174504

City of Phoenix

Minutes

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

City Council Formal Meeting

Wednesday, March 18, 2020 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, March 18, 2020 at 2:42 p.m. in the Council Chambers.

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

Councilwoman Stark, Councilman Waring, and Councilwoman Williams joined the voting body via telephone.

Councilman Nowakowski left the voting body before the vote on Item 26, and returned to the voting body before the vote on Item 29.

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6658 and G-6683 through G-6686, S-46425 through S-46465, and Resolutions 21812 through 21813 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:

Alhambra Village Planning Committee

Appoint Dina Smith, filling a vacancy on the committee for a partial term to expire Nov. 19, 2020, as recommended by Vice Mayor Guaradado.

Fast-Track Cities Ad Hoc Committee

Appoint Lisette Geraldo, replacing Jose Vega on the committee, as recommended by Mayor Gallego.
Reappoint Kirk Baxter, as recommended by Mayor Gallego.

Fire Safety Advisory Board

Appoint Mike Wilson, replacing Eric Bates in the category representing the Liquified Petroleum Gas Industry for a term to expire Jan. 10, 2022, as recommended by Mayor Gallego.

Phoenix Business and Workforce Development Board

Appoint Yolanda Bejarano, filling a Labor vacancy for a term to expire June 30, 2022, as recommended by Mayor Gallego.
Appoint James Frolov, filling a Labor vacancy for a term to expire June 30, 2022, as recommended by Mayor Gallego.

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

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

No: 0

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

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

Note: Qisai Putrus submitted a comment card in favor of Item 8.

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Pastor, that this Items 2-18 be recommended for approval; noting Items 2, 5-6, 10, 12 and 15 have been withdrawn. The motion carried by the following voice vote:

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

No: 0

2 Liquor License - Special Event - Our Lady of Czestochowa Roman Catholic Parish Phoenix

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

Summary

Applicant
Andrew Furga

Location
2828 W. Country Gables Drive
Council District: 1

Function
Cultural Celebration

Date(s) - Time(s) / Expected Attendance
April 25, 2020 - 10 a.m. to 9:30 p.m. / 3,000 attendees
April 26, 2020 - 10 a.m. to 5 p.m. / 2,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was withdrawn.

3 Liquor License - ATL Wings

Request for a liquor license. Arizona State License Application 94937.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
3549 W. Thunderbird Road
Zoning Classification: PSC
Council District: 1

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

The 60-day limit for processing this application is March 21, 2020.

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

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

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

comment period.

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"ATL ('All The Luv') Wings is a family-friendly neighborhood restaurant famous for its dry-rub wings and wide variety of creative sauces. ATL would like to offer guests 21 and over the opportunity to enjoy alcoholic beverages as an incident to the delicious meals guests enjoy."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - ATL Wings
Liquor License Map - ATL Wings

This item was recommended for approval.

4 Liquor License - Krachai Thai Kitchen

Request for a liquor license. Arizona State License Application 74613.

Summary

Applicant
Douangchanh Braxton, Agent

License Type
Series 12 - Restaurant

Location
3361 W. Greenway Road
Zoning Classification: C-2
Council District: 1

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

The 60-day limit for processing this application is March 22, 2020.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license

because:
“I have been serving alcohol beverages for over 10 years in restaurants in Arizona and have had only the best experiences. I always keep my customers health and best interest in mind. I am certified as an Alcohol server and I have completed the Title 4 Basic and Management Level Liquor Law training and have received Arizona State approved certifications in both.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“The majority of our customers live in the community surrounding the restaurant and many have requested that we serve beer and wine. We have a strong desire and goal to being sensitive to our surrounding community and we are very committed to being very responsible when serving any alcohol to our patrons. Our desire is for our restaurant to be a positive and healthy contribution to our neighbors.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Krachai Thai Kitchen
Liquor License Map - Krachai Thai Kitchen

This item was recommended for approval.

5 Liquor License - Special Event - St. Bernadette Roman Catholic Parish Scottsdale

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

Summary

Applicant
Kristen Butler

Location
16245 N. 60th St.
Council District: 2

Function
Dinner

Date(s) - Time(s) / Expected Attendance
April 25, 2020 - 6 p.m. to 9 p.m. / 250 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was withdrawn.

6 Liquor License - Special Event - Congregation Kol Ami

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

Summary

Applicant
Michael Rosenthal

Location
15030 N. 64th St.
Council District: 2

Function
Community Event

Date(s) - Time(s) / Expected Attendance
April 4, 2020 - 6:30 p.m. to 10:30 p.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was withdrawn.

