
Council District: 6

This request is for an acquisition of control of an existing liquor license for a restaurant. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is May 12, 2019.

Pursuant to A.R.S. 4-203, consideration should be given only to the applicant's personal qualifications.

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

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

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

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

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

**This item was recommended for approval.**

**7 Liquor License - Special Event - Social Sports Foundation**

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

**Summary**

Applicant
Sandrika Berthias

Location
67 W. Culver St.
Council District: 7

Function
Sporting Event

Date(s) - Time(s) / Expected Attendance

May 18, 2019 - 11 a.m. to 5 p.m. / 600 attendees

Staff Recommendation
Staff recommends approval of this application.

**This item was recommended for approval.**

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

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

**Summary**

Applicant
Dmeter Dragovich, Jr.

Location
4436 E. McKinley St.
Council District: 8

Function
Cultural Celebration

Date(s) - Time(s) / Expected Attendance
May 10, 2019 - 7 p.m. to midnight / 250 attendees
May 11, 2019 - 4 p.m. to 1 a.m. / 350 attendees

Staff Recommendation
Staff recommends approval of this application.

**This item was recommended for approval.**

**9 Liquor License - The Farm at South Mountain**

Request for a liquor license. Arizona State License Application 55094.

**Summary**

Applicant
Patricia Christofolo, Agent

License Type

Series 6 - Bar

Location
6106 S. 32nd St.
Zoning Classification: MUA
Council District: 8

This request is for a new liquor license for a bar. This location is currently licensed for liquor sales with a Series 7 - Beer and Wine Bar, liquor license. This location requires a Use Permit to allow the sales of alcoholic beverages accessory to a restaurant.

The 60-day limit for processing this application is May 5, 2019.

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

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

Farm at South Mountain (Series 7)
6106 S. 32nd St., Phoenix

Calls for police service: 1
Liquor license violations: None

Quiessence (Series 12)
6215 S. 30th St., Phoenix
Calls for police service: None
Liquor license violations: None

Phoenix Art Museum Cafe & Catering (Series 12)
1625 N. Central Ave., Phoenix
Calls for police service: 31
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have a positive history as the agent of several liquor licenses in the City of Phoenix: The Farm at South Mountain - 07070176, Quiessence - 12075670, Phoenix Art Museum Cafe & Catering - 12078901. I am fully aware of and ensure all applicable compliance is maintained in the management of these licenses."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This additional license will provide additional tax revenue and jobs for the City of Phoenix."

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 - The Farm at South Mountain
Liquor License Map - The Farm at South Mountain

**This item was recommended for approval.**

**10 Liquor License - Dirty Drummer**

Request for a liquor license. Arizona State License 06070693.

**Summary**

Applicant
Amy Nations, Agent

License Type
Series 6 - Bar

Location
2303 N. 44th St., Ste. 8 & 9
Zoning Classification: C-2
Council District: 8

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

The 60-day limit for processing this application is May 12, 2019.

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

use for more than 180 days.

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"The new owners of the Dirty Drummer are all responsible business owners already. This will be a new business for them. The staff will be trained in liquor laws to ensure all liquor laws are followed."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The Dirty Drummer has operated in this location for almost 40 years and has been the neighborhood place to eat and drink. The neighborhood was quite upset when they thought this bar had closed forever as it has been at this location since 1980. We have received very positive feedback from the neighborhood and previous clients that the Dirty Drummer will be re-opening in April."

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 - Dirty Drummer
Liquor License Map - Dirty Drummer

**This item was recommended for approval.**

## ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

Note: Comment cards were submitted for the record in favor/opposition of Item 86 by the following individuals:
John Fox - in favor
Phil Hertel - opposed
Robert Branscomb - opposed

**A motion was Vice Mayor Waring, seconded by Councilwoman Stark, that Items 11-87 be approved or adopted, except Items 26, 28, 42-46, 62, 71, 82, 83, 85, and 87; and continuing Items 54 to the May 15, 2019 City Council Formal Meeting and Item 86 to the June 5, 2019 City Council Formal Meeting. The motion carried by the following vote:**

| | | |
|---|---|---|
| **Yes:** | 7 - | Councilwoman Guevara, Councilwoman Mendoza, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Waring and Mayor Gallego |
| **No:** | 0 | |
| **Absent:** | 2 - | Councilman DiCiccio and Councilman Nowakowski |

Items 11-25, Ordinance S-45584 was a request to authorize the City Controller to disburse funds, up to amounts indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

**11 Universal Procurement, Inc. doing business as Universal Police Supply**

For $30,000.00 in payment authority to purchase 20 Level IIIA Tactical Helmets and Face Shields for the Police Department Transit Unit

employees in a Tactical Response Unit capacity. The helmets and face shields are adjustable to the wearer, with a speed connect system for quickly snapping the visor in place, eliminating the need for size customization. The helmets are necessary to protect against potential head injuries during life safety efforts.

**This item was adopted.**

**12 Team Wendy, LLC**

For $11,000.00 in payment authority to purchase EXFIL Ballistic Helmets and Accessories for the Police Department. The EXFIL Ballistic Helmets and Accessories will be used by the Police Department's Bomb Squad for personal protection on bomb related calls. The EXFIL Ballistic Helmets will replace the current ballistic helmets that have reached the end of their life cycle. These are necessary for the department to provide life safety efforts.

**This item was adopted.**

**13 Quantico Tactical, Inc.**

For $35,700.00 in payment authority to purchase breaching equipment for the Police Department Patrol Division. Police Patrol personnel require proper breaching equipment when responding to dynamic situations to gain access to homes and businesses essential for public safety activities while reducing potential injuries.

**This item was adopted.**

**14 Tactical Electronics and Military Supply, LLC**

For $47,600.00 in payment authority to purchase two CORE under door cameras and pole kits for the Police Department. These items are needed to enhance SWAT Team capabilities and to provide its operators with necessary equipment needed to safely handle critical situations.

**This item was adopted.**

**15 Technology Partners, Inc.**

For $24,000.00 in payment authority to purchase three custom-built forensic computers for the Phoenix Police Department Internet Crimes Against Children (ICAC) Detail. The forensic computers will be used by highly trained and certified ICAC Detail Computer Forensic Investigators. Technology Partners, Inc. (TPI) computers are high-end, specialized

units configured to run algorithms of current market forensic software and are specifically built for law enforcement needs. The robust, complex computers built by TPI are necessary for optimal utilization of ICAC's sophisticated software, as off-the-shelf computer systems do not have adequate resources to run this specialized software.

**This item was adopted.**

**16 Safari Micro, Inc.**

For $13,000.00 in payment authority to purchase Intermec Barcode Scanners for the Phoenix Public Library. This purchase will replace aging handheld barcode scanners used by staff at all library branches. The handheld barcode scanners are used to scan barcodes placed on all types of media within the Phoenix Public Library's inventory.

**This item was adopted.**

**17 Adorama, Inc.**

For $27,000.00 in payment authority to purchase Canon Camera Kits for the Police Department. The camera kits are vital to the Police Department's efforts to document evidence and injuries in the field by first responding officers and investigative detail. The police officers are certified using these specific camera kits. In addition, these camera kits are waterproof and have a lifetime warranty. This equipment is a critical part of the Phoenix Police Department's effort to provide life safety services to the public and for use on critical incidents and complicated scenes.

**This item was adopted.**

**18 State of Arizona**

For $50,532.30 to pay a court ordered judgment in State of Arizona v. City of Phoenix, Superior Court of the State of Arizona, Case CV2016-014855, 18-9006-001, for the Finance Department pursuant to Phoenix City Code Chapter 42.

**This item was adopted.**

**19 Iron Mountain Incorporated doing business as Iron Mountain Data Centers, LLC**

For $1,082,118.00 in additional payment authority for Contract 129031 for Fiscal Year 2019-20 for annual lease renewal space and license

costs at the Iron Mountain Data Center for the Information Technology Services Department. The City utilizes two primary data centers to house and maintain critical City systems, applications, data storage, and communications equipment. One of the data centers utilizes leased space at the Iron Mountain Data Center facility, which provides tier three data center space to house business-critical systems and to provide redundancy to the City-owned data center for business continuity and disaster recovery.

**This item was adopted.**

**20 CyberSource Corporation**

For $250,000.00 in additional payment authority for Contract 97062 with CyberSource Corporation, through June 30, 2022, to continue to provide internet-based electronic credit card payment processing support services for the Finance and Information Technology Services departments. The CyberSource eCommerce solution provides one of the primary technologies for processing credit card payments for City services. Additional payment authority is needed for the annual payment for these services over the next three years, which are critical to the continuation of an electronic payment solution for residents and businesses.

**This item was adopted.**

**21 Resource Guru Limited**

For $10,000.00 in payment authority for renewing the annual Regional Wireless Cooperative (RWC) online scheduling application. The renewal period is July 1, 2019 through June 30, 2020. This application serves 160 users across all members of the RWC to coordinate activity on interoperability radios used by emergency services personnel. These costs are distributed amongst all 19 RWC members and has been approved by the RWC Board of Directors.

**This item was adopted.**

**22 Motorola Solutions, Inc.**

For $106,000.00 in payment authority for two Network Monitoring (NM) clients for the Regional Wireless Cooperative (RWC) Network Operations Center (NOC). The RWC has limited alarm monitoring of the Zone 4 Master Site, which is an essential component for monitoring the

health of the radio system. This request is to add two additional NM clients to the NOC to monitor the radio system "overlay" sites. This cost is being distributed between all members of the RWC and has been approved by the RWC Board of Directors.

**This item was adopted.**

**23 Mariposa Landscape Arizona, Inc.**

For $22,128.27 in additional payment authority for Contract 136038 for Turf Mowing Services for the Parks and Recreation Department. Payment authority is requested for a one-time payment of two past due invoices received after the contract expiration.

**This item was adopted.**

**24 M-B Companies, Inc.**

For $22,000.00 in payment authority to purchase two Apollo II Walk Behind Hand-Liners for the Street Transportation Department. The Traffic Services Signing and Striping Shop will utilize the new hand-liners to heat thermoplastic material to lay hash marks, stop bars, cross walks and other thermoplastic pavement markings required throughout the City of Phoenix. The machines are used daily in operation and are the only way to install thermoplastic material on City roadways. These new hand-liners will replace aging units that have exceeded their life cycle.

**This item was adopted.**

**25 Arizona Commercial Signs, Inc.**

For $10,000.00 in payment authority to purchase 56 oval aluminum signs and 56 rectangular signs for the Street Transportation Department to replace aging aluminum signage throughout the City of Phoenix for the Point of Pride project. Some signs are over 25 years old and have reached the end of their useful life.

**This item was adopted.**

**27 (CONTINUED FROM APRIL 17, 2019) - Amend Contract and Authorize Funding for Contract with Childhelp, Inc. (Ordinance S-45544)**

Request to authorize the City Manager, or his designee, to amend the term of Contract 141124 with Childhelp, Inc. The contract term shall be

amended to begin July 1, 2015 through June 30, 2021, with one five-year option to extend through June 30, 2026. Further request authorization to exercise the option to extend contract through June 30, 2026 for a total of 11 years and authorize funding in an amount not to exceed, $200,000 annually or $2.2 million in aggregate and for the City Controller to disburse all funds related to this item for the life of the contract.

**Summary**

The City of Phoenix Human Services Department provides and supports a continuum of services to assist vulnerable individuals and families who have been victimized by crime. Services for victims, such as emergency assistance, safety, and other critical services are important components in the comprehensive system of care. The partnership with Childhelp, Inc. is a fundamental part of this process. This funding supports the provision of multiple services for child victims, such as advocacy, forensic exams, forensic interviews, and therapy at the City of Phoenix Family Advocacy Center.

There have been two amendments since approval of the initial contract in June 2015. The first amendment in June 2016 (Ordinance S-42648) authorized exercising the three one-year extensions. The second amendment in September 2016 (Ordinance S-42850) authorized changing the contract terms to align with the lease agreement between Childhelp, Inc. and the City of Phoenix Family Advocacy Center. This report requests a technical amendment to correct the beginning contract date in Ordinance S-42850 and authorize additional funding through June 30, 2026.

Technical Amendment

The second amendment (Ordinance S-42850) amended the term of the agreement to a five-year term with one five-year option to extend for an initial term beginning July 1, 2016. The initial term beginning date should be July 1, 2015 and should be a six-year term with one five year option to extend through June 30, 2026.

Additional Funding

Authorize additional funding in the amount of $1.4 million to fund the remainder of the approved contract term through June 30, 2026. The

$1.4 million is comprised of (a) $1 million for the five-year contract extension option, (b) $200,000 excluded in the first amendment (Ordinance S-42648) due to the incorrect contract aggregate amount of $600,000 authorized. The aggregate amount should have reflected $800,000 (c) $200,000 to address the second (Ordinance S-42850) which reflected an incorrect contract term beginning date of July 1, 2016.

**Contract Term**
The initial term of the contract shall be six years with one five-year option if executed, beginning July 1, 2015 through June 30, 2026, for a total of 11 years.

**Concurrence/Previous Council Action**
The City Council previously authorized (Ordinance S-42648) funding through June 30, 2019 in the aggregate amount of $600,000. The City Council (Ordinance S-42850) authorized a change in the contract term to begin July 1, 2016 through June 30, 2026 to align with the termination date of the lease with Childhelp, Inc.

**Financial Impact**
General funds to support this contract are available in the Human Services Department's budget.

**This item was adopted.**

**29 Automatic Doors Service and Supply - Requirements Contract - IFB 19-050 (Ordinance S-45588)**

Request to authorize the City Manager, or his designee, to enter into contract with Miner Southwest, L.L.C. for Automatic Doors Service and Supply for citywide use in an amount not to exceed $2,688,000 over the five-year contract term. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**
This contract will provide the City of Phoenix with equipment, labor, and materials to perform all operations necessary to implement a preventative maintenance program, as-needed repairs, and replace existing door systems to approximately 120 automatic doors for citywide buildings/facilities protection and security. The contract will be utilized citywide with primary usage by the Public Works Department.

**Procurement Information**
IFB 19-050 was conducted in accordance with Administrative Regulation 3.10. The solicitation was emailed to 188 vendors and was posted on the City's website. The Finance Department, Procurement Division received three offers on Jan. 25, 2019.

One vendor was deemed non-responsive as they listed an exception to the Special Terms and Conditions of the solicitation.

The Deputy Finance Director recommends that the offer from Miner Southwest, L.L.C. be accepted as the lowest responsive and responsible offer.

**Contract Term**
The five-year contract term will begin on or about May 1, 2019.

**Financial Impact**
The aggregate contract value will not exceed $2,688,000 with an estimated annual expenditure of $537,600. The contract is available to all City departments. The Public Works Department will be the majority user; funds are available in the department's budget.

**This item was adopted.**

**30 Furniture, Products and Services (Ordinance S-45589)**

Request to authorize the City Manager, or his designee, to enter into a contract with Arconas Corporation, Arizona Furnishings, Atmosphere Commercial Interiors, LLC, Corporate Interior Systems Inc, Elontec, LLC, Goodmans, Inc, Hertz Furniture Systems, LLC, Interior Solutions, Kaplan Early Learning Company, Lakeshore Learning Materials, Office Depot, Inc., Staples Contract & Commercial LLC, Tab Office Resources, LLC, The Manning Group, LLC, Tucson Business Interiors, Inc, VARI Sales Corporation, WIST Supply & Equipment Co., and Workrite Ergonomics, LLC, to provide furniture, products and services on an as-needed basis in the amount not to exceed $4,400,000 in the first two years of the contracts. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

Contractors provide furniture, products and services to all City departments. The primary departments using the contracts are Public Works, Police, Planning and Development, Water Services, Aviation, Fire, Municipal Court, Library, and Human Services. Approximately 70 percent of the contract spend is used by enterprise funds. Citywide departments utilize the contracts to replace furniture that has surpassed its end of life and repair broken or damaged furniture used by the public and employees. Departments purchase ergonomic furniture to create a safer employee workplace and to comply with the Americans with Disabilities Act. The services offered on the furniture contracts are used to reconfigure and optimize existing workspaces to promote collaboration, improve customer service, accommodate staff augmentation and increase productivity. Furniture products are reused to repair existing furniture inventory when possible. The State of Arizona contracts offer participating agencies statewide deep discounts.

**Procurement Information**

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

**Contract Term**

The contracts will begin on or around May 1, 2019 and will expire after five years.

**Financial Impact**

The aggregate contract value through April 30, 2021 shall not exceed $4,400,000, with an estimated annual value of $2,200,000. Funds are available in all City of Phoenix departments' budgets. Staff will come back to Council for additional funds for the remainder of the contract.

**This item was adopted.**

**31 Acquisition of Real Property for the 3rd Street Improvement Project, Between Garfield Street and Indian School Road (Ordinance S-45590)**

Request to authorize the City Manager, or his designee, to acquire all property rights required for the 3rd Street Improvement Project by donation, purchase within the City's appraised value, or by the power of eminent domain, and to dedicate land with roadway improvements to

public use for right-of-way purposes via separate recording instrument. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The 3rd Street Improvement Project will provide sidewalk improvements along the west and east sides of 3rd Street between Garfield Street and Indian School Road. Acquisition of property rights are required to construct right-of-way improvements, which will enhance the road and sidewalk conditions for pedestrians and bicyclists. Project improvements include American's with Disabilities Act (ADA) compliant sidewalks, bike lanes, street lights and shade structures.

The properties impacted by this project are identified in **Attachment A**.

**Financial Impact**

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

**Location**

3rd Street, Garfield Street to Indian School Road
Council Districts: 4, 7 and 8

**This item was adopted.**

**32 Full Service and Decontamination Laundry Services - Requirements Contract - IFB 19-094 (Ordinance S-45594)**

Request to authorize the City Manager, or his designee, to enter into a contract with Mission Linen and Uniform Supply to provide a full service laundry and rental program to include inventory, dry-cleaning, laundering, and pick-up and delivery on an as-needed basis. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate value of this contract will not exceed $225,000.