7 Liquor License - Sushi on Tatum

Request for a liquor license. Arizona State License Application 012070009307.

Summary

Applicant

Mei Yan Zhang, Agent

License Type
Series 12 - Restaurant

Location
20910 N. Tatum Blvd., Ste. 150
Zoning Classification: C-2 DRSP
Council District: 2

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 March 29, 2020.

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 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:
“Over 10 years of experience & taken the management class & obtain certification.”

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

8 Liquor License - The Boozy Breakfast

Request for a liquor license. Arizona State License Application 94919.

Summary

Applicant
Keri Frazier, Agent

License Type
Series 12 - Restaurant

Location
5450 E. High St., Ste. 117
Zoning Classification: C-2 DRSP
Council District: 2

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

The 60-day limit for processing this application is March 21, 2020.

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

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

in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"My partner and I have been in restaurant & hospitality for over 20 years. Our goal is to provide a safe and fun atmosphere for families to enjoy."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We are providing a safe and family friendly atmosphere while providing employment opportunities to members of the community."

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 Boozy Breakfast
Liquor License Map - The Boozy Breakfast

This item was recommended for approval.

9 Liquor License - Virginia Market

Request for a liquor license. Arizona State License Application 95903.

Summary

Applicant
Hussam Alyousef, Agent

License Type
Series 10 - Beer and Wine Store

Location
702 E. Virginia Ave.
Zoning Classification: C-2
Council District: 4

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

The 60-day limit for processing this application is March 31, 2020.

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

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

Mesa Liquor (Series 9)
1930 E. Broadway Road #2, Mesa
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 did a comprehensive training course about how to sell liquor and managing liquor store. I have a permit to sell spirituous liquor since Feb. 2017. I'm selling liquor (at my store) without any problem."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Providing essential service of convenience to the neighborhood who are looking for variety of liquors with the least navigating possible."

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 - Virginia Market
Liquor License Map - Virginia Market

This item was recommended for approval.

10 Liquor License - Special Event - Veterans Transportation

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

Summary

Applicant

Eric Morales

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

Function
Dance

Date(s) - Time(s) / Expected Attendance
April 11, 2020 - 7 p.m. to 2 a.m. / 650 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was withdrawn.

11 Liquor License - Great Wall Cuisine

Request for a liquor license. Arizona State License Application 95258.

Summary

Applicant
Donald Mui, Agent

License Type
Series 12 - Restaurant

Location
5057 N. 35th Ave.
Zoning Classification: C-2
Council District: 5

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

The 60-day limit for processing this application is March 24, 2020.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only

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

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

Mary Garden Restaurant (Series 7)
5814 W. Indian School Road
Calls for police service: 9
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have worked at Great Wall restaurant as owner/manager for over 18 years and have never had an incident with the law nor Liquor Department."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "We believe we have the best Chinese food and what better than to have it accompanied with an alcoholic beverage."

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 - Great Wall Cuisine
Liquor License Map - Great Wall Cuisine

This item was recommended for approval.

12 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
Sporting Event

Date(s) - Time(s) / Expected Attendance
April 24, 2020 - 5 p.m. to 9 p.m. / 50 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was withdrawn.

13 Liquor License - Life Cafe & Lounge

Request for a liquor license. Arizona State License Application 95026.

Summary

Applicant
Jean Steger, Agent

License Type
Series 12 - Restaurant

Location
2502 E. Camelback Road, 1st Floor
Zoning Classification: Approved C-2 H-R CEPCSP
Council District: 6

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

The 60-day limit for processing this application is March 22, 2020.

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

Other Active Liquor License Interest in Arizona
The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations on file with the AZ Department of Liquor

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

Life Cafe & Bistro (Series 12)
6850 E. Chauncey Lane, Phoenix
Calls for police service: 47
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:
"Life Time currently holds liquor licenses in 60 of its 140 nationwide clubs. All restaurant team members complete local alcohol server training in addition to Life Time's own internal alcohol training. Team Members are trained to monitor sales and alcohol behaviors at all times as well as 24/7 surveillance cameras. A full menu of food entrees will be available during all hours alcoholic beverages are offered."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Life Time aims to offer a unique experience for its members through the service of alcohol in its newly built bar area, where members can meet after a class to share a beverage or coffee. Members may also enjoy the poolside resort atmosphere by ordering a beverage from the outdoor poolside Bistro. Being an athletic club and not a sports bar, the tone and noise levels in the environment are kept moderate at all times."