**Summary**

The contract with Mission Linen and Uniform Supply will provide laundry, rental and dry-cleaning services to include uniforms, costumes, tablecloths as well as towels, mats, smocks, dust mop heads and laundry

bags for Citywide departmental use. The City of Phoenix also requires items that have been biologically contaminated to be contracted out for laundry cleaning that is provided in accordance with all federal, state, county and city laws.

**Procurement Information**
IFB 19-094 Full Service and Decontamination Laundry Services was conducted in accordance with Administrative Regulation 3.10. The solicitation was emailed to 180 suppliers and was posted on the City's website. Three offers were received by the Procurement Division on March 1, 2019. Mission Linen was the lowest overall cost.

**Contract Term**
The five-year contract will begin on or about June 1, 2019.

**Financial Impact**
This contract will have an aggregate value not to exceed $225,000. Funds are available in various departments' budgets.

**This item was adopted.**

**33 Acquisition of Real Property Rights for Bus Pad Improvements at Various Locations (Ordinance S-45595)**

Request to authorize the City Manager, or designee, to acquire property rights required for transit stop bus pad improvements for a purchase price and upon such other terms as are established at the Arizona State Land Department's (ASLD) public auction, or by donation, purchase within the City's appraised value or by the power of eminent domain, and to dedicate land with roadway improvements to public use via separate recording instrument. Further request authorization for the City Controller to disburse all funds related to this item.

Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18, as the ASLD's Certificate of Purchase and other form documents include such provisions.

**Summary**
Acquisition is required for construction of transit stop bus pad improvements at four different locations. The improvements will provide transit users with contiguous sidewalk connections and improved access to existing bus stops and include wheelchair accessible bus pads and adjoining sidewalks. These projects are part of Maricopa Association of Governments (MAG) Achieving Transit Accessibility Now (ATAN) program, aimed at providing safe and equitable accessibility to the regional transit system.

The properties impacted by this project are identified in **Attachment A**.

**Financial Impact**
The projects will be funded with T2050 and ATAN funds available in the Street Transportation Department's Capital Improvement Program budget.

**Location**
Northeast corner of 27th Avenue and Rose Garden Lane
Along 29th Avenue, north of Pinnacle Peak Road
Along 29th Avenue, south of Happy Valley Road
Along Hilton Avenue, west of 19th Avenue
Council Districts: 1 and 7

**This item was adopted.**

**34 Acquisition of Real Property for Street Improvement Project Along Buckeye Road Between 67th and 59th Avenues (Ordinance S-45596)**

Request to authorize the City Manager, or his designee, to acquire all property rights required for a street improvement project along Buckeye Road between 67th and 59th avenues by donation, purchase within the City's appraised value, or by the power of eminent domain, and to dedicate land with roadway improvements to public use for right-of-way purposes via separate recording instrument. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**
The street improvement project will provide roadway improvements along Buckeye Road between 67th and 59th avenues. Acquisition of the

property rights are required to widen the roadway for vehicular and bicycle traffic and enhance sidewalk conditions for pedestrians. Project improvements include Americans with Disabilities Act (ADA) compliant sidewalks, street lights, traffic signals and storm drain improvements.

The properties impacted by this project are identified in **Attachment A**.

**Financial Impact**
The project will be funded using Transportation 2050 funds available in the Street Transportation Department's Capital Improvement Program budget.

**Location**
Buckeye Road, 67th to 59th avenues
Council District: 7

**This item was adopted.**

**35 Acquisition of Real Property For Public Transit Bus Pad Improvements at Three Locations (Ordinance S-45597)**

Request to authorize the City Manager, or his designee, to acquire all property rights required for Public Transit bus pad improvements by donation, purchase within the City's appraised value, or by the power of eminent domain, and to dedicate land with roadway improvements for public use via separate recording instrument. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**
Acquisition is required for Public Transit to construct bus pad improvements at three different locations as outlined below. The improvements will enhance existing bus stops and include new bus stop pads to comply with the American with Disabilities Act (ADA), and add transit furniture to provide shade for transit passengers. The stops have been identified as locations with high passenger boardings and transfer points to additional routes. The properties impacted by this project are identified in **Attachment A**.

**Financial Impact**
The project is funded with T2050 funds, available in the Public Transit

Department Capital Improvement Program budget.

**Location**
Southeast corner of 35th and Dunlap avenues.
Council District: 1

Northeast corner 19th Avenue and Thunderbird Road.
Council District: 3

East side of 16th Street, south of Thomas Road.
Council District: 4

**This item was adopted.**

**36 Concrete Flatwork Citywide Requirements Contract - IFB 19-089 (Ordinance S-45598)**

Request to authorize the City Manager, or his designee, to enter into contracts for concrete flatwork for citywide use, in an amount not to exceed $3,000,000 over the five-year contract term with Upset Concrete, Inc. and Stratton Restoration, LLC.

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

**Summary**
Contractors awarded will provide the City of Phoenix with all labor, tools, equipment, materials, permits, transportation and associated services necessary to perform concrete flatwork services. The contract will be utilized citywide, with primary usage by the Parks and Recreation, Fire and Public Works departments.

**Procurement Information**
IFB 19-089 was conducted in accordance with Administrative Regulation 3.10. The solicitation was emailed to 178 vendors and posted on the City's website. The Finance Department, Procurement Division, received four offers on Feb. 15, 2019.

All offerors were accepted as responsive and responsible. The Deputy Finance Director recommends award to the top two offerors:
-Upset Concrete, Inc.

-Stratton Restoration, LLC

**Contract Term**
The five-year contract term will begin on or about July 1, 2019.

**Financial Impact**
The aggregate contract value will not exceed $3,000,000, with an estimated annual expenditure of $600,000. The contract is available to all City departments. Parks and Recreation, Fire and Public Works will be the majority users; funds are available in each department's budget.

**This item was adopted.**

**37 Acquisition of Real Property for Street Improvement Project from Mountain View Road to Peoria Avenue between 15th and 7th Avenues (Ordinance S-45599)**

Request to authorize the City Manager, or his designee, to acquire all property rights required for a street improvement project from Mountain View Road to Peoria Avenue between 15th and 7th avenues by donation, purchase within the City's appraised value, or by the power of eminent domain, and to dedicate land with roadway improvements to public use for right-of-way purposes via separate recording instrument. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**
Various sections of roadway within the project area will be improved with enhanced roadway and sidewalk improvements for pedestrians, bicyclists and vehicular traffic. Acquisition of property rights are required to widen the right-of-way and construct curb, gutter, American's with Disabilities Act (ADA) compliant sidewalks and bike lanes.

The properties impacted by this project are identified in **Attachment A**.

**Financial Impact**
The project is federally funded with funds available in the Street Transportation Department's Capital Improvement Program budget.

**Location**

Area bounded by Mountain View Road, Peoria Avenue, 15th and 7th avenues
Council District: 3

**This item was adopted.**

**38 Acceptance and Dedication of Deeds and Easements for Roadway and Public Utility Purposes (Ordinance S-45605)**

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

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

Deed (a)
Applicant: Arizona Montessori Charter School At Anthem, its successor and assigns
Purpose: Roadway
Location: 44112 N. Black Canyon Highway
File: FN 190018
Council District: 1

Easement (b)
Applicant: Arizona Montessori Charter School At Anthem, its successor and assigns
Purpose: Public Utility
Location: 44112 N. Black Canyon Highway
File: FN 190018
Council District: 1

Easement (c)
Applicant: Arizona Montessori Charter School At Anthem, its successor and assigns
Purpose: Public Utility
Location: 44112 N. Black Canyon Highway
File: FN 190018
Council District: 1

Deed (d)
Applicant: Happy Valley 19, LLC, its successor and assigns
Purpose: Roadway
Location: 19th Avenue and Happy Valley Road
File: FN 190011
Council District: 1

Deed (e)
Applicant: Happy Valley 19, LLC, its successor and assigns
Purpose: Roadway
Location: 19th Avenue and Happy Valley Road
File: FN 190011
Council District: 1

Easement (f)
Applicant: Happy Valley 19, LLC, its successor and assigns
Purpose: Public Utility
Location: 19th Avenue and Happy Valley Road
File: FN 190011
Council District: 1

Easement (g)
Applicant: Mitchell D. Song, its successor and assigns
Purpose: Public Utility
Location: 1616 E. Glendale Ave.
File: FN 190024
Council District: 6

Easement (h)
Applicant: Peavler Properties, LLC, its successor and assigns
Purpose: Public Utility
Location: 2229 W. Cambridge Ave.
File: FN 190023
Council District: 7

**This item was adopted.**

**39 Stabilizer "PRO RED" Baseball and Softball Infield Mix -**

**Requirements Contract - RFA 19-096 (Ordinance S-45607)**

Request to authorize the City Manager, or his designee, to enter into a contract with Stabilizer Solutions, Inc., to provide stabilizer "Pro Red" infield mix 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.

**Summary**

Under this contract, stabilizer product will be provided to treat the infield of baseball and softball fields throughout the City. The stabilizer "Pro Red" infield mix will be used to fortify the soil and assist with ongoing maintenance of the fields which are used by the public for recreational play, tournaments and league play.

**Procurement Information**

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved determination memo citing the proprietary and specialized nature of the needed goods.

**Contract Term**

The term of the contract is five years, which will begin on or about May 2, 2019.

**Financial Impact**

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

**This item was adopted.**

**40 Custodial Services for Parks and Recreation Department Locations - Requirements Contract - IFB 19-088 (Ordinance S-45611)**

Request to authorize the City Manager, or his designee, to enter into contracts with Commercial Custodial Services, LLC and Bio Janitorial Services, Inc., to provide custodial services for the Parks and Recreation Department. Further request authorization for the the City Controller to disburse all funds related to this item. The five-year aggregate value of the contracts will not exceed $4,230,000.

**Summary**
These contracts will provide custodial services, including labor, cleaning supplies, materials, equipment, tools, vehicles and supervision necessary to clean various Parks and Recreation Department community centers, the Natural Resources Division Administration Office, Special Operations Administration Office, Steele Indian School Park - 1922 Memorial Hall, Encanto Park Clubhouse and Pueblo Grande Museum.

**Procurement Information**
Invitation for Bid (IFB) 19-088 was conducted in accordance with Administrative Regulation 3.10. There were six offers received by the Finance Department's Procurement Division on March 15, 2019. One offer was deemed non-responsive for failing to provide the required solicitation bond. The following are recommended as the lowest-priced offers:

Commercial Custodial Services, LLC: $57,911 (Total monthly price for Groups 1,3, and 4).
Bio Janitorial Services, Inc.: $8,261.76 (Total monthly price for Group 2).

The Deputy Finance Director recommends that the offers from Commercial Custodial Services, LLC and Bio Janitorial Services, Inc., be accepted as the lowest-priced, responsive and responsible offers.

**Contract Term**
The five-year contract term will begin on or about May 13, 2019.

**Financial Impact**
The five-year aggregate value will not exceed $4,230,000, with an estimated annual expenditure of $846,000. This amount includes regular, monthly custodial services and ancillary services to clean, set-up and tear down for special events. Funds are available in the Parks and Recreation Department's budget.

**This item was adopted.**

**41 Contract Award for Medical Waste Pick-Up Services - Requirements Contract - IFB 18-314 (Ordinance S-45626)**

Request to authorize the City Manager, or his designee, to award a contract to Emergency Restoration Experts, LLC and further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value shall not exceed $1,300,000.

**Summary**

The contract is to provide pick-up, removal, and disposal of medical waste services for the City of Phoenix Fire, Police, Library and other designated departments or locations as needed. The contractor services include labor, vehicles, personal protective equipment, and supplies to safely remove, transport and dispose of the medical waste at Arizona Department of Environmental Quality (ADEQ) approved disposal facilities. Required services will be provided in accordance with applicable federal, state, city and local laws, rules and regulations.

As a result of Invitation for Bid (IFB) 18-314, Contract No. 148963 with Clean Scene, LLC was approved by the City Council on Dec. 5, 2018. The City suspended the contract with Clean Scene, LLC, on April 11, 2019, due to a report of a possible ADEQ violation. After further information was received about health and safety and performance issues, the City issued a contract termination notice on April 26, 2019. The City is cancelling Contract No. 148963, with Clean Scene, LLC (Vendor No. 3069811), after determining that Clean Scene, LLC is in breach of the contract requirements. Therefore, it is recommended by the Deputy Finance Director that the offer from Emergency Restoration Experts, LLC (Vendor No. 3071151), be accepted as the next responsible, responsive bidder. Emergency purchase orders will be issued for April 11, 2019 through May 1, 2019 for these required services, to Emergency Restoration Experts, LLC, not to exceed $5,000.

**Procurement Information**

IFB 18-314 for Medical Waste Pick-up services was conducted in accordance with Administrative Regulation 3.10. Eight offers were received by the Procurement Division on Aug. 31, 2018.

**Contract Term**

The contract term shall begin May 1, 2019 and end April 30, 2024.

**Financial Impact**

The aggregate contract value shall not exceed $1,300,000. Funds are available in various departments' budgets.

**Concurrence/Previous Council Action**
The City Council adopted this item on Dec. 5, 2018.

**This item was adopted.**

**47 Phoenix Convention Center Ticketing Services - Requirements Contract - RCS 19-001 (Ordinance S-45623)**

Request to authorize the City Manager, or his designee, to enter into contract with TicketForce, LLC for Ticketing Services at the Phoenix Convention Center. The five-year aggregate value of the contract will not exceed $650,000. Further request authorization for the City Treasurer to accept and for the City Controller to disburse all funds related to this item. This is a revenue contract anticipated to generate approximately $1,250,000 over the life of the contract.

**Summary**
The Phoenix Convention Center Department's (PCCD) ticketing program is a key component of overall operations, with the Ticket Office selling approximately 125,000 tickets per year. Services under the contract include providing expertise and the latest ticketing technology, in addition to ticket distribution, management of automated ticket distribution services, software, installation of network computers and field devices, training, data conversion, support and implementation. The contractor provides ticketing services for events at the PCCD, Symphony Hall and Orpheum Theatre.

**Procurement Information**
The revenue contract solicitation (RCS) was issued Dec. 27, 2018, with responses due Feb. 8, 2019. The procurement was conducted in accordance with Administrative Regulation 3.10. Two firms attended the pre-proposal conference. Two responses were received and were reviewed for minimum qualifications, and all responses were found to be responsive and responsible. Panel members evaluated the responses based on the following criteria established in the RCS:

-Proposed Plan for Ticketing Services (250 points)

-Firm History and Experience (200 points)
-Cost Proposal (Revenue Sharing and Equipment) (300 points)
-Internal Control (150 points)
-Customer Service (100 points)

The evaluation panel recommendations were reached by consensus in consideration of the above criteria and the panel is recommending award to TicketForce, LLC. The results of the evaluation panel scoring are as follows:

#1 TicketForce, LLC: 830 points (out of a possible 1,000)
#2 SquadUp, Inc: 309.40 points (out of a possible 1,000)

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

**Contract Term**
The contract term is for five years covering July 1, 2019, through June 30, 2024, with no extension options.

**Financial Impact**
This is a revenue-generating contract and is anticipated to result in approximately $1,250,000 in revenue over the life of the contract. Expenses over the life of the contract for services associated with the ticket program are anticipated not to exceed $650,000. Funds are available in the Phoenix Convention Center operating fund.

**Public Outreach**
The RCS was advertised on the City of Phoenix website, the Arizona Business Gazette and International Association of Venue Managers (IAVM) weekly electronic publication.

**This item was adopted.**

**48 Donation from Phoenix Fire Foundation for Phoenix Fire Department Baby Shots Immunization Program (Ordinance S-45586)**

Request to authorize the City Manager, or his designee, to accept a donation of $5,000 from the Phoenix Fire Foundation to support the

Phoenix Fire Department's Baby Shots Immunization Program. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, funds associated with this item.

**Summary**

The Phoenix Fire Department Baby Shots Immunization Program provides free vaccinations to children who are eligible under the federally funded Vaccine for Children's Program, which provides vaccines at no cost to children who might not otherwise be vaccinated because of inability to pay. The donation from the Phoenix Fire Foundation will help fund the costs of equipment, promotional materials, electronic equipment and associated two-year service plans, overtime event staffing, and related travel and training.

The Phoenix Fire Foundation is a 501(c)(3) charitable organization. The Foundation is committed to supporting the Phoenix Fire Department, and other public safety agencies in metro Phoenix, in their daily efforts to save lives and protect families and communities. This request is part of the Charitable Donations Process that was presented to the Public Safety and Veterans Subcommittee on Sept. 12, 2018.

**Contract Term**

There is no contract term associated with this donation.

**Financial Impact**

This grant does not require any matching funds.

**This item was adopted.**

**49 Request Authorization for the Sale of Canine Fury for $1.00 (Ordinance S-45619)**

Request authorization for the City Manager, or his designee, to authorize the sale of canine "Fury" to Officer Michael Miller. Officer Miller is assigned to the Tactical Support Bureau's Canine Unit and has requested to retire and purchase his assigned canine, "Fury," in accordance with A.R. 4.21.

**Summary**

Officer Miller will be leaving the Canine Unit and retiring from the Phoenix Police Department on May 17, 2019. Officer Miller requests to retire his canine on the same date. Canine "Fury" is over seven years old and has

served the Tactical Support Bureau with professionalism, dedication and exemplary effort as a police service dog for the past five years.

This request is for the authorization of the sale of canine "Fury" for $1.00. The purchase of canine "Fury" is being made by Officer Michael Miller, who agrees to accept full responsibility and liability for canine "Fury" until his death.