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 - Life Cafe & Lounge
Liquor License Map - Life Cafe & Lounge

This item was recommended for approval.

14 Liquor License - Rooftop Bistro

Request for a liquor license. Arizona State License Application 95016.

Summary

Applicant
Jean Steger, Agent

License Type
Series 12 - Restaurant

Location
2502 E. Camelback Road, Rooftop
Zoning Classification: Approved C-2 H-R CEPCSP
Council District: 6

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

The 60-day limit for processing this application is March 22, 2020.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The

presumption shall not apply once the licensed location has not been in use for more than 180 days.

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

Life Cafe and Bistro (Series 12)
6850 E. Chauncey Lane, Phoenix
Calls for police service: 47
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:
"Life Time currently holds liquor licenses in 60 of its 140 nationwide clubs. All restaurant team members complete local alcohol server training in addition to Life Time's own internal alcohol training. Team members are trained to monitor sales and alcohol behaviors at all times as well as 24/7 surveillance cameras. A full menu of food entrees will be available during all hours alcoholic beverages are offered."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Life Time aims to offer a unique experience for its members through the service of alcohol in its newly built bar area, where members can meet

after a class to share a beverage or coffee. Members may also enjoy the poolside resort atmosphere by ordering a beverage from the outdoor poolside Bistro. Being an athletic club and not a sports bar, the tone and noise levels in the environment are kept moderate at all times."

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 - Rooftop Bistro
Liquor License Map - Rooftop Bistro

This item was recommended for approval.

15 Liquor License - Special Event - Phoenix Community Alliance, Inc.

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

Summary

Applicant
Jonathan Brodsky

Location
67 W. Culver St.
Council District: 7

Function
Community Event

Date(s) - Time(s) / Expected Attendance
April 18, 2020 - Noon to 8 p.m. / 3,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was withdrawn.

16 Liquor License - The Waypoint

Request for a liquor license. Arizona State License Application 07073628.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 7 - Beer and Wine Bar

Location
1028 Grand Ave.
Zoning Classification: C-3 ACOD
Council District: 7

This request is for an ownership and location transfer of a liquor license for a bar. This location was previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor dining and outdoor alcohol consumption. This business is currently being remodeled with plans to open in April 2020.

The 60-day limit for processing this application is March 21, 2020.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We are very strict with our liquor service policies. Our employees with go through extensive training and we plan to conduct audits to ensure they comply."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We would ability to serve our patrons beer and wine while upholding all the laws and regulations."

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

Attachments
Liquor License Data - The Waypoint
Liquor License Map - The Waypoint

This item was recommended for approval.

17 Liquor License - Willie's Taco Joint

Request for a liquor license. Arizona State License Application 1207A719.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
333 E. Jefferson St., Ste. 102
Zoning Classification: DTC-BC
Council District: 8

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 March 27, 2020.

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
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.

Crown Public House (Series 12)
333 E. Jefferson St., Ste. 110, Phoenix
Calls for police service: 410
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:
“Currently own and operate Willie's Taco Joint. We have filed an Acquisition of Control adding on a new officer. We will continue to abide by Arizona liquor laws.”

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

18 Liquor License - Drury Inn & Suites Pantry

Request for a liquor license. Arizona State License Application 93793.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 10 - Beer and Wine Store

Location
3333 E. University Drive
Zoning Classification: A1, A-2
Council District: 8

This request is for a new liquor license for a beer and wine store. This location is currently licensed for liquor sales, with a Series 11 Hotel/Motel, liquor license.

The 60-day limit for processing this application is March 24, 2020.

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

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

Other Active Liquor License Interest in Arizona

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

Drury Inn & Suites-Pinnacle Peak (Series 11)
2335 W. Pinnacle Peak Road, Phoenix
Calls for police service: 37
Liquor license violations: None

Drury Inn & Suites-Phoenix Airport (Series 11)
3333 E. University Drive, Phoenix
Calls for police service: 34
Liquor license violations: None

Drury Inn & Suites (Series 11)
300 S. Milton Road, Flagstaff
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:
“Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“Drury Inn & Suites - Phoenix Airport has been a popular business & personal travel destination for many years. In addition to the hotel's standard amenities, Applicant would like to offer guests 21 and over the opportunity to purchase beer and wine from the hotel's market.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Drury Inn & Suites Pantry
Liquor License Map - Drury Inn & Suites Pantry

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: The following individuals submitted comments for the record indicating their position on Item 88.

Heidi Lichte - In Favor
Monica Villalobos - In Favor
Carl Sot - In Favor
Eric Johnson - In Favor
Peggy Fender - In Favor
Todd Sanders - In Favor
Brad Bridwell - In Favor
Tim Lant - In Favor

Sandy Lawrence - In Favor
Mary Gauwitz - In Favor
Hailey Vincent - In Favor
Rivko Knox - In Favor
Debbie Cotton - In Favor
Peter Fine - In Favor
Civia Tamarkin - In Favor
Libby Goff - In Favor
Gail Knight - In Favor
Patsy - In Favor
Robin Schaeffer - In Favor
Chris Camacho - In Favor
Dana Kennedy - In Favor
Steve Barclay - In Favor
Bettina Nardizzi - In Favor
Steve Preis - In Favor
Glenn Wike - In Favor
Tom Waite - In Favor
Pamela Larrabee - In Favor
Kat Carlson - In Favor
Dwayne Allen - In Favor
Mark Bueno - In Favor
Sid Angdi - In Favor
Danielle Leoni - In Favor
Devoney Looser - In Favor
Glen Spencer - In Favor
Jamie Fields - In Favor
Nicole Keeling - In Favor
Irene Hunting - In Favor
Jensen Peoples - In Favor
Chrystal DeCeglia - In Favor
Janelle Wood - In Favor
Jessie Armendt - In Favor
LaNisha Taylor - In Favor
Christina Eichelkraut - In Favor
Pat Christofolo - In Favor
Stan Williams - In Favor
Roland Ward - In Favor

Michael Trailor - In Favor
Linda Kaps - In Favor
Paul Weich - In Favor
Kimber Lanning - In Favor
Carmen Heredia - In Favor
Greg Brownwell - In Favor
Barbara Freeman - In Favor
Penny Taylor - In Favor
Nita Francis - In Favor
Lisa Stratton - In Favor
Bree Boehlke - In Favor
Debra H. - In Favor
Mary Schramm - In Favor
Monica Goddard - In Favor
Sean Berens - In Favor
Javier Torres - In Favor
Sarah Chmne - In Favor
Rebecca Smith Gross - In Favor
Andrea Odegard-Begay - In Favor
Paulette Stevenson - In Favor
Calvin Phillips - In Favor
Ginger Torres - In Favor
Greg Peterson - In Favor
Maitee Nottle - In Favor
Marian Yim - In Favor
Shana Schwartz - In Favor
Kathleen Duncan - In Favor
Elizabeth Krecker - In Favor
Jake Harvey - In Favor
Nancy Schriber - In Favor
Katherine Patry - In Favor
David Martinez III - In Favor
Yassamin Ansari - In Favor
David Adame - In Favor
Jeannine Boutin - Neutral
Michael Waite - Neutral
Anna - Neutral
Mary Klein - Neutral

Britt London - Neutral
Jeff Chester - Neutral
Margaret Chase - Neutral
Karen Wood - Neutral
Dale Murphy - Opposed
William Chenausky - Opposed
Tom Jenney - Opposed
Ames Fowler - Opposed
Jennifer Patentreger - Opposed
Merissa Hamilton - Opposed
Jeannie Burts - Opposed
Dr. Joe Hornback - Opposed
JoLynn Groening - Opposed
Salvador Reza - Opposed
Lynn Meyer - Opposed
Jennifer Farrell - Opposed
Ilene Linsacum - Opposed
Jennifer Purdon - Opposed
Lisa Fink - Opposed
Jan Acorn - Opposed
Jordan Sherwood - Opposed
Sheree Drake - Opposed
Jessica Raine - Opposed
Velerie Zehr - Opposed
Patty Jones - Opposed
Lisa Sandoval - Opposed
Elizabeth Guffe - Opposed
Elena Agge - Opposed
David Burts - Opposed
Renee Figueroa - Opposed
Marion Stewart - Opposed
Matt Tagge - Opposed
Derek Young - Opposed
Kamile Mora - Opposed
Selah Mora - Opposed
Laura Syiud - Opposed
Bruce Heyer - Opposed
Donna Douglas - Opposed

Michael Sebring - Opposed
Leonard Clark - Opposed
Adriana Luna - Opposed
Roxanne Sebring - Opposed

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Pastor, that Items 19-88 be approved or adopted, except Items 19, 26-27, 29, 38, 68 and 84; Item 43 is continued to the April 15, 2020 City Council Formal Meeting, Item 71 is continued to the June 3, 2020, Item 87 is continued to the April 1, 2020 City Council Formal Meeting and Item 88 is continued to the March 18, 2020 City Council Special Meeting held at 4 p.m.; noting Items 30, 34, 85 and 86 are withdrawn, and Item 35 is as corrected. The motion carried by the following vote:

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

No: 0

Items 20-25 and 28, Ordinance S-46425 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.