**This item was adopted.**

**50 Request Retroactive Authorization to Apply for, Accept and Enter Into Agreements for 2020 Governor's Office of Highway Safety Grants (Ordinance S-45620)**

Request retroactive authorization for the City Manager, or his designee, to authorize the City Prosecutor's Office, Street Transportation, Fire and Police departments to apply for $1,647,034 in grants administered by the Arizona Governor's Office of Highway Safety (GOHS), which includes funding from the DUI Abatement Council. If grants are awarded, request authorization to accept the funds and enter into grant agreements. Further request authorization for the City Treasurer to accept and for the City Controller to disburse all funds related to this item.

**Summary**

The GOHS announced the availability of funding on Jan. 25, 2019. Grant proposals were due by March 15, 2019. If awarded, these funds will be used to support new traffic safety programs and enhance existing programs in the City Prosecutor's Office, Street Transportation, and the Fire and Police departments. The total Citywide request for funding is $1,647,034.

**City Prosecutor's Office - Total Funding Request $235,000**

If awarded, grant funds will be used to pay the salary, expenses, supplies and/or travel for an existing Traffic Safety Resource Prosecutor (TSRP), Attorney IV. Position funding will be sought to equally split grant funding between the GOHS and Oversight Council on Driving or Operating Under the Influence (the DUI Abatement Council), which is a part of the GOHS application.

The TSRP program will continue its four primary objectives:

- Provide training for prosecutors and law enforcement officers in the

prosecution of traffic safety-related crimes.
- Serve as a resource for questions about traffic laws and trial advocacy.
- Improve communication between prosecutors, law enforcement officers and members of the judiciary.
- Act as a liaison for individuals and agencies committed to the enforcement and prosecution of traffic safety-related crimes.

The GOHS has funded the TSRP program since its inception in 2007. Though the grant project is administered by Phoenix, it benefits citizens, law enforcement and prosecutors across Arizona. The TSRP is a resource to both small and large jurisdictions for legal issues related to the enforcement of DUI and traffic laws. During the latest grant period, the TSRP provided training to approximately 5,830 prosecutors, law enforcement officers, crime lab personnel, interns and community groups.

Additionally, Arizona's TSRP is a state and national resource as demonstrated by the more than 1,500 requests for assistance from prosecutors, law enforcement officers and crime lab personnel received over the last federal fiscal year as reflected in the GOHS annual report and activities on the state and national committees and working groups. City general funds will be required to fund a portion of TSRP expenses, if grant award is insufficient.

**Street Transportation Department - Total Funding Request $67,034**
Roadway Safety / Education Programs: This request will help develop and enhance engineering infrastructure, educational campaigns and employee tools for roadway, school, bicycle and pedestrian safety. Requests for Roadway Safety ($20,000) include funding for a Distracted Driving Safety Education campaign geared towards high school students. Requests for Pedestrian and Bicycle Safety ($47,034) include funding for pedestrian crossing improvements, bicycle helmets and LED flashing STOP paddles.

**Fire Department - Total Funding Request $345,000**
Impaired Driving Program: This request is for overtime and related fringe benefits, materials, and equipment related to high school education campaigns, including dramatic mock crashes and classroom education.

The program informs young drivers of the dangers of distracted driving, alcohol, and other drug impairment with the goal of decreasing preventable injuries and fatalities associated with impaired and distracted driving ($40,000).

Occupant Protection and Child Car Seat Program: This request is for training, overtime, related fringe benefits, materials, public education and equipment related to child safety seats and seat belt usage. This funding will maintain current occupant protection efforts and increase the frequency of conducting child safety technician certification and recertification classes; opportunities to educate residents at car seat check events; the number of locations of designated car seat check fitting stations to enhance geographical outreach; and to enhance outreach for occupant protection public education in K-12 schools ($260,000).

Pedestrian and Bicycle Safety Program: This request is for overtime, related fringe benefits, materials and equipment related to education campaigns to increase safety and traffic awareness and necessary skills of young pedestrians and bicyclists. This program provides bike rodeos for young cyclists, bike and pedestrian school safety assemblies, and public education opportunities at community safety fairs and events ($45,000).

**Police Department - Total Funding Request $1,000,000**
DUI Enforcement (Traffic Unit): Funding will provide training, overtime, related fringe benefits and equipment to support and enhance DUI enforcement within the City of Phoenix and joint enforcement efforts throughout the valley. This funding request will not exceed $300,000.

Occupant Protection (Traffic Unit): Funding will provide training, materials, supplies, overtime and related fringe benefits associated with Click It or Ticket enforcement activities, child passenger safety technician certification classes, car seat events, Buckle Up, Baby Hotline and various seatbelt enforcement campaigns. This funding request will not exceed $100,000.

Pedestrian and Bicycle Safety (Traffic Unit): Funding will provide training, materials, supplies, overtime and related fringe benefits associated with education and enforcement campaigns designed to increase safety awareness, traffic law knowledge, and skills among pedestrians and bicyclists. This funding request will not exceed $200,000.

Traffic Services (Traffic Unit): Funding will provide training, materials, supplies, equipment (radar/laser speed detection devices), overtime and related fringe benefits associated with education and enforcement campaigns such as: Traffic Impact Programs, school zone enforcement, construction zone enforcement, Traffic Complaint Hotline enforcement, and Selective Traffic Enforcement Programs (STEP). This funding request will not exceed $200,000.

DUI Abatement Council DUI (Traffic Unit): Funding will be requested from the DUI Abatement Council for overtime and related fringe benefits associated with DUI enforcement and innovative Know Your Limit Programs.This funding request will not exceed $200,000.

**Contract Term**
One year beginning Oct. 1, 2019 through Sept. 30, 2020

**Financial Impact**
Total funding request is $1,647,034. Cost to the City is personnel expenses and in-kind resources only.

**Concurrence/Previous Council Action**
This item was unanimously approved by the Public Safety and Veterans Subcommittee on April 10, 2019.

**This item was adopted.**

**51 Authorization to Apply for, Accept and Enter into Agreements for High Intensity Drug Trafficking Area Grant Funds (Ordinance S-45621)**

Request authorization for the City Manager, or his designee, to authorize the Police Department to enter into various agreements with the Office of National Drug Control Policy and the Maricopa County Sheriff's Office for

up to $2,500,000 in funding through the 2019-20 High Intensity Drug Trafficking Area (HIDTA). Further request authorization for the City Treasurer to accept and for the City Controller to disburse all funds related to this item.

**Summary**

The Police Department has applied for and accepted HIDTA funds annually for more than 12 years. Historically, HIDTA funds are used to support and enhance the Police Department's Drug Enforcement Bureau's investigations into illegal narcotic distribution enterprises in the Phoenix area and throughout Arizona. These complex investigations usually involve partnerships with other local, state and federal law enforcement agencies. The investigations focus on identifying and disrupting drug organizations, most of which have connections with the Mexican and Columbian drug cartels.

The Arizona Alliance Planning Committee HIDTA Executive Board makes all of the HIDTA funding decisions. The Police Department is requesting approval to accept funds and enter into various agreements for any HIDTA funds made available during the funding period. Funding reimburses the City for salary, overtime, 15 percent of the associated fringe benefits and operational supplies associated with the drug trafficking investigations.

**Contract Term**

Two years beginning Jan. 1, 2019 through Dec. 31, 2020.

**Financial Impact**

Permission is requested to accept up to $2,500,000 through the various funding sources to receive HIDTA funds. Cost to the City is in-kind resources only.

**Concurrence/Previous Council Action**

This item was unanimously approved by the Public Safety and Veterans Subcommittee at the April 10, 2019 meeting.

**This item was adopted.**

**52 Authorize Recommended Change to Neighborhood Block Watch**

**Grant Program Process (Ordinance S-45622)**

Request City Council approval of the Neighborhood Block Watch (NBW) Oversight Committee's recommended change to the NBW grant program process as outlined below.

**Summary**

The Neighborhood Block Watch Oversight Committee reviewed and approved the following change to the grant program process at the March 7, 2019 meeting. The Oversight Committee recommends this change to be effective July 1, 2019.

The Oversight Committee recommends the total annual funding amount available for all grant applications be increased from $1,400,000 to $1,500,000 starting with the 2019 grant program. The scoring of applications submitted for the 2019 grant cycle indicates the current amount available is insufficient to fund all of the grant applications with scores of 5.25 or higher.

**Contract Term**

The funding period begins July 1, 2019. Each grant will be awarded for a one-year period.

**Financial Impact**

No matching funds are required.

**Concurrence/Previous Council Action**

This item was unanimously approved by the Public Safety and Veterans Subcommittee at the April 10, 2019 meeting.

**This item was adopted.**

**53 Authorization to Purchase a Personnel Carrier Vehicle (Ordinance S-45625)**

Request authorization for the City Manager, or his designee, to allow the Phoenix Police Department's Special Assignments Unit (SAU) to purchase a personnel carrier vehicle which will allow first responders to safely evacuate or respond to critical incidents. The aggregate value of this purchase will not exceed $346,480. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The Urban Area Security Initiative (UASI) is a federal resource which offers funding and training to agencies around the State to fill gaps in equipment or training to better service our community. The Phoenix Police Department's SAU is one of many units that participates in UASI grant funded training and equipment opportunities. In the past, the UASI has provided funding to SAU to enhance services and increase safety to the community through the acquisition of smaller items such as technical rescue harnesses and ropes, as well as larger items such as ballistic shields.

Most recently, the Department was contacted by the UASI selection committee members advising of approximately $500,000 in re-allocated FY 2017/18 funds that needed to be distributed or would be lost. Because of the relationship and level of past participation, SAU was asked if there were any high-dollar equipment gaps that needed to be filled, such as a personnel carrier vehicle.

The utilization of personnel carrier vehicles has evolved well past simply transporting SWAT operators in and out of scenes or using them as cover. They are also occasionally used to safely evacuate community members or fire personnel out of volatile scenes. Most recently, the Department began using them as a shield on search warrants and barricades to keep the surrounding community safe from suspect gunfire.

The Department currently has two personnel carrier vehicles which were previously purchased using UASI funding. Adding a third vehicle would greatly improve the resource availability in meeting deployment needs.

**Procurement Information**

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a Special Circumstance Without Competition Determination Memo citing Lenco Industries, Inc. as the sole provider of the personnel carrier vehicle. A special Circumstance Without Competition Deterination Memo was completed and approved by the Deputy Finance Director recommending the Procurement with Lenco Industries, Inc. be accepted.

**Financial Impact**
The total cost of this equipment will not exceed $346,480. Funds are available in the Police Department's budget.

**Concurrence/Previous Council Action**
This item was unanimously approved by the Public Safety and Veterans Subcommittee at the April 10, 2019 meeting.

**This item was adopted.**

**54 Request to Issue Terminal Services Revenue Contract Solicitation**

Request to authorize the City Manager, or his designee, to issue a Revenue Contract Solicitation (RCS) for a Network Entertainment Broadcast System and for a Terminal Delivery Service Concession at Phoenix Sky Harbor International Airport (PHX).

**Summary**
PHX has contracted with AC Holdings for the last seven years to provide CNN Airport Network programming in the terminal hold rooms. This contract expired March 2019 and has been continued month-to-month to allow time to conduct a competitive solicitation for a new network entertainment broadcast system. With new entrants in this market, the Aviation Department (AVN) intends to improve entertainment services.

Additionally, in an effort to increase concessions sales and bring airport concessions amenities to passengers and employees throughout the terminals, AVN is seeking Terminal Delivery Services. These services will allow passengers and customers to order food and retail items through a mobile application to be delivered to their location.

AVN’s concession program goals include encouraging competition and creating opportunities that mirror our community; reflect our region by including national, regional, and local brands and concepts and current trends; optimizing sales and revenues; increasing opportunity for local and small business participation; and raising the quality and uniqueness of concessions offerings at PHX.

The contract opportunities include:

Package 1

Network Entertainment Broadcast System.

Package 2
Terminal Delivery Service Concessions.

**Procurement Information**
AVN will conduct a RCS to select one vendor for the Network Entertainment Broadcast System and one or more vendors for the Terminal Delivery Service. Responsive and Responsible Respondents will be evaluated according to the following evaluation criteria:

Airport Network Broadcast System
Concept and Programming.
Management/Operations Plan.
Proposed Financial Return to City.
Design and Infrastructure.
Experience and Qualifications.

Terminal Delivery Service
Concept and Programming.
Management/Marketing/Operations.
Experience and Qualifications.
Proposed Business Plan.

The highest ranked Respondent(s) for each opportunity will be recommended for the concessions contract awards. AVN intends to issue this solicitation in Summer 2019, with contract awards estimated for late 2019. The City's Transparency Policy will be in effect with the release of the RCS and throughout the process.

**Contract Term**
The term for the Airport Network Broadcast System will be five years, with one, two-year renewal option to be exercised at the sole discretion of the Aviation Director.

The term for the Terminal Delivery Services will be three years, with one, two-year renewal option to be exercised at the sole discretion of the

Aviation Director.

**Financial Impact**
Minimum Annual Guarantee (MAG) will be set for the contracts based on concession category using PHX historical and market data. Percentage of gross sales will be dependent on the concession category and range from 8 percent to 15 percent. Estimated combined annual revenue from the contracts will be approximately $130,000.

**Concurrence/Previous Council Action**
This item was recommended for approval at the Aviation and Transportation Subcommittee meeting on April 23, 2019, by a vote of 2-0.

**Public Outreach**
This process will include all standard and required outreach efforts and conduct targeted outreach efforts to attract interest for each of these unique contracting opportunities.

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

**This item was continued to the May 15, 2019 City Council Formal Meeting.**

**55 Airport Parking Management Services (Ordinance S-45610)**

Request to authorize the City Manager, or his designee, to increase the existing contract funds with ACE Parking Management, Inc., Contract 129773, in the amount of $10,832,010 for continued parking management services at Phoenix Sky Harbor International Airport and to extend the term of the contract for 14 months on a month-to-month basis through Dec. 31, 2020. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**
Phoenix Sky Harbor International Airport (PHX) provides parking services for the traveling public and employees of airport businesses. The Aviation Department (AVN) uses a parking management service

company to provide day-to-day operations and management of the parking program. This includes operation of an online reservation system, staffing cashier positions, and collecting, depositing, and reporting revenue. The current parking management services contract with ACE Parking will expire Oct. 31, 2019.

On March 9, 2018, AVN issued Request for Proposal (RFP) Parking Management Services at Phoenix Sky Harbor International Airport AVN RFP 18-039. Proposals were submitted on May 10, 2018 and final deliberations were completed June 28, 2018.

The Public Notice of Award Recommendation was posted on the City's solicitation website on July 17, 2018. On July 24, 2018 Ace Parking Management, Inc. submitted a protest. The Public Notice of Solicitation Cancellation with the intent to reissue was posted on the City's solicitation website on Aug. 9, 2018. To improve the new solicitation and to mitigate potential protests, AVN staff worked for several months to develop a new scope of work.

In early 2019, AVN staff determined the West Ground Transportation Center (WGTC) Concession Revenue Contract Solicitation (RCS) process will eliminate the need for an ongoing parking management contract. Therefore, the Public Notice of Solicitation Cancellation was posted on the City's solicitation website on March 7, 2019. This contract extension and additional spending authority will allow continuous parking services to be provided to PHX customers during the WGTC lease and Concession RCS process scheduled for December 2019.

**Contract Term**
This request will extend the term of the Contract approximately 14 months on a month-to-month basis through Dec. 31, 2020.

**Financial Impact**
The estimated monthly amount is $773,715 and the aggregate amount during the extension period through Dec. 31, 2020 will not exceed $10,832,010. Funds are available in the Aviation Department's operating budget.

**Concurrence/Previous Council Action**
This item was recommended for approval at the Aviation and Transportation Subcommittee meeting on April 23, 2019, by a vote of 2-0.

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

**This item was adopted.**

**56 Hangar Lease Amendment with Empire Airlines, Inc. at Phoenix Sky Harbor International Airport (Ordinance S-45612)**

Request to authorize the City Manager, or his designee, to amend Executive Hangar Lease 147168 with Empire Airlines, Inc. at Phoenix Sky Harbor International Airport (PHX) to extend the lease term three and one-half years. Anticipated rent over the term of the lease will be approximately $124,370.

**Summary**
Empire Airlines, Inc. has requested to extend the term of their Executive Hangar Lease for three and one-half years to expire Dec. 31, 2022; the original lease expires June 30, 2019. The hangar is used for the storage and allowed maintenance of Empire's approved aircraft and for no other use or purpose without the consent of the Aviation Director. Empire currently provides small aircraft cargo flights on behalf of FedEx to various locations in Arizona.

**Contract Term**
The term will be three and one-half years. There are no options to extend.

**Financial Impact**
Rent for the first year of the lease extension will be approximately $35,534 ($6.52 per square foot) plus applicable tax. Rent will be adjusted annually thereafter by three percent or the Consumer Price Index using the Phoenix-Mesa-Scottsdale index, whichever is greater. Anticipated rent over the term of the lease will be approximately $124,370.

**Concurrence/Previous Council Action**

This item was recommended for approval at the Aviation and Transportation Subcommittee meeting on April 23, 2019, by a vote of 2-0.

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

**This item was adopted.**

**57 Hangar Lease Amendment with Papa Sierra, LLC at Phoenix Sky Harbor International Airport (Ordinance S-45613)**

Request to authorize the City Manager, or his designee, to amend Executive Hangar Lease 139057 with Papa Sierra, LLC at Phoenix Sky Harbor International Airport (PHX) to extend the lease term three and one-half years. Anticipated rent over the term of the lease will be approximately $124,370.

**Summary**
Papa Sierra, LLC has requested to extend the term of their Executive Hangar Lease for three and one-half years to Dec. 31, 2022; the original lease expires June 30, 2019. The hangar is used for the storage and allowed maintenance of Papa Sierra’s approved aircraft and for no other use or purpose without the consent of the Aviation Director.

**Contract Term**
The term will be three and one-half years. There are no options to extend.

**Financial Impact**
Rent for the first year of the lease extension will be approximately $35,534 ($6.52 per square foot) plus applicable tax. Rent will be adjusted annually thereafter by three percent or the Consumer Price Index (CPI) using the Phoenix-Mesa-Scottsdale index, whichever is greater. Anticipated rent over the term of the lease will be approximately $124,370.

**Concurrence/Previous Council Action**
This item was recommended for approval at the Aviation and Transportation Subcommittee meeting on April 23, 2019, by a vote of

2-0.

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

**This item was adopted.**

**58 Hangar Lease Amendment with DP64, LLC at Phoenix Sky Harbor International Airport (Ordinance S-45616)**

Request to authorize the City Manager, or his designee, to amend Executive Hangar Lease 138896 with DP64, LLC at Phoenix Sky Harbor International Airport (PHX) to extend the lease term three and one-half years. Anticipated rent over the term of the lease will be approximately $124,943.

**Summary**
DP64, LLC has requested to extend the term of their Executive Hangar Lease for three and one-half years to expire Dec. 31, 2022. The original lease expires June 30, 2019. The hangar is used for the storage and allowed maintenance of DP64's approved aircraft and for no other use or purpose without the consent of the Aviation Director.

**Contract Term**
The term will be three and one-half years. There are no options to extend.

**Financial Impact**
Rent for the first year of the lease extension will be approximately $35,698 ($6.55 per square foot) plus applicable tax. Rent will be adjusted annually thereafter by three percent or the Consumer Price Index (CPI) using the Phoenix-Mesa-Scottsdale index, whichever is greater. Anticipated rent over the term of the lease will be approximately $124,943.

**Concurrence/Previous Council Action**
This item was recommended for approval at the Aviation and Transportation Subcommittee meeting on April 23, 2019, by a vote of 2-0.

**Location**

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

**This item was adopted.**

**59 Facility Lease Amendment with Galaxy International, Inc. at Phoenix Goodyear Airport (Ordinance S-45614)**

Request to authorize the City Manager, or his designee, to amend the Facility Lease Agreement 134004 with Galaxy International, Inc. (Galaxy) at Phoenix Goodyear Airport (GYR) to extend the lease term five years, with two, one-year options to extend. The total anticipated revenue over the term, if all options are exercised, is approximately $401,177.

**Summary**
Galaxy has leased a portion of Hangar 18 at GYR since July 2012 and is requesting an amendment to their Facility Lease Agreement to extend the term by five years with two, one-year renewal options.

Galaxy uses approximately 13,900 square feet of office and hangar space to conduct commercial activities including manufacturing and repair services of turbine engine controls and accessories, aircraft teardown, painting, and part sales.

**Contract Term**
The term will be five years with two, one-year renewal options to be exercised at the sole discretion of the Aviation Director.

**Financial Impact**
Rent will be approximately $57,311 per year. Rent shall be adjusted annually based on the Consumer Price Index (CPI) for Phoenix-Mesa-Scottsdale. The total anticipated revenue over the term, if all options are exercised, is approximately $401,177.

**Concurrence/Previous Council Action**
This item was recommended for approval at the Aviation and Transportation Subcommittee meeting on April 23, 2019, by a vote of 2-0.

**Location**
Phoenix Goodyear Airport, 1658 S. Litchfield Road, Goodyear, Ariz.

Council District: Out of City

**This item was adopted.**

**60 Phoenix Goodyear Airport New Apron and Taxiway Connector - Engineering Services - AV41000077 FAA (Ordinance S-45591)**

Request to authorize the City Manager, or his designee, to enter into an agreement with C&S Engineers, Inc. to provide Engineering Services that include: programming, design, and possible construction administration and inspection (CA&I) services for the Phoenix Goodyear Airport New Apron and Taxiway Connector project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $589,000.

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

**Summary**

The purpose of this project is to design a new apron and a new taxiway connector between the apron and Taxiway A at the Phoenix Goodyear Airport. The project will be constructed with grant assistance from the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) and the Arizona Department of Transportation (ADOT). The design, and possible construction, will require phasing of the project consistent with the grant availability over several years. This will require evaluation and development of the project to determine the best way to design, construct, and implement the overall project consistent with grant funds.

C&S Engineers, Inc.'s services include, but are not limited to: the design and preparation of project plans and specifications for the new apron and taxiway; design of appropriate pavement and subgrade for anticipated

aircraft usage; grading; drainage; signage; paint striping; lighting for the apron and taxiway; adjustment of in-pavement utility vaults, valve boxes, and manholes; construction estimates; bidding assistance; construction safety plans; and all requirements to meet FAA and AIP grant compliance.

**Procurement Information**
The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-603(H), the City may not publicly release information on proposals received or scoring results until an agreement is awarded. Two firms submitted proposals and are listed below:

Selected Firm
Rank 1: C&S Engineers, Inc.

Additional Proposer
Rank 2: Morrison Maierle, Inc.

**Contract Term**
The term of the agreement is 200 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

**Financial Impact**
The agreement value for C&S Engineers, Inc. will not exceed $589,000, including all subconsultant and reimbursable costs.

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

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

**This item was adopted.**

**61 Access Agreement with Roosevelt Irrigation District at Goodyear Airport (Ordinance S-45615)**

Request to authorize the City Manager, or his designee, to enter into an Access Agreement with the Roosevelt Irrigation District at Phoenix Goodyear Airport (GYR). There is no financial impact associated with this Access Agreement.

**Summary**
The Roosevelt Irrigation District (RID), since 1927, has owned and operated the RID Main Water Canal, delivering irrigation water to various areas in the Avondale, Goodyear, and Buckeye areas of Arizona. GYR is located in the RID. Two private properties located on two sides of GYR are customers of RID and depend on a ditch cutting across and under the GYR for irrigation water.

GYR was built by the Navy during the 1940s and allowed RID's continued use (easement) of the canal which existed prior to the presence of the Navy Base. The ownership of RID's easement and all "rights of way, laterals, and ditches" was granted to the City of Phoenix (City), by the United States through an Indenture in 1968. The canal still exists and is made up of a combination of open ditch and concrete piping. The City entered into an Access Agreement with RID in 1997 allowing RID to enter GYR in order to use and maintain the canal.

In an effort to improve water drainage, improve airport safety, and reduce the presence of wildlife, the Aviation Department (AVN), along with assistance from the Arizona Department of Transportation, previously agreed to enclose the open ditch with piping; that project is scheduled to begin in fiscal year 2020. AVN has also agreed to assume responsibility for maintaining the canal once it is enclosed. RID will maintain everything located off GYR that connects to the system.

This Access Agreement with RID will allow RID to access GYR to:

Take water samples.
Monitor the AVN's construction activities.
Check the operation of the tail water system.
Inform AVN of any equipment required for the continued operation of the tail water system.

**Contract Term**
The term will be 10 years with one, 10-year option to extend at the sole discretion of the Aviation Director.

**Financial Impact**
There is no financial impact associated with this Access Agreement.

**Concurrence/Previous Council Action**
This item was recommended for approval at the Aviation and Transportation Subcommittee meeting on April 23, 2019, by a vote of 2-0.

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

**This item was adopted.**

**63 Building Property Management Services Contract for Public Transit Department Office Building (Ordinance S-45608)**

Request to authorize the City Manager, or his designee, to enter into a contract change order to Contract 139423 with Lincoln Property Company to extend the property management services contract for a period of eight months, from Nov. 1, 2019 through June 30, 2020. The extension will enable contract management efficiencies by consolidating the 302 N. 1st Ave. facility maintenance services into the solicitation for a single contract for all transit facilities maintenance. Further request authorization for the City Controller to disburse funds in an amount not to exceed $873,733 over the eight-month period.

**Summary**
In September 2014, as a result of RFP PT14-009, the City awarded Property Management Services Contract 139423 to Lincoln Property Company for the management of the building located at 302 N. 1st Ave.

in Phoenix owned by Public Transit, which serves as its primary offices, as well as the offices of the Maricopa Association of Governments (MAG) as the main tenant. The total authorization for the five-year contract term was $7.5 million. The current contract scope of services includes administrative functions; general building maintenance; interior and exterior repairs; preparing the annual operating budget along with related financial accounting services, record keeping, and reports; and management of the below-ground parking levels and associated functions. This contract currently expires Oct. 31, 2019.

In August 2015, as a result of RFP PTD15-004, the City awarded Facilities Maintenance Contract 141172 to ABM Facility Services, Inc., for the maintenance of the City's three transit facilities, six transit centers, and eight park and ride locations. The total authorization for the five-year contract term was $11 million. This contract currently expires June 30, 2020.

All contract extensions have been exhausted. Public Transit will solicit services for new contracts this year. When soliciting the new contracts, the new Property Management Services scope of work will retain the management functions and will not include the facilities maintenance responsibilities. In order to realize potential contract management efficiencies, Public Transit intends to transition the facility maintenance of the 302 N. 1st Ave. building from the Property Management Services contract into the overall Facilities Maintenance contract, thereby consolidating all transit facility maintenance under the same contract. To address the disparity of eight months between the expiration dates of the current contracts, this request is to extend Contract 139423 for eight months in order that the expiration dates of both contracts coincide on June 30, 2020. Lincoln Property Company has agreed to continue to provide its current pricing for the eight-month extension.

**Contract Term**
The extension will be for an eight-month period from Nov. 1, 2019 to June 30, 2020.

**Financial Impact**
The total cost related to this item will not exceed $873,733 over eight

months. Funds are available in the proposed 2019-20 Public Transit Building Fund operating budget.

**Location**
302 N. 1st Ave.
Council District: 7

**This item was adopted.**

**64 Purchase of Medium- and Heavy-Duty Cab and Chassis Vehicles - Contract Recommendation (Ordinance S-45593)**

Request to authorize the City Manager, or his designee, to enter into separate contracts with Courtesy Chevrolet; Freightliner of Arizona, LLC; PFVT Motors, LLC dba Peoria Ford; Rush Truck Centers of Arizona, Inc.; and Don Sanderson Ford, Inc. to purchase medium and heavy-duty cab and chassis vehicles. The contracts will have an estimated total expenditure of $150,000,000 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 (PWD) is responsible for purchasing vehicles for all City departments. Every year, PWD prepares a list of City equipment due for replacement based on age, mileage, or a combination thereof. The contracts will allow PWD to purchase vehicles that are identified for replacement and additional vehicles to the fleet. The vehicles will be cab and chassis with a truck body to satisfy various City operational needs. The vehicles will include street sweepers, service body trucks, vacuum system vehicles, dump body vehicles, and other vehicles needed citywide by various departments. The vehicles will be used by various City departments including the Aviation, Parks and Recreation, Public Works, Street Transportation, and Water Services departments.

**Procurement Information**
Invitation for Bid 19-FSD-043 was conducted in accordance with Administrative Regulation 3.10. Five bids were received. All five bids were recommended for contract award based on the base model pricing of the vehicles. Because the bidders provided extensive lists for possible vehicle purchases, the following bidders are listed by vehicle

manufacturer:

Chevrolet
Courtesy Chevrolet

Ford
PFVT Motors, LLC
Don Sanderson Ford, Inc.

Freightliner
Freightliner of Arizona, LLC

Peterbilt
Rush Truck Centers of Arizona, Inc.

**Contract Term**
The terms of the contracts are one year and will begin on or about May 15, 2019. The contracts will include four one-year options to extend the term that may be exercised at the discretion of the City Manager or his designee.

**Financial Impact**
The contracts will have a total estimated aggregate cost of $150,000,000 over the life of the contracts if all options to extend are exercised. Funds are available in various departments' budgets.

**This item was adopted.**

**65 City's Closed Landfill Gas Monitoring, System Maintenance and Operations Consulting Services Contract Recommendation - RFP 19-SW-030 (Ordinance S-45587)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Tetra Tech-BAS, Inc. to provide landfill gas monitoring, system maintenance and operations consultant services for the City's closed landfills in an amount not to exceed $8,860,194 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**
The contract will provide services including, but not limited to: monitoring

of landfill surface for landfill gas in accordance with title 40 of the Code of Federal Regulations; report findings; operate the landfill gas collection and destruction systems; and provide maintenance for the collection and destruction systems. Additionally, this contract will enable the City to maintain compliance with the Environmental Protection Agency's New Source Performance Standards for pollution control and the Clean Air Act.

**Procurement Information**
Request for Proposal (RFP) 19-SW-030 was conducted in accordance with Administrative Regulation 3.10. Two proposals were received by the department on Dec. 12, 2018. The evaluation committee, consisting of City staff and subject matter experts, evaluated offers based on the following criteria: Experience of Key Personnel and Sub-Consultants (300 points), Operation Experience of the Prime Company (200 points), Project Understanding and Approach (200 points), Estimated Project Costs (200 points), and General Information (100 points) for a total of 1,000 points.

The evaluation committee recommends Tetra Tec-BAS, Inc. for contract award as the best value to the City based on the following consensus scores, and responsive and responsible offeror.

Tetra Tech - BAS, Inc.: 930 points
SCS Engineering: 850 points

**Contract Term**
The initial two-year contract will commence on July 1, 2019 and continue through June 30, 2021. Provisions of the contract may include an option to extend the term up to four additional years to be taken in two-year increments, which may be exercised by the City Manager or designee.

**Financial Impact**
The estimated expenditure for the original term is $3,307,515 with a total aggregate value of $8,860,194 over the life of the contract. Funding is available in the Solid Waste budget.

**Location**
Skunk Creek Closed Landfill, North I-17 and Happy Valley Road
Council District: 1
27th Avenue Closed Landfill, 3060 S. 27th Ave.
Council District: 7
19th Avenue Closed Landfill, 19th Avenue and Lower Buckeye Road
Council District: 8

**This item was adopted.**

**66 Contract Recommendation for Original Equipment Manufacturer Vehicle and Equipment Parts (Ordinance S-45600)**

Request to authorize the City Manager, or his designee, to enter into separate contracts with Balar Equipment Company, Bingham Equipment, Cummins Sales and Service, Dadee Manufacturing, Empire Southwest, LLC, Forklift Exchange, Inc., Freightliner of Arizona doing business as Velocity Truck Centers, Norwood Equipment, RDO Equipment Company, Rush Truck Centers, RWC Group, LLC, Simpson Norton Corporation, and Titan Machinery, Inc., to provide parts for City-owned vehicles and equipment on an as-needed basis with an aggregate amount not to exceed $8,300,000. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**
The Public Works Department maintains and repairs approximately 7,500 vehicles and equipment. These units are used by various City departments including the Public Works, Fire, Street Transportation, and Water Services departments. These units include medium-duty vehicles, heavy-duty vehicles, and various equipment that includes street sweepers, vacuum system trucks, refuse and heavy-duty trucks, and construction equipment. These vehicles and equipment are used for field operations and to provide essential City services. This contract will help to provide required parts for vehicles and equipment by the only local authorized Original Equipment Manufacturer parts provider for each product line.

**Procurement Information**
In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a determination memo citing that there is only one source for each product line for these essential vehicle and

equipment parts. Due to the extensive list of products and providers, a list of the providers and the product line each provider represents is included in **Attachment A.**

**Contract Term**
The initial one-year contract term will begin on or about July 1, 2019 with four option years 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 $1,660,000, with an aggregate value not to exceed $8,300,000. Funds are available in the Public Works Department's budget.

**This item was adopted.**

**67 Contract Recommendation for Original Equipment Manufacturer Vehicle and Equipment Maintenance and Repairs (Ordinance S-45601)**

Request to authorize the City Manager, or his designee, to enter into separate contracts with Balar Equipment Company, Bingham Equipment, Cummins Sales and Service, Dadee Manufacturing, Empire Southwest, LLC, Forklift Exchange, Inc., Freightliner of Arizona doing business as Velocity Truck Centers, Norwood Equipment, RDO Equipment Company, Rush Truck Centers, RWC Group, LLC, Simpson Norton Corporation, and Titan Machinery, Inc., to provide service, maintenance and repairs on City-owned vehicles and equipment on an as-needed basis with an aggregate amount not to exceed $35,000,000. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**
The Public Works Department maintains and repairs approximately 7,500 citywide vehicles and equipment. These units are used by various City departments including the Fire, Public Works, Street Transportation, and Water Services departments. These units include medium-duty vehicles, heavy-duty vehicles, and equipment including street sweepers, vacuum system trucks, refuse and heavy-duty trucks, and construction equipment. These vehicles and equipment are used for field operations and provide essential City services. This contract will help to provide service,

maintenance and repairs on vehicles and equipment by the only local authorized Original Equipment Manufacturer service provider for each product line.

**Procurement Information**
In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a determination memo citing that there is only one source for each product line for these maintenance and repair services. Due to the extensive list of products and providers, a list of the providers and the product line each provider represents are included in **Attachment A.**

**Contract Term**
The initial one-year contract term will begin on or about July 1, 2019, with four option years 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 $7,000,000, with an aggregate value not to exceed $35,000,000. Funds are available in the Public Works Department's budget.

**This item was adopted.**

**68 Transmission Rebuild and Exchange - Contract Recommendation (Ordinance S-45602)**

Request to authorize the City Manager, or his designee, to enter into a contract with W.e.n.i.m.m., LLC doing business as Aamco Complete Car Care for transmission rebuilds and exchanges. This contract will have an estimated expenditure of $625,000. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**
The Public Works Department is responsible for maintaining approximately 4,100 light-duty vehicles, including sedans, pickup trucks, police pursuit vehicles, and other essential vehicles. These units are required to perform daily operations throughout the City. This contract will allow the department to expedite transmission repairs in a cost-effective manner that allows transmissions to be exchanged and rebuilt due to failure. This contract will help reduce downtime of critical vehicles in need

of replacement transmissions.