20 Arizona Public Service Company

For $614,146.45 in payment authority to purchase the design and installation of automatic transfer switches to support the Terminal 4 S1 Concourse Project AV21000097 for the Aviation Department. This work connects primary feeders, providing redundant electrical power on automatic transfer switches, from the Arizona Public Service Jackson Street and 40th Street substations to Sky Harbor International Airport Terminal 4 South Concourses and American Airlines and Southwest Airlines aircraft maintenance hangars.

This item was adopted.

21 Pratt & Whitney Component Solutions, Inc.

For $23,000.00 in payment authority for the purchase of a Data Collection Unit (DCU) for the Police Department, Air Support Unit. The DCU is a replacement part for the Augusta 109 Aircraft that tracks the cycles of the rotating components in the engine and cannot be operated without it per Federal Aviation Administration Regulations.

This item was adopted.

22 Settlement of Claim(s) Martinez v. City of Phoenix

To make payment of up to $30,000.00 in settlement of claim(s) in *Martinez v. City of Phoenix,* Maricopa County Superior Court, case number CV2019-006002, 18-0417-001 AU BI, for the Finance Department pursuant to Phoenix City Code chapter 42.

This item was adopted.

23 Settlement of Claim(s) Paul v. City of Phoenix

To make payment of up to $40,000.00 in settlement of claim(s) in *Paul v. City of Phoenix,* Maricopa County Superior Court, case number CV2019-001619, 18-0453-001 GL BI, for the Finance Department pursuant to Phoenix City Code chapter 42.

This item was adopted.

24 Settlement of Claim(s) Ruelas v. City of Phoenix

To make payment of up to $65,000.00 in settlement of claim(s) in *Ruelas v. City of Phoenix,* Maricopa County Superior Court, case number CV2019-003405, 18-0072-001 AU BI, for the Finance Department pursuant to Phoenix City Code chapter 42.

This item was adopted.

25 Xcessories Squared Southwest, Inc.

For $80,000.00 in additional payment authority for the purchase of metal materials which includes yellow sign assembly base pedestals, telespar yellow tubing, and U-channel sign posts needed for the Street Transportation Department to supply the proper signage required for school speed limitations and safety support. Additional funds are due to

tariffs imposed on metal materials. The additional payment authority will allow for the completion of a new procurement process.

This item was adopted.

28 UTC Fire & Security Americas Corporation

For $11,694.00 in payment authority for MAStermind monitoring services using proprietary software Jan. 1, 2020 - Dec. 31, 2020 for the Public Works Department. MAStermind is used by the Police Central Monitoring Station (CMS) to manage alarm services with support 24/7 throughout the Downtown Corridor. The software is required by CMS for monitoring alarms and emergency services in City-owned buildings.

This item was adopted.

30 Voluntary Acquisition of Real Property Located at 835 and 837 S. 9th Place (Ordinance S-46433)

Request to authorize the City Manager, or his designee, to voluntarily acquire real property located at 835 and 837 S. 9th Place for the amount of the City's appraised value, plus usual and customary closing costs. Further request authorization for the City Controller to disburse, and for the City Treasurer to accept, all funds related to this item.

Summary

The properties to be acquired are located within Aviation's Land Reuse Strategy Area under the Airport Land Use Plan. This area consists of 166 acres of Aviation-controlled land, ready for redevelopment pursuant to feedback from the Federal Aviation Administration and the adopted implementation plan. The property owner participated in the Land Reuse Strategy planning process and identified these properties as available for City acquisition.

The parcels to be purchased and included in this request are identified by Maricopa County Assessor's parcel number (APN) and address:

116-37-134 located at 835 S. 9th Place
116-37-133 located at 837 S. 9th Place

Financial Impact

Funding is available in the Aviation Department's Capital Improvement

Program.