**Procurement Information**
Invitation for Bid (IFB) 19-FSD-051 was conducted in accordance with Administrative Regulation 3.10. The Public Works Department received two bids with one being deemed responsive and responsible. One bid was deemed non-responsive. This solicitation was an all or none award based on the grand total of the installed price of various transmissions. The following is the grand total amount for all installed transmissions:

W.e.n.i.m.m., LLC doing business as Aamco Complete Car Care: $159,585

**Contract Term**
The initial one-year contract term will begin on or about June 1, 2019, with four option years to extend in increments of up to one year, for a total contract option term of five years.

**Financial Impact**
This contract will have an estimated annual expenditure of $125,000, with a total aggregate amount not to exceed $625,000 over the life of the contract. Funds are available in the Public Works Department's budget.

**This item was adopted.**

**69 Compressed Natural Gas Compressor Decommissioning - Contract Recommendation (Ordinance S-45603)**

Request to authorize the City Manager, or his designee, to enter into a contract with Zeit Energy, LLC to provide decommissioning and removal of out-of-service compressed natural gas (CNG) compressors from various City locations. This contract will have a total aggregate value of $45,000. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**
The Public Works Department is responsible for maintaining the fuel sites at various City locations. These sites provide fuel for City fleet vehicles and equipment. Six of the fuel sites have CNG compressors that

are no longer being used due to insufficient demand for CNG at these locations and extensive repairs required to maintain the compressors. This contract allows these CNG compressors to be decommissioned and removed from City property.

**Procurement Information**
Invitation for Bid (IFB) 19-FSD-050 was conducted in accordance with Administrative Regulation 3.10. The Public Works Department received two bids. There were two groups to be awarded and both groups had successful bids with Zeit Energy, LLC being recommended as the lowest priced, responsive and responsible offeror. **Attachment A** shows the bid summary of offers submitted for both groups.

**Contract Term**
This contract will begin on or about June 1, 2019, with an initial one year term and four option years in increments of up to one year, with a total contract option term of five years.

**Financial Impact**
This contract will have a total aggregate amount not to exceed $45,000 over the life of the contract. Funds are available in the Public Works Department's budget.

**Location**
South Mountain Police Precinct, 400 W. Southern Ave.
Southern Command Police Precinct, 3443 S. Central Ave.
Maryvale Police Precinct, 6180 W. Encanto Blvd.
Desert Horizon Police Precinct, 16030 N. 56th St.
Central City Police Precinct, 1902 S. 16th St.
52nd Street Water Distribution Yard, 5204 E. Thomas Rd.
Council Districts: 2, 6, 7 and 8

**This item was adopted.**

**70 One-time Purchase of Snap-On Diagnostic Scanners (Ordinance S-45609)**

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

contract with IDSC Holdings, LLC, dba Snap-on Industrial for the purchase of two Pro Link Ultra Master Kits and four Solus Edges diagnostic scanners. This contract will have a one-time expenditure of $40,000. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The Public Works Department is seeking to purchase six new Snap-On diagnostic scanners to assist technicians with determining failures on light-duty and heavy-duty vehicles throughout the fleet. Two Master Kits will be purchased for heavy-duty vehicles and four Solus Edges will be purchased for light duty vehicles. These scanners will help to reduce vehicle downtime and allow maintenance repairs to be conducted in-house to reduce costs.

**Procurement Information**

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a determination memo for alternative competition to use a cooperative agreement through National Association of State Procurement Officials (NASPO), OK-MA-818-040, Professional Grade Tools and Diagnostic Equipment, awarded July 11, 2018.

**Contract Term**

This contract will begin upon award of Council, for the one-time purchase of Snap-On Pro Link Ultra Master Kits and Solus Edges diagnostic scanners.

**Financial Impact**

Expenditures will not exceed $40,000 over the life of the contract. Funds are available in the Public Works Department's budget.

**This item was adopted.**

**72 "For Official Use Only" Wording Exemption for Unmarked City Vehicles (Resolution 21741)**

Request the Phoenix City Council adopt a resolution to exempt certain City vehicles from displaying the wording, "For Official Use Only" as referenced under Arizona Revised Statutes (A.R.S.) sections 38-538, 38-538.01 and 38-358.03, for the period of July 1, 2019 through June 30, 2020.

**Summary**

This resolution exempts certain vehicles owned or leased by the City of Phoenix including vehicles in the Police, Fire, Human Services, and Aviation departments. A.R.S. section 38-538.03 stipulates that the governing body may grant such exemption for a period of time not to exceed one year. These vehicles are used to conduct social service programs, investigations, or other confidential activities.

**This item was adopted.**

**73 Lake Pleasant Water Treatment Plant Asset Assessment - Engineering Services - WS85350008 (Ordinance S-45585)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Wilson Engineers, LLC, to provide Engineering Services that include assessment services for the Lake Pleasant Water Treatment Plant (WTP) Asset Assessment project in two phases. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $2,150,000.

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

**Summary**

The purpose of this project is to conduct a comprehensive condition assessment of the Lake Pleasant Water Treatment Plant (WTP) structures, equipment, electrical and process control systems in two phases. Wilson Engineers, LLC's Engineering Services for Phase 1 Triennial Inspection include, but are not limited to: performing a comprehensive condition assessment of Lake Pleasant WTP's structures, equipment, electrical systems, and process control systems; documenting the current condition of Lake Pleasant WTP's assets and

estimating the remaining useful life of the assets; reviewing operation and maintenance records; holding meetings and workshops to discuss the status of the project and present the findings; and preparing the final report.

Wilson Engineers, LLC's Engineering Services for Phase 2 Final Evaluation include, but are not limited to: updating the condition assessment to reflect changes and modifications occurring after Phase 1 Triennial Inspection; performing the remaining service life calculations for Lake Pleasant WTP's structures, equipment, electrical systems, and process control systems; holding meetings and workshops to discuss the status of the project and present the findings; and preparing a final report.

**Procurement Information**
Selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-603(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Five firms submitted proposals and are listed.

Selected Firm
Rank 1: Wilson Engineers, LLC

Additional Proposers
Rank 2: Carollo Engineers, Inc.
Rank 3: Arcadis U.S., Inc.
Rank 4: GHD Inc.
Rank 5: Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, PC

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

**Financial Impact**

The agreement value for Wilson Engineers, LLC's Engineering Services for Phase 1 Triennial Inspection will not exceed $650,000 and the agreement value for Wilson Engineers, LLC's Engineering Services for Phase 2 Final Evaluation will not exceed $1.5 million with a total not to exceed $2,150,000, including all subconsultant and reimbursable costs.

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

**Location**

37000 N. New River Road
Council District: 1

**This item was adopted.**

**74 Citywide General Construction - Job Order Contracting Services - 4108JOC178 (Ordinance S-45604)**

Request to authorize the City Manager, or his designee, to enter into separate master agreements with six contractors, to provide Citywide General Construction Job Order Contracting (JOC) services. Further request to authorize execution of amendments to the agreements 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 $10 million for each master agreement.

Additionally, request to authorize the City Manager, or his designee, to take all action deemed necessary to execute all utilities-related design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project and to include disbursement of funds. Utility services include, but are not limited to: electrical; water; sewer; natural gas;

telecommunications; cable television; railroads; and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

**Summary**

The JOC contractors services will be used on an as-needed basis to provide Citywide General Construction services for general building and site construction, miscellaneous improvements, and some minor project related design work. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

**Procurement Information**

The selections were made using a qualifications-based selection process set forth in section 34-604 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-604(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Twenty-two firms submitted proposals and are listed in **Attachment A**.

**Contract Term**

The term of each master agreement is for up to five years, or up to $10 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

**Financial Impact**

The master agreement values for each of the JOC contractors will not exceed $10 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed $60 million.

Request to authorize the City Manager, or his designee, to execute job order agreements performed under these master agreements for up to $4 million each. In no event will any job order agreement exceed this limit without Council approval to increase the limit.

Funding is available in the Citywide Capital Improvement Program and Operating budgets. The Budget and Research Department will review

and approve funding availability prior to issuance of any job order agreement. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

**This item was adopted.**

**75 Water Main Replacement Area Bounded By: Harrison Road to Van Buren Street and 35th Avenue to 31st Avenue - Construction Manager at Risk Construction Services - WS85509035 (Ordinance S-45606)**

Request to authorize the City Manager, or his designee, to enter into an agreement with TALIS Construction Corp. (TALIS) to provide Construction Manager at Risk (CMAR) Construction Services for the Water Main Replacement Area bounded by: Harrison Road to Van Buren Street and 35th Avenue to 31st Avenue project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $5,151,014.

**Summary**

The purpose of this project is to evaluate and replace 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 breakage rates and are difficult to repair. Work for these projects typically includes: installing 4-inch to 12-inch water mains, plugging abandoned mains, and installing or relocating fire hydrants.

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

TALIS's services include, but are not limited to: abandonment of existing

water mains including associated equipment such as valves and fire hydrants, providing traffic control and roadway restorations, scheduling and managing site operations, addressing all federal, state and local permitting requirements, arranging for procurement of materials and equipment, and maintaining a safe work site for all project participants.

**Procurement Information**
Selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes. Scoring and selection were made in conjunction with the CMAR Preconstruction Services selection process.

**Contract Term**
The term of the agreement is 455 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

**Financial Impact**
The agreement value for TALIS will not exceed $5,151,014, including all subcontractor and reimbursable costs.

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

**Concurrence/Previous Council Action**
The City Council approved:
Design Phase Services Agreement 147216, Ordinance S-44416 on April 4, 2018.

**Location**
Area bounded by: Harrison Street to Van Buren Street and 35th Avenue to 31st Avenue.

Council District: 7

**This item was adopted.**

**76 Salt River Project Land Use License with City of Phoenix for Traffic Signal Project at 44th Street and Grand Canal - ST87600093-1 (Ordinance S-45617)**

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 traffic signal project, ST87600093-1, at 44th Street and the Grand Canal (north of Campbell Ave). There is no financial impact to the City for this license.

**Summary**

The land use license is necessary for construction of the new traffic signal at 44th Street and the Grand Canal 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 City Council.

**Contract Term**

The term of the License shall be through Dec. 31, 2043. The license may be renewed upon written agreement by the parties.

**Financial Impact**

There is no financial impact to the City for this license.

**Location**

44th Street and the Grand Canal (north of Campbell Avenue)

Council District: 6

**This item was adopted.**

**77 Leak Detection Equipment and Services (Ordinance S-45592)**

Request to authorize the City Manager, or his designee, to enter into a contract with Construction Product Marketing, LLC to provide Leak Detection Equipment and Services for the Water Services Department (WSD). The requested amount will not exceed $950,000. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The WSD is seeking a five-year equipment contract to purchase Water Distribution System leak detection equipment and services for pinpointing leaks using advanced technology. The contract will assist in reducing water loss and damage to City streets. Using new technologies in leak detection equipment and services, this citywide effort will result in significant reductions in both the time it takes to locate leaks and the associated costs to service them.

**Procurement Information**

Solicitation No. IFB-1718-WDD-116 was conducted as a two-part IFB in accordance with Administrative Regulation (AR) 3.10. One Bid was received from Construction Product Marketing, LLC. The results are listed below:

Leak detection equipment purchase $115,750 (Year 1)
Annual subscription/sofware license $7,500
Service support $30,000
Total cost: $153,250

In accordance with AR 3.10, the selection was made on the basis of Best Value. The WSD Director recommends the offer from Construction Product Marketing, LLC be accepted as the best value and most advantageous to the City.

**Contract Term**

The contract term shall begin on or about May 1, 2019, for a five-year term, with an end date of April 30, 2024. There are no options to extend

the contract.

**Financial Impact**

The five-year aggregate contract value is $950,000 (including applicable taxes). Funds are available in the Water Services Department's operating budget.

**This item was adopted.**

**78 Final Plat - Kingston Place Amended - 180137 - East of 41st Avenue and North and South of Ross Avenue and Monona Drive**

Plat: 180137
Project: 16-3188
Name of Plat: Kingston Place Amended
Owner(s): CalAtlantic Homes of Arizona, Inc.
Engineer(s): Hubbard Engineering
Request: A 47 Lot Residential Subdivision Plat
Reviewed by Staff: April 5, 2019
Final Plat requires Formal Action Only

**Summary**

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat makes minor corrections to the prior plat, Kingston Place, previously approved by the City Council on March 7, 2018 and recorded in Book 1378, Page 48, MCR.

**Location**

Generally located east of 41st Avenue and north and south of Ross Avenue and Monona Drive.
Council District: 1

**This item was approved.**

**79 Final Plat - Residency at Verde Park - 190006 - Northeast Corner of 9th Street and Polk Street**

Plat: 190006
Project: 17-3971
Name of Plat: Residency at Verde Park
Owner(s): 904 Polk Verde, LLC
Engineer(s): Survey Innovation Group, Inc.

Request: A 1 Lot Commercial Plat
Reviewed by Staff: April 9, 2019
Final Plat requires Formal Action Only

**Summary**

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat is associated with Abandonment V180025A that was approved with Resolution 21705 on Jan. 9, 2019.

**Location**

Generally located at the northeast corner of 9th Street and Polk Street.
Council District: 8

**This item was approved.**

**80 Abandonment of Right-of-Way - V180065A - Northwest Corner of Kierland Boulevard and Scottsdale Road (Resolution 21740)**

Abandonment: V180065A
Project: 14-1284
Applicant: Optima Kierland Center Condominium Association
Request: To abandon a portion of right-of-way on Kierland Boulevard adjacent to parcel APN 215-42-648D that was incorrectly dedicated to the City by the property owner; per Ordinance S-42250.
Date of Hearing: Dec.11, 2018.

**Location**

Northwest corner of Kierland Boulevard and Scottsdale Road
Council District: 2

**Financial Impact**

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

**This item was adopted.**

**81** **Amend City Code - Official Supplementary Zoning Map 1186 (Ordinance G-6584)**

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1186. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-43-06-2 and the entitlements are fully vested.

**Summary**

To rezone a parcel located at the southeast corner of 19th Avenue and Beardsley Road
Z-43-06-2
Zoning: C-2, C-O
Owner: Multiple owners, see Attachment C- Ownership (Previous Owner: Edith Feeney Trust)
Acreage: Approximately 9.38

**Location**

Southeast corner of 19th Avenue and Beardsley Road
Council District: 2

**This item was adopted.**

**84** **Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-8-18-8 - Approximately 135 Feet West of the Northwest Corner of 17th Street and Portland Street (Ordinance G-6585)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-8-18-8 and rezone the site from C-2 to C-2 SP for a self-service storage facility and all underlying C-2 uses.

**Summary**

Current Zoning: C-2
Proposed Zoning: C-2 SP
Acreage: 1.67
Proposed Use: Self-service storage facility and all underlying C-2 uses

Owner: New Hope in Christ Church
Applicant: Hibernia Capital Advisors, LLC
Representative: Lindsay C Schube, Gammage and Burnham

Staff Recommendation: Approval, subject to stipulations.
VPC Action: Central City Village Planning Committee heard this case on March 11, 2019, and recommended approval, per the staff recommendation by a 14-0 vote.
PC Action: Planning Commission heard this case on April 4, 2019, and recommended approval, per the Central City Village Planning Committee with an additional stipulation by a 9-0 vote.

**Location**
Approximately 135 feet west of the northwest corner of 17th Street and Portland Street.
Council District: 8
Parcel Addresses: 1616 E. Portland St.

**This item was adopted.**

**86 Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-79-18-7 - Northeast Corner of 39th Avenue and Vineyard Road (Ordinance G-6583)**

Request to hold a public hearing on the request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-79-18-7 and rezone the site from S-1 to R1-6 for a single-family residential subdivision.

**Summary**
Application: Z-79-18-7
Current Zoning: S-1
Proposed Zoning: R1-6
Acreage: 11.20
Proposed Use: Single-family residential

Owner: W6, LLC.
Applicant/Representative: John Fox, The William Seymour Company, Inc.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Laveen Village Planning Committee heard this case on March 18, 2019, and recommended approval, per the staff recommendation with modified and additional stipulations by a 10-1 vote.

PC Action: The Planning Commission heard this case on April 4, 2019, and recommended to deny as filed, and approve with R1-8 zoning with the Laveen Village Planning Committee recommended stipulations, a modified and deleted stipulation, and additional stipulations by an 8-1 vote.

**Location**
Northeast corner of 39th Avenue and Vineyard Road
Council District: 7
Parcel Addresses: 3820, 3850, and 3880 W. Vineyard Road

**This item was continued to the June 5, 2019 City Council Formal Meeting**

**26 (CONTINUED FROM APRIL 17, 2019) - Authorization for Issuance of Excise Tax-Funded Obligations to Repair or Improve the Phoenix Convention Center and Security Management Access Control Systems (Ordinance S-45548)**

An ordinance authorizing the City Manager to cause the issuance of obligations of or by a municipal property corporation, including execution and delivery of one or more ground leases, leases, purchase agreements or financing agreements and the taking of any and all actions necessary or appropriate to finance or reimburse a principal amount not exceeding $50,000,000 of costs for repairing, renovating and improving a previously constructed City-owned Convention Center and security management access and control systems plus related financing costs. Further authorizing the City Manager to execute and deliver one or more leases, purchase agreements or loan agreements, or supplemental or amended leases, purchase agreements or loan agreements and, if necessary, supplemental or amended ground leases relating to the refunding of principal and interest on all or a portion of the outstanding excise tax revenue obligations; authorizing the issuance of one or more series of excise tax revenue refunding obligations of or by a municipal property corporation or by a private leasing company, in a principal amount sufficient to refund the obligations being refunded plus related financing costs; authorizing a pledge if deemed appropriate, of excise taxes or other lawfully available funds; authorizing the execution and delivery of other appropriate agreements in connection therewith, including but not limited to any official statements and bond purchase

agreements and certificates necessary or appropriate for the financing and associated financing costs; authorizing the City Manager to take any and all other necessary or desirable actions in connection with such bonds; and authorizing the City Controller to expend all necessary funds therefor.

**Summary**

Shoring Wall

The Phoenix Convention Center expansion project was completed in December 2008. The expansion allowed for a future phase to be developed as a contiguous extension of the North Building beneath Washington Street, per the Phoenix Convention Center Master Plan. Accordingly, the lower level exhibition hall of the North Building was constructed with a temporary shoring wall to facilitate a future expansion project to the south.

The temporary shoring wall is constructed of steel beams and wood planks and was not intended to remain indefinitely or as a permanent structure. The shoring wall was built in 2006 and is subject to annual inspections and maintenance. The most recent structural inspections indicate that the wall is approaching the end of its useful life and needs to be replaced by a permanent shoring wall solution. This ordinance provides funding to repair, renovate and improve the Convention Center and/or other City facilities, including but not limited to, a replacement for the temporary shoring wall.

Security Management and Access Control Systems

This ordinance may also provide funding for a replacement of the security management and access control systems. These systems provide access control, badge administration and intrusion detection for the downtown campus, Citywide facilities and critical infrastructure sites throughout the City.

Additionally, the ordinance permits the refunding of currently outstanding excise tax obligations.

**Concurrence/Previous Council Action**

The Phoenix Convention Center Shoring Wall Replacement Project was presented to the Planning and Economic Development Subcommittee on

Feb. 5, 2019. Information for the Security Management and Access Control System is included on the April 17, 2019 formal agenda.

**Discussion**

Councilwoman Mendoza stated that last time this item was on the agenda, Denise Olson and Jeff Barton answered her questions about the debt payment service and added that moving forward she would like the City to put aside savings for when things like the badging system come up. She further explained the City should save money so they do not have to do bond financing every time something breaks.

Councilwoman Pastor asked if the City has a maintenance account or if each department has their own maintenance accounts.

Budget and Research Director, Jeff Barton, responded that the City has a decentralized approach they are currently in the process of revamping. He explained that each department has a variety of different funds available for reactive work on their facilities. Mr. Barton added that the City had taken away the five-year monies that departments previously used to maintain and manage multiple-year projects and moved that money into the Capital Improvement Project budget. He stated there was money set aside and clarified that Councilwoman Mendoza was referring to something like sinking funds. Mr. Barton explained that some municipalities utilize sinking funds which reserve a portion of savings from certain areas to go towards long-term capital repairs and maintenance. He stated the City could definitely work towards that.

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

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

**28 Form of the Ballot for Special Election to be Held on Aug. 27, 2019 (Ordinance S-45624)**

This report requests City Council approval of an ordinance establishing the form of the ballot for the City of Phoenix Special Election to be held on Tuesday, Aug. 27, 2019 **(Attachment A)**. This ballot contains two ballot measures.

**Summary**

This election will be conducted by the City in the usual manner for City elections, with early voting by mail and voting centers. Ballots will be mailed to voters on the Permanent Early Voting List (PEVL), and other voters who request an early ballot, beginning Wednesday, July 31, 2019. Additionally, in-person early voting will begin at Phoenix City Hall on the same day and continue through Friday, Aug. 23, 2019. Voting centers will be open for three days: Saturday, Aug. 24, 2019; Monday, Aug. 26, 2019; and Election Day, Tuesday, Aug. 27, 2019. Residents can vote at any of the voting center locations.

Citizen Notification

Voters on the PEVL will begin receiving notification of the election on April 29, 2019, and will automatically be sent a ballot by mail, unless the voter requests that a ballot not be mailed. Households with one or more registered voters will receive a Sample Ballot and Publicity Pamphlet in late July 2019. The Sample Ballot and Publicity Pamphlet contains general information about the election, including information about the ballot measures, key dates related to when early ballots by mail are due, and when voting centers are open, along with a sample of the ballot.

Several publications and news releases will be provided throughout the election process. Information will be provided through the official City of Phoenix Twitter account, @PHXElections. All election information will be provided in English and Spanish and is available at phoenix.gov/elections.

**Discussion**

Mayor Gallego announced there was one comment card submitted for Item 28.

Courtney Sullivan introduced herself as the Executive Director for the Arizona Center for Afterschool Excellence, a statewide non-profit that supports programs that serve youth in the after-school and summer

space. She stated their concern about the impact of Proposition 106 on the funding of youth services, such as the Phoenix Afterschool Center (PAC) and Phoenix Public Library system. Ms. Sullivan added they have watched PAC decrease, which has resulted in a shrinking number of sites and reduced access for the youth. She explained there were 9,000 children served at 124 PAC sites in 2007 and this year they were down to 37 sites. She futher explained what had happened to the thousands of youth who no longer had access to services. She stated that programs like PAC reduced school day absenteeism, increased classroom engagement, increase academic achievement and supported the needs of working families. She concluded she could not support any proposition that puts youth services at risk.

Mayor Gallego thanked Ms. Sullivan for her work and added it was important for voters to read the ballot language and understand the impacts initatiaves will have on areas such as parks and libraries.

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

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

**42 Public Comment on Proposed MOU Between the City of Phoenix and the Phoenix Law Enforcement Association, PLEA (Unit 4)**

Request for City Council to receive public comment on the terms of the proposed Memorandum of Understanding (MOU) with the Phoenix Law Enforcement Association, PLEA (Unit 4).

Section 2-218 (G) of the Meet and Confer section in the City Code provides that a proposed MOU be filed with the City Clerk following its ratification by the employee organization and, "At the earliest practicable date thereafter the City Council of the City of Phoenix shall provide on its agenda an opportunity for public comment on the terms of the

Memorandum of Understanding prior to the Council acting thereon."

Note: Mayor Gallego opened the public hearing. After verfiying no comment cards were submitted on this item, Mayor Gallego closed the public hearing.

**The hearing was held.**

**43 Approving the MOU Between the City of Phoenix and Phoenix Law Enforcement Association, PLEA (Unit 4) (Resolution 21743)**

The City of Phoenix has met and conferred with the Phoenix Law Enforcement Association, PLEA (Unit 4), in accordance with the terms of Section 2-218 of the City Code, and PLEA membership voting is occurring through April 30, 2019. A copy of the proposed Memorandum of Understanding has been filed with the City Clerk and an opportunity for public comment has been requested as an agenda item preceding this resolution.

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

| | | |
|---|---|---|
| **Yes:** | 7 - | Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams and Mayor Gallego |
| **No:** | 1 - | Vice Mayor Waring |
| **Absent:** | 1 - | Councilman DiCiccio |

**44 Public Comment on Proposed MOU Between the City of Phoenix and Phoenix Fire Fighters Association, IAFF Local 493 (Unit 5)**

Request for City Council to receive public comment on the terms of the proposed Memorandum of Understanding (MOU) with the Phoenix Fire Fighters Association, IAFF Local 493 (Unit 5).

Section 2-218 (G) of the Meet and Confer section in the City Code provides that a proposed MOU be filed with the City Clerk following its ratification by the employee organization and, "At the earliest practicable date thereafter the City Council of the City of Phoenix shall provide on its agenda an opportunity for public comment on the terms of the Memorandum of Understanding prior to the Council acting thereon."

Note: Mayor Gallego opened the public hearing. After verfiying no comment cards were submitted on this item, Mayor Gallego closed the public hearing.

**The hearing was held.**

**45 Approving the MOU Between the City of Phoenix and Phoenix Fire Fighters Association, IAFF Local 493 (Unit 5) (Resolution 21742)**

The City of Phoenix has met and conferred with the Phoenix Fire Fighters Association, IAFF Local 493 (Unit 5), in accordance with the terms of Section 2-218 of the City Code, and a Memorandum of Understanding (MOU) has been approved by the organization's membership. A copy of the proposed MOU has been filed with the City Clerk and an opportunity for public comment has been requested as an agenda item preceding this resolution.

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

| | | |
|---|---|---|
| **Yes:** | 7 - | Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams and Mayor Gallego |
| **No:** | 1 - | Vice Mayor Waring |
| **Absent:** | 1 - | Councilman DiCiccio |

**46 Request for Proposals for Development of the 2020-25 CDBG Consolidated Plan, the 2020-21 Annual Action Plan, and Analysis of Impediments to Fair Housing**

Request to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) to hire a consultant to facilitate the development of the 2020-25 Consolidated Plan, the 2020-21 Annual Action Plan, and the Analysis of Impediments to Fair Housing. The price for these services should cost approximately $75,000.

**Summary**

The 2020-25 Consolidated Plan will contain the requirements for the U.S. Department of Housing and Urban Development (HUD) programs that provide critical funds to address housing and community development needs to entitlement cities like Phoenix each year. The four programs

highlighted in the Consolidated Plan are: Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA).

The hired consultant will ensure critical housing and community development needs are identified through comprehensive research, planning and public input. During the development of the Consolidated Plan, residents and community leaders will have the opportunity to offer input on housing, homelessness, social services, and community development needs for the five-year planning period. This information, along with other assessments, will form the basis of the five-year Consolidated Plan.

The 2020-21 Annual Action plan will describe how funds will be used to address the priorities and achieve the goals outlined in the first year of the five-year Consolidated Plan, while the Analysis of Impediments will help identify obstacles to fair housing.

Draft versions of the Consolidated Plan, the Annual Action Plan, and the Analysis of Impediments to Fair Housing will be shared for a 30-day public comment period to solicit input on the draft document. Council will be asked to review and approve the draft Consolidated Plan, Annual Action Plan, and Analysis of Impediments to Fair Housing to submit to HUD by May 15, 2020.

**Procurement Information**
The RFP will be publicly advertised and available for download in June 2019. A review committee will evaluate proposal submissions based on the following criteria (100 total points possible):
Experience Developing Con Plans/AA Plans/AI Plans: 25 Points.
Methodology and Approach: 25 Points.
Organizational Capacity: 25 Points.
Price: 25 Points.

In an effort to identify and secure the best consultant to develop each plan, responders to the RFP will be given the opportunity to submit

proposals to develop one or more of the plans. The Neighborhood Services Department estimates that it will cost approximately $75,000 to develop the 2020-25 Consolidated Plan, the 2020-21 Annual Action Plan, and the Analysis of Impediments to Fair Housing.

**Financial Impact**

The development of the 2020-25 Consolidated Plan, the 2020-21 Annual Action Plan, and the Analysis of Impediments to Fair Housing will be funded by the U.S. Department of Housing and Urban Development Community Development Block Grant; there will be no impact to the General Fund.

**Concurrence/Previous Council Action**

This item was recommended for approval at the Planning and Economic Development Subcommittee meeting on April 2, 2019, by a vote of 4-0.

**Public Outreach**

The RFP to develop the 2020-25 Consolidated Plan, the 2020-21 Annual Action Plan, and the Analysis of Impediments to Fair will be advertised on-line and in local publications in June 2019.

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

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|---|---|---|
| **Yes:** | 7 - | Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams and Mayor Gallego |
| **No:** | 1 - | Vice Mayor Waring |
| **Absent:** | 1 - | Councilman DiCiccio |

**62 Authorization to Enter Into Agreement with Arizona State University for Transit Passes**

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with Arizona State University (ASU) to provide students, faculty and staff with transit passes.

**Summary**

The ASU Card Program consists of two parts:

Faculty and Staff: ASU Faculty and Staff who participate in the regular Platinum Pass Program; trips are billed on a per-ride basis.

Students: The Student portion of the ASU Card Program, currently designated as the ASU UPass Program, includes separate, identifiable fare media. For the first fiscal year, July 1, 2019 through June 30, 2020, the ASU Student rate will be $1.30 per boarding. For years two through five, the Student rate per boarding will be negotiated annually with ASU.

**Contract Term**

The Agreement will be effective July 1, 2019 through June 30, 2024.

**Financial Impact**

There is no cost to the City. ASU will pay for the passes used and trips taken.

**Discussion**

Vice Mayor Waring stated he was against the light rail, but this item was about effectively selling ticekts that might otherwise be unsold. He explained this item would offset costs taxpayers would otherwise have to pick up. He asked staff if that was a fair statement.

Mario Paniagua responded that Vice Mayor Warring was correct.

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

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

**71 Solid Waste Cost of Service Study (Ordinance S-45618)**

Request to authorize the City Manager, or his designee, to enter into a contract with NewGen Strategies and Solutions, LLC, to provide consulting services to evaluate the solid waste utility, in the amount not to

exceed $160,000. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The City of Phoenix solid waste utility is in need of a cost of service study to determine the amount of revenue that is sufficient to fund all utility requirements and analyze the cost of collection and post collection against operating and capital budgets. NewGen Strategies and Solutions (NewGen) is primarily a financial team with expertise in the operations of solid waste utilities and works with municipal solid waste service providers to evaluate costs of service for garbage, recycling and compost, rate design, service markets, and operational efficiencies. NewGen has experience with the City of Phoenix solid waste utility and other similarly-operated solid waste utilities in the Southwest, which provides the organization a unique ability to benchmark Phoenix rates and services against other municipalities.

In addition to performing a cost of service study, NewGen will also evaluate post-collection tip fees and market conditions to identify additional revenue opportunities to spread expenses over a larger customer base. Deliverables will also include recommendations for changes in rate structure and a five-year projection.

The Solid Waste Rate Advisory Committee unanimously agreed to move forward with using NewGen for this study at its April 2, 2019 meeting.

**Procurement Information**

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a Determination Memo to use Houston-Galveston Area Council (H-GAC) cooperative agreement HP10-17, All Hazards Preparedness, Planning, Consulting & Recovery Services awarded on Nov. 1, 2017.

**Contract Term**

The contract will begin upon award of Council, for the one-time use of consulting services, with a contract term of one year.

**Financial Impact**

The contract will not exceed $160,000 over the life of the contract. Funds

are available in the Public Works Department's budget.

**Concurrence/Previous Council Action**
This item was heard at the Water, Wastewater, Infrastructure and Sustainability Subcommittee on Nov. 7, 2018, and recommended for approval by a vote of 2-1.

**Discussion**
Mayor Gallego announced there was one comment card submitted by Richard Rea who was available to speak if necessary. She asked if he would like to speak and informed him no cards were submitted in opposition.

Mr. Rea stated the Solid Waste Rate Advisory Committee had worked for 10 months to come to grips with solid waste issues and various pieces of the solid waste proposals. He explained that this was the first year in the last 10 years they needed a rate increase and added they actually needed one the year before but the Advisory Committee did not approve the increase because there were issues that needed to be studied. He further explained this item and company would provide the City with the details needed to make the decision of a rate increase. He stated that the study would be conducted by a company that would have financial people and could provide a particular uniqueness that the City did not have in-house.

Councilwoman Pastor asked what the Advisory Committee was looking at, what the criteria was to bring this item forward, and what happened in the recycling area that would create a possible rate increase.

Mr. Rea stated the company had been around for 15 or 20 years and that the City and people proposing the item looked at the company's expertise. He added that the reviewers talked to the customers who previously used the company and they had glowing, positive, and affirmative things to say. He explained the world of recycling was undergoing change for a few different reasons. The first reason Mr. Rea explained was that recycling was a feel good, something that people wanted to do and they felt it was needed for the world and country. He stated that the only problem was where to sell recycling materials and explained it was once sold largely in China but they stopped and there

was now a need to find an alternative place. He said there was no way he could prove or validate what the prices would be in the future and talked about the known value of metals, glass, and cardboard. He concluded that the anticipated profitability of recycling was being studied and that was one of the things the company would look at carefully.

Karen Peters thanked Mr. Rea for his leadership on the Solid Waste Rate Advisory Committee and all the members who spent significant time learning about the City operations and issues surrounding them. She stated Public Works Director, Ginger Spencer, could answer more detailed questions about the state of the market and the impact to rates.

Ms. Spencer stated the scope of the study would include a comprehensive cost of service analysis and added the company would look at different services the City provides, the City's customers, and rate designs. She explained that the City does a fee forecast every 10 years but the last time they had an outside consultant look at the City's analysis was in 2001. The company being looked at to engage with was the subconsultant on the 2001 contract. She stated the company's expertise was in financials but they also had experience in the energy market, solid waste, water, and wastewater. Ms. Spencer added that the recycling market was volatile and that was why the City was looking to engage with the company because they would help the City plan for future capital investments and rate increases.

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

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|---|---|---|
| **Yes:** | 6 - | Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark and Mayor Gallego |
| **No:** | 1 - | Vice Mayor Waring |
| **Absent:** | 2 - | Councilman DiCiccio and Councilwoman Williams |

**82 Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-7-18-6 - Northeast Corner of 7th Street and Flynn Lane (Companion Case Z-77-18-6) (Ordinance G-6587)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the

Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-7-18-6 (Companion Case Z-77-18-6) and rezone the site from C-2 to C-2 SP to allow a self-service storage facility and all underlying C-2 uses.

**Summary**

Current Zoning: C-2
Proposed Zoning: C-2 SP
Acreage: 1.50
Proposed Use: Self-Service Storage facility and all underlying C-2 uses.

Owner: Jeff Clements, Flynn 720, LLC
Applicant: Michelle Bach, RKAA
Representative: Jason Morris, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard this case on Feb. 5, 2019, and recommended approval per the staff recommendation by an 11-7 vote.
PC Action: The Planning Commission heard this request on April 4, 2019 and recommended approval per the staff memo dated April 4, 2019 with additional stipulations by an 8-1 vote.