Concurrence/Previous Council Action
The Land Reuse Strategy and Airport Land Use Plan were approved at the City Council Policy Session on Oct. 23, 2018 by a vote of 8-0.

Location
835 and 837 S. 9th Place
Council District: 8

This item was withdrawn.

31 Acquisition of Temporary Construction Easements For Sewer Rehabilitation Project at 39th and Dunlap Avenues and 39th Avenue and Bethany Home Road (Ordinance S-46435)

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

Summary
The City is undertaking a project to rehabilitate a 60-inch sanitary sewer line at 39th and Dunlap avenues and a 54-inch sewer line at 39th Avenue and Bethany Home Road. This work includes construction of four new manholes and repair of PVC lining.

The parcels impacted by this project and included in this request are identified by Maricopa County Assessor's parcel number (APN) 145-09-172 located at 5845 N. 39th Ave., and APN 150-14-002E located at 8550 N. 39th Ave.

Financial Impact
Funding is available in the Water Services Department Capital Improvement Program budget.

Location
39th and Dunlap avenues and 39th Avenue and Bethany Home Road

Council Districts: 1 and 5

This item was adopted.

32 Amend Agreements with JPMorgan Chase Bank, N.A. and Chase Paymentech, LLC (Ordinance S-46448)

Request authorization for the City Manager, or his designee, to extend terms of the current agreements with JPMorgan Chase Bank, N.A. and Chase Paymentech (collectively “Chase”) for five years with an option to extend for an additional three years. The Chase agreements include the Municipal Banking Services Agreement (MBSA) #135573, Merchant Card Services Agreement #135574, Custody Agreement, #135575, and the Single Use Account Services Agreement #137422 (collectively, the “Chase Agreements”). And request authorization to approve an exception of the liability provision in City Code 42-18 (A) and (B). Further request authorization for the City Controller to disburse all funds related to this item. The aggregate value of the five year period will not exceed $9,000,000.

Summary/Information

As allowed by City Code, the City uses a single servicing bank for its banking services. The single service bank enables leveraging the large volume and variety of banking needs to obtain service integration and preferred pricing on critical banking products such as depository services, payment accounts, custodian services, merchant processing, and revenue producing products such as the commercial card program. The City manages resources for the activities of 250 bank accounts, 150 merchant accounts, 40 daily file transmissions, and 220 users (City employees) as part of the Chase Agreements. Examples of services include: 150 bank accounts and services for Police Neighborhood Block Watch accounts; 38 branches throughout Phoenix where customers can pay for City services; strong fraud prevention programs and lockbox services located in the City of Phoenix.

In July 2019, the Finance department conducted a survey and collected results from 28 local governments regarding their banking services procurement and contract process. Over 66 percent of the governments surveyed used a single service bank. The survey results also indicated that less than 20 percent of respondents changed banking services

providers recently and comments specified that the transition process took multiple years. The City estimates changing banking services could cost at least $500,000 and take nine months to a year to fully transition services. The survey results further revealed that over 55 percent of local governments had maintained their current banking services provider for fifteen or more years. This is partly due to the complexities and integration of banking services with City technology and multiple processes.

The banking industry continues to change with new banking regulations, compliance requirements, as well as new laws for state and local governments. This limits the number of banks that can provide service at the scale and size required by the City. The City manages daily cash amounting on average from $50 to $80 million in the combined bank accounts. Per State law, the City's servicing bank is required to hold collateral in U.S. Treasuries at 102 percent of the City's bank balance. Chase has consistently met the City's collateralization requirement without an exception. Further, Chase has demonstrated its ability to perform essential banking and investment services in the event of a City emergency. These banking services requirements are essential in protecting public funds and ensuring the City is meeting its daily financial requirements.

Conclusion and Next Steps

The Chief Financial Officer recommends a five-year extension of the Chase Agreements plus an option to extend for three years. It is also recommended that the City Council approve an exception of the liability provision in City Code 42-18 (A) and (B) to reflect that the liability will be no more than three times the contract value for the MBSA agreement #135573. This authorization allows the City to continue to utilize the City’s single source banking agreements for multiple services, continue with citywide efficiencies, and continue to meet regulatory requirements in protecting public funds.

Contract Term

The Chase banking service contracts were effective March 1, 2013. Upon Council's approval the term of these contracts will be extended from July 1, 2020 to June 30, 2025 with an option to extend for three

additional years.