**Location**

Northeast corner of 7th Street and Flynn Lane.
Council District: 6
Parcel Addresses: 6829 N. 7th St.; and 720, 736 and 740 E. Flynn Lane

**Discussion**

Mayor Gallego announced that Item 82 was a zoning case in District 6 and that Councilman DiCiccio expressed his support for the item but said if it became complicated, he welcomed Council to continue it to the June Council meeting. She stated there were 12 cards on the item and Council would hear from the applicant and then the people who submitted comment cards after a brief staff presentation.

Planning and Development Director, Alan Stephenson, displayed a presentation and explained that Item 82 was a self-storage facility request with a special permit to allow self-storage use within the existing

C-2 zoned parcel and that Item 83 was the height waiver to allow for the units to be three stories in height. He showed Council various pictures and explained the proposed location, surrounding zoning pattern, proposed elevation, and the two phases of the proposed project. Mr. Stepehenson concluded that staff does recommend approval per the stipulations from the Planning Commission.

George Pasquel, representing the applicant, stated he had a presentation and that they had worked very hard, held many meetings, made many phone calls and emailed with the neighborhood residents. He added that the North Central Phoenix Homeowners Association was in support of the item. Mr. Pasquel displayed a presentation and explained the site was commercial zoning and discussed the transition of zoning from multi-family to single-family and commercial zoning around the proposed site. He stated the applicant initially requested 35-feet of height but reduced it to 30-feet after discussions with the neighbors. Mr. Pasquel displayed the site plan and described the details of the project, such as the parking, landscaping, building layout, and the distinction between Phase I and II. He stated the project elevation being displayed was the redesigned version and that they held two open house meetings where the attendants expressed the initial design was too industrial.

The following individuals submitted comment cards in opposition of Item 82 and 83, indicating they wished to donate their time to Sandy Grunow:
Paul Barnes
Clyde Grunow
Neal Haddad
Janis Harris

Sandy Grunow stated she represented the Phoenix Mid-Century Modern Neighborhood Association and the development was in their neighborhood not in the neighborhood of Phoenix North Central. She added that the Council would not see many neighbors at the meeting because many of them were working or taking care of their children. She asked for Council to let the emails and voicemails received be the additional voice to guide their vote. Ms. Grunow explained no neighbors attended the first meeting held by the applicant because it was the week of Thanksgiving, but they did attend the rescheduled meeting in

December and they pointed out the exterior design did not reflect their neighborhood. She stated the neighborhood appreciated the developer redesigning the exterior. She explained the 30-foot height was approved at the Camelback East Village Planning Committee in February but the matter regarding ingress and egress failed after a great deal of discussion. She further explained that an access easement as proposed would not be considered direct access to the site because of the intervening alley and added the developer had no plans for a driveway. She stated the zoning requirements were very clear and storage facilities were required to have direct access to an arterial street, which would be 7th Street. She added that by routing customer traffic to the residential street, Flynn Lane, it would create public safety issues. Ms. Grunow stated that 90 percent of their neighborhood was developed without sidewalks and talked about how residents and children must walk in the street. She further discussed the surrounding schools and asked for the Council to think about public safety. Ms. Grunow talked about the commercial alley, the stores and number of customers it serves, and described the roadblock caused by various service trucks when they off-load goods. She again asked for Council to think about public safety and added that a second story overhang without fencing would create an unplanned shelter for transients who frequent the area. She stated there were nine operating storage facilities within a three-mile radius and recently there were two storage facilities approved on 7th Street north of Bethany Home Road. She explained that if this item was approved they would have three storage facilities within a one-mile radius or 12 storage facilities in a three-mile radius. She asked if the other storage facilities were required to have direct access or abut to an arterial street, and asked why the developer was not being held to the same standard. She concluded that the neighborhood invited change when able to also maintain a safe and vibrant neighborhood. She asked Council to vote no on the item.

Mary K. Mulligan submitted a comment card in opposition of Item 82, indicating she wished to donate her time to Larry Whitesell.

Larry Whitesell asked for the access slide to be projected on the screen and asked Mayor Gallego for the remainder of Ms. Grunow's time, if needed. He handed out a letter from an investor to Council and stated he

was going to allude to it during his presentation. He stated his preference was for Council to deny the application for all the reasons that Ms. Grunow had mentioned. Mr. Whitesell explained the issues with the access to the proposed development. He echoed public safety concerns for pedestrian and vehicular traffic around the site and stated that having no security fence would lead to the opportunity for homeless people to use the overhang of the building as a shelter that would be hidden from the public view. Mr. Whitesell referred to the letter he brought for Council and talked about the preponderance of self-storage facilities in the neighborhood and Phoenix market. He asked for two additional stipulations: that Phase I and Phase II be built simultaneously and that the building be oriented south to face Flynn lane rather than back up to it. He discussed the advantages of a south-facing orientation and stated it would enable the establishment to install security fences and be able to provide visibility that would discourage the use of overhang by transients. Mr. Whitesell explained the developer had oriented the building to the north because of a concern with noise for the residents south of the project, but stated that business hours of operation fall outside of the City's established noise ordinance and noise would not be an issue. He stated that zoning staff made their decision without full considering all of the negative impacts that have been presented and the many benefits of the facility facing south. He concluded that a south-facing orientation is advantageous and should be stipulated.

Vice Mayor Waring asked what the applicant had to say about the stipulations that were suggested by Mr. Whitesell.

Mayor Gallego repeated Vice Mayor Waring's question to the applicant.

Mr. Pasquel stated there were other people who knew the market concerns but added there were only two facilities within two miles.

Mayor Gallego clarified that the question asked was about access to 7th Street and building orientation.

Mr. Pasquel stated that Phase I could go first and if there was market demand left over they could build Phase II. He explained that Phase I had an access easement through Sierra Bonita Grill and Phase II would

have direct access to 7th Street. He further explained he would not want the client to build it all at once because there is an alley in the middle and a phased approach is much better. He concluded that he did not believe the applicant would be agreeable to the stipulation.

Councilwoman Stark asked if the stipulation that deals with the right turn only would have a pork chop island or something that would force people to turn right.

Mr. Stephenson answered yes, there would have to be signage and something designed so that it follows the direction of only being able to make a right turn.

Councilwoman Stark stated she recalled there were about four different access points to Flynn Lane, and this project would then restrict it to two, including the one that would be a right turn only.

Mr. Stephenson answered that Councilwoman Stark was correct and that the existing shopping center that was displayed during the presentation showed all the access points that went to Flynn Lane. He explained that the location was a shopping center with a small parking lot facing the neighborhood and that staff worked with the applicant to orient the development so the traffic generated would be in between other commercial areas rather than to the south where there were existing apartments.

Councilwoman Stark stated that if the developer did not have the special permit and they instead had the C-2 zoning, the four access points could remain and be redeveloped as high as 30 feet.

Mr. Stephenson replied that statement was correct.

Councilwoman Pastor asked if the self-storage were to fail, what the adaptive reuse would be instead of tearing it down.

Mr. Stephenson responded that if it were not successful, the shell of the building would likely be reused for some type of office. He explained that the C-2 zoning would allow them to do some of the development they

could currently do. He added that the developer would have to meet parking requirements just like any other adaptive reuse project would.

Councilwoman Pastor inquired about the stipulations Mr. Whitesell discussed.

Mr. Whitesell stated there was really only west-to-east access in the alley between Sierra Bonita Grill and the garage. He explained that on the south side of the alley there were diagonal facing parking spots which resulted in people leaving towards the east. He concluded there was no real exit from the proposed project through the Sierra Bonita Grill parking lot.

Councilwoman Stark stated she wanted to make sure there was more than just signage for the right turn only. She asked if they could modify the proposal so Council is assured people are going to make a right turn only through some kind of structure.

Mr. Stephenson replied that Council could not add stipulations to the item because the case was not appealed. He stated the applicant can agree and abide by the Council request and staff will work with the developer on that.

Councilwoman Stark asked the applicant if they would agree to her request.

Mr. Pasquel answered yes, they would agree and stated they would find a way to ensure it is a right turn only.

Councilwoman Stark made a motion that this item be approved per the Planning Commission's recommendation and to adopt the related ordinance. Councilman Nowakowski seconded the motion.

Councilwoman Pastor stated there were questions Mr. Pasquel was not able to answer and asked if he would answer it for the record.

Mr. Pasquel replied that the other stipulation was about reversing the orientation of the building and added that the planning staff would agree

the current layout was more adequate for an urban infill site.

Ms. Grunow stated that she met with Sam Stone and at the end of the discussion and he said Councilman DiCiccio was a soft yes on the item.

The following individuals submitted comment cards for the record in opposition of Item 82:
Jeanne Yawger
Mary Horton

**A motion was made by Councilwoman Stark, seconded by Councilman Nowakowski, that this item be approved per the Planning Commission's recommendation and to adopt the related ordinance. The motion carried by the following vote:**

**Yes:** 8 - Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Waring and Mayor Gallego

**No:** 0

**Absent:** 1 - Councilman DiCiccio

**83** **Amend City Code - Ordinance Adoption - Rezoning Application Z-77-18-6 - Northeast Corner of 7th Street and Flynn Lane (Companion Case Z-SP-7-18-6) (Ordinance G-6588)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-77-18-6 (Companion Case Z-SP-7-18-6) and rezone the site from C-2 (Pending C-2 SP) to C-2 SP HGT/WVR to allow a self-service storage facility and all underlying C-2 uses with a height waiver to allow up to three stories and 35 feet.

**Summary**
Current Zoning: C-2 (Pending C-2 SP)
Proposed Zoning: C-2 SP HGT/WVR
Acreage: 1.50
Proposed Use: Self-Service Storage facility and all underlying C-2 uses with a height waiver to allow up to three stories and 35 feet.

Owner: Jeff Clements, Flynn 720, LLC

Applicant: Edgar Felix, RKAA
Representative: Jason Morris, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard this case on Feb. 5, 2019 and no recommendation was made. A motion to approve per staff the recommendation with additional stipulations failed by a 9-9 vote.
PC Action: The Planning Commission heard this request on April 4, 2019 and recommended approval per the staff memo dated April 4, 2019 with an additional stipulation by an 8-0 vote.

**Location**
Northeast corner of 7th Street and Flynn Lane.
Council District: 6
Parcel Addresses: 6829 N. 7th St.; and 720, 736 and 740 E. Flynn Lane

**Discussion**
Mayor Gallego announced Item 83 was a related case.

Alan Stephenson informed Council they could make a motion like they did for Item 83.

The following individuals submitted comment cards for the record in opposition of Item 83:
Jeanne Yawger
Mary Horton

**A motion was made by Vice Mayor Waring, seconded by Councilwoman Pastor, that this item be approved per the Planning Commission's recommendation and to adopt the related ordinance. The motion carried by the following vote:**

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|---|---|---|
| **Yes:** | 8 - | Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Waring and Mayor Gallego |
| **No:** | 0 | |

**Absent:** 1 - Councilman DiCiccio

**85** **Amend City Code - Ordinance Adoption - Rezoning Application Z-1-19-8 - Southwest Corner of 32nd Street and Roeser Road (Ordinance G-6586)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-1-19-8 and rezone the site from R1-6 to CP/GCP for a distribution warehouse.

**Summary**

Current Zoning: R1-6
Proposed Zoning: CP/GCP
Acreage: 3.57
Proposed Use: Distribution warehouse

Owner: RABO Agrifinance, LLC
Applicant: David E. Richert, Richert & Associates
Representative: David E. Richert, Richert & Associates

Staff Recommendation: Approval, subject to stipulations.
VPC Action: South Mountain Village Planning Committee heard this case on March 12, 2019, and recommended approval, per the staff recommendation by a 9-2 vote.
PC Action: Planning Commission heard this case on April 4, 2019, and recommended approval, per the South Mountain Village Planning Committee recommendation; with deleted and additional stipulations, and a modified stipulation by a 6-3 vote.

**Location**

Southwest corner of 32nd Street and Roeser Road
Council District: 8
Parcel Address: 3155 E. Roeser Road

**Discussion**

Mayor Gallego announced there was one comment card submitted by the applicant who indicate he was willing to speak if necessary. She asked Councilwoman Mendoza what she wanted to do.

Councilwoman Mendoza stated she had an issue with this case about the driveway and added the applicant was present and had something he wanted to state for the record.

David Richert stated he had received a letter from the applicant property owner and read it into the record to address the issues on access. The letter stated that RABO Agrifinance, LLC would be committed to resolving depth of access issues through variance procedures. It further stated the understanding of concern raised by council staff and the commitment to resolve issues regarding access to the satisfaction of the District 8 office. The letter was signed by RABO Agrifinance and Robert Becker, the Vice President of the company.

**A motion was made by Councilwoman Mendoza, seconded by Councilwoman Pastor, to amend the Phoenix Zoning Ordinance Section 601 of the Zoning Map of the City of Phoenix by adopting rezoning application Z-1-19-8 and rezone the Site R1-6 to CP/GCP for a distribution warehouse and adopt the related ordinance. The motion carried by the following vote:**

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

**87 Public Hearing to Present Position Statements from City and AFSCME Local 2384 (Unit 2) on Unresolved Issues**

**Summary**

The meet and confer process with the City's five authorized employee organizations ("Meet and Confer units"), as outlined in Section 2-219 of the City Code, began in January 2019. Following notification to the Phoenix Employment Relations Board (PERB) that a dispute still existed after the March 1, 2019 deadline outlined in Section 2-219 of the City Code, a fact finding process was initiated with American Federation of State, County and Municipal Employees (AFSCME) Local 2384. As of April 19, 2019, issues remain unresolved and an agreement has not been reached with AFSCME Local 2384 (Unit 2).

In accordance with the terms of Section 2-219 of the City Code, if no agreement has been reached by April 19, 2019, the City Manager and the employee organization shall submit to the City Council written position statements on all unresolved issues in dispute; and, the City Council shall conduct a public hearing at which the parties shall be given full opportunity to explain their respective positions on all unresolved issues. This item provides the required opportunity for a public hearing on the unresolved issues.

Within 10 working days following the conclusion of the public hearing, the City Council is authorized to take final action imposing terms and conditions of employment (by May 15, 2019). Without a tentative agreement by May 1, 2019, an action item will be placed on the regularly scheduled May 15, 2019 Formal agenda for the Council to take final action.

Attached to this report are:
Attachment A: Fact Finding Report
Attachment B: Position Statement from the City
Attachment C: Position Statement from AFSCME Local 2384 (Unit 2)

**Discussion**

Mayor Gallego announced Item 87 was a public hearing with AFSCME Local 2384 (Unit 2) to present position statements and address unresolved issues. She stated each side would have up to 10 minutes to present and there would be up to 20 minutes of public comments. She concluded Council would take action on this item at the next Council meeting.

Mayor Gallego declared the public hearing open and stated the City would present first followed by Unit 2.

Human Resources Director, Lori Bays, introduced Xavier Frost, Acting Deputy Director for labor relations and David Matthews, Deputy Human Resources Director and chief negotiator for Unit 2. She stated they were there to present the unresolved negotiation issues with AFSCME, American Federation of State, County and Municipal Employees, Local 2384. Ms. Bays provided a presentation that included background information on the bargaining unit, the approach taken during the meet

and confer negotiation process, the procedural time line that had been followed, a summary of unresolved issues, and recommendations on how to resolve any remaining issues.

Unit 2 Employees

There are approximately 1,500 employees represented by AFSCME Local 2384. These employees provide valuable core services within the community. Unit 2 employees are highly skilled members of the City team and they include: electricians, water services utilities technicians, operations and maintenance technicians, user technology specialists, and building maintenance workers.

Balanced Approach

The approach for negotiations must be balanced and recognize four important things:
(1) Employees - To be competitive in the marketplace, the City must strive to provide competitive wages and benefits, and recognize the value of the existing step or merit system and state pension cost increases.
(2) Residents - The City must balance employee needs with resident and community needs for programs and services.
(3) Future - Contracts must recognize the future and be financially sustainable.
(4) Operations - The balance approach must recognize operational needs and the ability to meet those needs for the benefit of residents and the community.
The approach taken with all bargaining units, including Unit 2, has been this balanced approach.

Procedural Timeline

The meet and confer process that has been followed while negotiating with AFSCME Local 2384 for Unit 2 has followed the process outlined in the City Code. The following is the timeline that was followed:
(1) Negotiations began on Jan. 8, 2019.
(2) Impasse declared on March 4, 2019.
(3) Five issues remained unresolved with AFSCME Local 2384: economics and four work rules.
(4) Those unresolved issues went to fact finding hearing on March 27 and 28, 2019.

(5) Negotiations have continued since that time but no agreement had been reached.
(6) Position statements were submitted to the Council on April 19, 2019.
(7) The public hearing was currently being conducted at the May 1, 2019 Formal City Council meeting.

Unresolved Negotiation Issues

The unresolved negotiation issues that remained were in two categories: economics and work rules. The City's approach is to be balanced, to offer a fair and sustainable compensation package, and to promote consistent expectations amongst all City employees through the elimination of procedural disparities.

Unit 2 Economics

The following is the economic proposals that were submitted to fact finding by each side:
(1) Year one - The City proposed a 2 percent ongoing increase in total compensation; AFSCME Local 2384 proposed a 7 percent ongoing increase in total compensation plus a $1,000 one-time payment for each unit member.
(2) Year two - The City proposed an additional 1 percent ongoing increase in total compensation; AFSCME Local 2384 proposed an additional 7 percent ongoing increase in total compensation.
(3) Year three - The City proposed a 2 year contract; AFSCME Local 2384 proposed a three year contract with a 5 percent ongoing increase in total compensation.
The City's offer never received a counter-proposal from Unit 2 prior to fact finding. Each and every unit was offered an additional 0.25 percent signing incentive if the unit were to reach an agreement prior to fact finding. This offer was made to Unit 2 and they declined to accept it.

Below are the Fact Finder's recommendation and the most recent economic proposals and offers:
(1) Year one - The Fact Finder recommended a 2.25 percent ongoing increase in total compensation and a 1 percent one-time payment for each unit member; The City proposed a 2 percent ongoing increase in total compensation and a 1 percent one-time payment for each unit member; AFSCME Local 2384 proposed a 3.25 percent ongoing

increase in total compensation and a 1 percent one-time payment for each unit member.
(2) Year two - The Fact Finder recommended a 1 percent ongoing increase in total compensation and a 1 percent one-time payment for each unit member; The City proposed a 1 percent ongoing increase in total compensation and a 1 percent one-time payment for each unit member; AFSCME Local 2384 proposed a 2 percent ongoing increase in total compensation and a 1 percent one-time payment for each unit member.
(3) As of April 30, 2019, AFSCME Local 2384 proposed a 1.5 percent ongoing increase in total compensation and a 1 percent one-time payment for each unit member for year two, and any additional amount received by any other unit.

The City did not agree to the proposal submitted by AFSCME Local 2384 on April 30, 2019 because the language implied that Unit 2 would received the 0.25 percent signing incentive that Units 1 and 3 received for bargaining to a complete agreement prior to fact finding. The Fact Finder mischaracterized the 0.25 percent early signing incentive as a penalty and only available to the first unit that signed. That is not true, the signing incentive was to encourage the parties to diligently work towards an agreement prior to the costly and time consuming process of fact finding. The City tried to reach a balanced agreement with Unit 2 by offering an additional 0.5 percent ongoing increase in total compensation in year two that was agreed upon in the contracts with, Unit 4 and Unit 5 that were approved prior to the Council Meeting. Unit 2 declined the offer made by the City.

Work Rules
Prior to negotiations, contract language was reviewed and analyzed. Some key provisions were found to be inconsistent and created disparities between employees. The City proposed modified work rule language in an effort to create consistency. For workgroups with employees in multiple units, the proposed work rules would eliminate procedural discrepancies.

The work rules that the City has been able to come to an agreement with AFSCME Local 2384 are as follows:

(1) Modified grievance procedures to be consistent with all other units.
(2) Modified "Fair and Impartial" language to be consistent with all other units.
(3) Modified overtime calculation from daily to weekly to be consistent with civilian units and to provide flexibility to management and employees.
(4) New Side Agreement provision to be consistent with all other units.
The key for each of these items is consistency. The consistent application of procedures reduces disparities for employees from different bargaining units who are working side-by-side on the same team.

City's Recommendation
The City's recommendation is as follows: The City recommends to adopt the last economic proposal made to AFSCME Local 2384 - 2 percent ongoing increase in total compensation and 1 percent one-time in year one, 1 percent ongoing increase in total compensation and 1 percent one-time in year two; and the City recommends to adopt the four disputed work rules as proposed by the City and agreed to by other units, to maintain consistency amongst all employees and units.

Mario Ayala introduced himself as the President of AFSCME Local 2384 and stated he was there to represent the dedicated men and women of Unit 2. He listed the members of Unit 2 as traffic signal employees, airport technicians, operators who treat drinking water, auto mechanics, and described them as dedicated employees who sacrifice for the community and public service by taking pay cuts and furloughs to dig the City out of a deficit. Mr. Ayala explained the Unit 2 members looked forward to this round of negotiation as it appeared that better economic times were here for the City of Phoenix. He asked that after Council hears the facts, they direct the City Manager to go back to the table and negotiate in good faith so they could come to an agreement. He discussed the economic future of the City and stated that the last time Unit 2 employees received a true cost of living adjustment was in 2008 and since then, the consumer price index in Arizona has increased by 16 percent. He added that the current offer includes a 3 percent increase and explained that 2008 money does not hold the same value in 2019. Mr. Ayala reflected on how Unit 2 electricians have gone without a true classifications study in over 40 years and added that in 40 years jobs

completely change. The City Manager and Budget Director deemed Unit 2's originally proposed 19 percent increase over three years as unreasonable, irresponsible, and not fiscally sound for the citizens. Mr. Ayala stated that between 2016-18 the City Manager approved special merit increases to executive level management in the amount of $2.1 million while the Unit 2 employees are being asked to accept 3 percent over the next two years. He further explained the reason why Unit 2 and the City have failed to reach an agreement was because over the past four months, the City Manager and his team had only made two economic proposals to Unit 2 and they cannot accept. He questioned whether the City bargained in good faith and asked for Council to give direction to the City Manager to honor favored nations and offer the same proposal that has been approved for other bargaining units.

Nicholas Enoch stated he was a partner with the law firm Lubin and Enoch and the attorney for AFSCME Local 2384. He discussed the work rules that were taken up at fact finding and explained the process of hiring a neutral Fact Finder. He further discussed the four work rules and stated the Fact Finder found in favor of the union on all of the four issues. Mr. Enoch talked about each issue more in depth.

Issue Two: Side Agreement Language (M17)

The Fact Finder addressed the issue of side agreement language on page 450 of the agenda packet and found that the proposal appears to be a solution seeking a problem. No one was requiring the City to enter into side agreements that go on indefinitely. Mr. Enoch stated there was no reason to include this in the MOU, which is also what the Fact Finder found.

On page 417 of the agenda, the City said they needed language about side agreements because there have been hundreds, if not thousands, of side agreements since the 1970's. Mr. Enoch explained he had made a request to the City before the hearing for all side agreements made between the City and AFSCME Local 2384 and that he got less than 10. He added that unless all the other units of thousands of side agreements, he does not know what the City was talking about.

Issue Three: Fair and Impartial Treatment Language (M-4)

The fair and impartial treatment language issue was addressed by the Fact Finder on page 451 of the agenda packet. There was no example provided during the hearing by the City about an abuse, problem, or anything with respect to Unit 2's fair and impartial language. Mr. Enoch stated this appeared to be another solution in search of a problem.

Mr. Enoch suggested there was an additional problem with the M-4 proposal that was included in the agenda packet. He asked who at the City was going to determine what arises under a "specific expressed term" of the MOU. He stated there was an ambiguity built into the City's proposal in the fair and impartial treatment language and added that the proposal should also be rejected for the reasons set forth by the Fact Finder.

Issue Four: Grievance Procedure (M-11)
The Fact Finder's decision and rationale could be found on pages 453-454 of the agenda packet.

Mr. Enoch briefly stated there were at least five problems:
(1) It provides that if there is any method of review provided anywhere by any entity a grievance is not allowed. Mr. Enoch asked who gets to decide if there is an avenue of redress or review available somewhere else; how would this employee know it is available somewhere else; and why would the City want City employees to go to the Equal Employment Opportunities Commission, U.S. Department of Labor, Occupational Safety and Health Administration, and all other agencies to make complaints.
(2) The language about skipping steps in the grievance process is ambiguous. Mr. Enoch read one of the steps explained on page 477 of the agenda packet.
(3) Limiting the arbitrator to the language of the MOU and department rules and regulations is problematic. The Fact Finder agreed with the City on this limitation.
(4) There is a proposed limits on an employees right to grieve while there is no limit on the employer.
(5) It states on page 479 of the agenda packet that the arbitrator is required to follow state law and city code but not federal law.

Issue Five: Overtime (M-6)
The arbitrators ruling on the overtime issue can be found on page 456 of the agenda packet. This gives the supervisor the unlimited authority to grant flex time to employees. Mr. Enoch stated the two problems with this. It should not be unfettered discretion to a supervisor to provide overtime to whoever they want. Most unions have overtime equalization to prevent exactly that. This also provides a cost savings to the City because it is avoiding overtime. Mr. Enoch stated this was never accounted for as part of their economic proposal, so they are not sure how much the City could save by doing this and suggested the savings could go towards the economic package for AFSCME Local 2384.

Mr. Enoch thanked Council for their attention and requested they give a thorough consideration to what was discussed.

The following individuals submitted comment cards for Item 87, indicating they wished to donate their time to Dolores Henderson:
Gilbert Espindola
Jesse Newell

Dolores Henderson stated she was the proud Vice President of AFSCME Local 2384. She described the roles of employees in AFSCME Local 2384 and their relation to various City functions. She stated City employees had gone 11 years without a cost of living adjustment. She explained that while they were in concessions, there was no money for AFSCME Local 2384 employees but there was money for executive management to receive increases totaling over $2 million. Ms. Henderson talked about how employees get hired and leave after their first paycheck or stay long enough to get training, licenses, and certifications and then go to different municipalities. She concluded that Unit 2 was not asking for a ridiculous amount of money but was asking for respect, dignity, and for the City to show they do appreciate City employees.

Richard Rea stated he had a problem with two things in the presentations. He explained there were many different ways to calculate the cost of living and the way people are managed. He stated it does not make the most sense to have employees controlled by the union rules as

compared to having supervisors being able to move people where they need to be.

Barry McCain stated he was from Arizona City and an AFSCME retiree. He explained he had been watching negotiations and agreed with everything that had been said by the union. He stated he would like to see the City and union talk with each other and not at each other, and discussed the need to have people sit down and deal in good faith.

James McNeal stated he was a long-time Phoenix resident, a navy veteran, and a City employee of 20 years. He described he was a Senior Utility Operator in the Water Services Department, that he held a grade 4 license in water and wastewater treatment, and that he was not easily replaced because of that license. He explained he took a demotion when the Water Services Department reorganized five years ago and that the proposed wage increase would not bring him back up to the level of pay he lost. He urged the City to offer a fair wage increase and show appreciation to employees.

Rudy Levya introduced himself as a Phoenician and explained he had not received a cost of living raise since 2008. He stated Unit 2 employees wanted to be treated equal and explained they took cuts and gave up vacation time and asked the Council to consider what they were asking for.

Mayor Gallego closed the public hearing and thanked everyone for their testimony. She stated she would love to see a package that was consistent with the other two approved at the meeting.

Councilman Nowakowski asked if there was a violation of favored nations that happened with Unit 2 in comparison to the other units.

David Matthews, responded that the favored nations agreement accompanied the 0.25 percent early singing incentive for groups that signed a completed agreement prior to fact finding. He explained there was no fairness agreement signed with Unit 2 after fact finding.

Councilman Nowakowski stated that it was an incentive for those

individuals before fact finding if signed and asked how many unions signed before fact finding.

Mr. Matthews answered that Unit 1 and Unit 3 executed completed agreements prior to fact finding.

Councilman Nowakowski responded that Unit 1 and Unit 3 received the incentive of 0.25 percent and asked for clarification if it was correct that Unit 2 did not received the incentive.

Mr. Matthews answered that was correct.

Councilman Nowakowski inquired about the grievance procedure.

Mr. Matthews explained that the grievance procedure is intended for parties who reach a mutual agreement to skip steps one and two, if needed. He added they were willing to rework the wording to make it more clear.

Councilman Nowakowski explained he wanted to make sure that if employees have a grievance with any of the departments or supervisors, it was not up to the City to deny the process, the next steps in the grievance process, or let it die at step one.

Mr. Matthews responded that the very next sentence states that if the grievant is not satisfied with the response in step one, they move it to step two.

Councilwoman Pastor asked if the 0.25 percent was an incentive.

Lori Bays answered that it was a signing incentive to come to a complete agreement prior to fact finding and explained it was only eligible to those who completed that criteria.

Councilwoman Pastor asked for Ms. Bays to explain the definition of favored nation.

Ms. Bays explained that favored nations means that the first group to sign

was not at a disadvantage for coming to an agreement where subsequent agreements might result in a greater compensation package or some other benefit. She further explained that it allowed the initial signer(s) to receive the same benefits that may be agreed upon later in the process.

Councilwoman Pastor stated that her understanding of favored nation was when groups sign or a different unit receives a different percentage, the favorite nation clause states all units receive the same benefit. She explained that she was interpreting what Ms. Bays said to be that favored nations was part of the agreement beforehand, and if they did not sign the contract before fact finding, then favored nations was then taken away along with the 0.25 percent incentive.

Ms. Bays replied that the 0.25 percent incentive was only available to the unions before fact finding. Once fact finding was reached, they were no longer eligible to receive the incentive if they had not reached a complete agreement beforehand. She further explained that Unit 1 and Unit 3 also signed a fairness agreement, which was an agreement as part of the negotiation process and not part of the contract, that stated they would receive the favored nation treatment as things progressed. Ms. Bays stated the 0.25 percent incentive was not subject to most favored nations and they were very clear about that. She added that Unit 1 and Unit 3 were receiving the 0.25 percent incentive that Unit 4 and Unit 5 did not receive and that Unit 1 and Unit 3 would also receive the additional 0.5 percent that was added to the Unit 4 and Unit 5 contracts.

Councilwoman Pastor stated that what she heard the units had to sign the fairness agreement in order to qualify or be apart of favored nations. She added she was hearing two different pieces. One was that if the units signed before fact finding the incentive would be 0.25 percent. Then there was a fairness agreement, and she asked what happened if the units signed this agreement and then went to fact finding.

Ms. Bays explained the fairness agreement applied to things that happened after a particular unit signed an agreement, whether that happens before or after fact finding, the fairness agreement states that the unit would not get a worse deal because they agreed to sign earlier in the process. She added that Councilwoman Pastor was accurate in

saying the signing incentive was separate from the fairness agreement and that it was offered on top of the package in the occasion that the unit signed a complete agreement prior to fact finding.

Councilwoman Pastor asked when the fairness agreement came into play.

Ms. Bays answered that the fairness agreement comes into play for whichever units have signed so that if something better comes along for another unit after they've signed, they would also receive that. She provided an example of how the fairness agreement would work.

Vice Mayor Waring stated he did not see how this would be a violation of anything that has been said. He explained that if the first group signs for a 1 percent increase and the last group signs for 2 percent, then the first group would get the 2 percent. He added that the reverse is not true.

Ms. Bays agreed that what Vice Mayor Waring stated was accurate. She further explained that the purpose of favored nation is so someone signing later does not a receive a better package than someone who signed earlier. She reiterated that the .25 percent was a signing incentive separate from the favored nation agreement.

Vice Mayor Waring clarified that the last group does not necessarily have a right to what was signed previously, but the first group would have a right to what was signed by groups that signed after them. He added that without favored nations nobody would ever be the first to sign.

Ms. Bays added that was true in this case because the first two groups were the ones that agreed before fact finding so they were going to receive the largest package of the five union groups.

Vice Mayor Waring stated that if this group was getting a bigger package than what the first two groups got, then the package of the first two groups would be adjusted because of most favored nations.

Councilwoman Mendoza asked if the favored nation policy has always been applied in the same manner for labor negotiations.

Ms. Bays responded that she was not there for the previous negotiations, but to her understanding, it was historically true that each group had received the same package. She explained that the difference was that it was the first time the City had offered a signing incentive and added that it was done with the purpose of incentivizing collaboration in order to come up with an agreement prior to the process of fact finding. She concluded that the signing incentive was different than anything that had been done previously but that the packages had been applied equally by and large over the years.

Councilwoman Mendoza asked if someone could answer her question and asked if favored nations had always been applied in the same manner in every labor negotiation.

City Manager Ed Zuercher responded to Councilwoman Mendoza's question. He stated that in his memory, favored nations had been applied in the same way in that all groups had received the same overall compensation package. He added that in 2008, after things were negotiated, the City gave a bigger market adjustment to the police and fire units but clarified that was done after and outside of negotiation. He explained that was sometimes remembered as when the City treated people differently. He further explained that it has been a philosophy that management and Council has held that they do not think one group deserves a bigger cost of living raise than another group because all employees are working in the same way. He explained the difference between pay rate and compensation adjustment. Mr. Zuercher concluded that there were disagreements about what a complete agreement includes.

**The hearing was held.**

## REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

## CITIZEN COMMENTS

Mayor Gallego announced there were six public comments.

Hilda Hernandez stated she owns homes on the corner of 15th Avenue and Taylor Street and was there to speak about a halfway home at 1402 W. Polk

Street. She stated it was a halfway and that the home hosted an encampment of about 30 people. She thanked the City for cleaning up the encampment last week but stated it was starting to form again. She explained that the transient guests do not use the front door but instead use the alley, causing herself and her tenants to feel unsafe taking out their trash or when cleaning the ally. Ms. Hernandez stated a camera was installed on a pole next to her house and was interested in communicating with the owner about what was recorded and that she was also interested in learning what regulations, expectations, and preemptive community safety is established for a halfway house specializing in tenants such as the ones residing at 1402 W. Polk Street.

Zachary Morgan discussed how preborn babies were being murdered by way of abortion. He asked Council to uphold current Arizona state law 13-3603 which makes abortion punishable by law and to make Phoenix a sanctuary city for the unborn.

Nick Thomas introduced himself as a pastor in the Valley and stated he appreciated the opportunity to talk to Council. He discussed the murder of unborn children, Joseph Fletcher's proposed ethical theory, and asked Council to stop abortion and make Phoenix a sanctuary city.

Luke Pierson stated he was the discipleship pastor at Apologia Church in Mesa and cofounder of End Abortion Now. He informed Council he was there to speak about protecting the lives of pre-born neighbors, encouraged Council to uphold Arizona Revised Statute 13-3603, and asked for Council to make Phoenix a sanctuary city.

Joshua Walker introduced himself as pastor of the Church of the Redeemer and as a professor of philosophy. He stated he was before Council to stand up for the most persecuted minority in the United States and further discussed abortion. He asked Council to enforce Arizona Revised Statute 13-3603.

Marcia Clarke Campbell stated she was a retiree and just moved downtown from Glendale. She explained she was appalled at the homelessness in downtown and shocked at the deficit of the City.

Greta Rogers submitted a comment card for citizen comments but was no longer present at the meeting to speak.

## ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 4:52 p.m.

MAYOR

ATTEST:

CITY CLERK

EH

## 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 1st day of May, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 5th day of February, 2020.

CITY CLERK