Financial Impact

The estimated costs for the Chase Agreements will not exceed $9 million for five years. This estimate does not include any potential cost offsets for the earnings credit allowance and any revenues earned from the Single Use Account program. The funds are available in the City's operating budgets including the General Fund and Enterprise funds.

This item was adopted.

33 Cybersecurity Monitoring Services (Ordinance S-46459)

Request to authorize the City Manager, or his designee, to extend Contract 139656 with Center for Internet Security, Inc., for the renewal of cybersecurity monitoring services, in an amount not to exceed $112,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Cybersecurity threats continue to put organizations worldwide at risk for data breaches, theft, and operational failure. The City of Phoenix utilizes Center for Internet Security (CIS), Inc., for cybersecurity monitoring and analysis services to help detect threats to the City's network and systems. CIS provides device monitoring 24 hours a day, seven days a week, vulnerability assessments, and consulting services. These services provide the City early warning cybersecurity event detection and enhance the security readiness and response of the City. CIS through is Multi-State Information Sharing and Analysis Center, has been recognized by the United States Department of Homeland Security as the governmental Information Sharing and Analysis Center and as a key cybersecurity resource for all 50 states, local governments, tribal nations, and United States territories.

Failure to renew would result in not having an external monitoring service to detect and respond to potential threats and places the City in a vulnerable position.

Contract Term

The contract was originally awarded for a one-year term with annual renewals, as long as it is in the City's best interest. This request is to

renew services through June 30, 2023.

Financial Impact

The original contract was authorized Oct. 28, 2015, with an aggregate value of $33,360. On June 7, 2017, Council extended the agreement and increased the value by $89,440. With the $112,000 in additional funds, the contract's revised aggregate value is approximately $234,800. Funds are available in the Information Technology Services Department's operating budget.

This item was adopted.

34 Purchase Theatrical Spotlights (Ordinance S-46447)

Request to authorize the City Manager, or his designee, to enter into a contract with Barbizon Light of the Rockies Inc. to provide Theatrical Spotlights for the historic Orpheum Theatre and Symphony Hall. This is a one-time purchase and the aggregate value of the contract will not exceed $102,902. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This purchase replaces spotlights used in the Orpheum Theatre and Symphony Hall for stage performances. These are manually operated lights used to "spotlight" performers as they move about the stage either as choreographed or in reaction to spontaneous movements. The present equipment was purchased in 1997 for the Orpheum Theatre and 1985 for Symphony Hall. These units have become outdated and require excessive maintenance when parts can be found. This equipment has experienced excessive downtime over the past five years, impacting our production capabilities. Manually operated spotlights are a standard fixture in theatrical venues.

Procurement Information

IFB 19-012 was conducted in accordance with Administrative Regulation 3.10. There were two offers received by the Phoenix Convention Center Department (PCCD) Financial and Procurement Services section on Jan. 17, 2020. The offers were evaluated based on price, responsiveness to specifications, and responsibility to provide required materials. The offer from Barbizon Light of the Rockies was deemed to be fair and

reasonable.

The Offers are as follows (excluding taxes)

Barbizon Light of the Rockies	$94,752.60
Clearwing Systems Integration, LLC.	$106,189.00

Contract Term
The one-time purchase will begin on or about May 31, 2020.

Financial Impact
The aggregate value will not exceed $102,902 including tax. Funds are available in the Phoenix Convention Center Department's budget.

Location
Orpheum Theatre, 203 W. Adams St. and Symphony Hall, 75 N. 2nd St.
Council District: 7

This item was withdrawn.

35 Authorization to Annually Submit Head Start Birth to Five and Child Care Partnership Refunding Applications (Ordinance S-46464)

Request to authorize the City Manager, or his designee, to (a) submit annually the Head Start Birth to Five and Early Head Start Child Care Partnership Refunding Applications for approximately $37,343,112 annually or an aggregate not to exceed $167,573,837 for the remaining four years of the grant (2021-24) as approved by the Head Start Birth to Five Governing Board, and (b) enter into or execute all contracts, documents, and agreements and take all other action necessary or appropriate to implement the Head Start Birth to Five and Early Head Start Child Care Partnership grants subject to any necessary approval by the Head Start Birth to Five Governing Board. Further request authorization for the City Treasurer to accept and the City Controller disburse all funds related to this item. There is no impact to the General Fund.

Summary
The City of Phoenix Head Start Birth to Five program provides comprehensive education and social services through two programs:

Early Head Start (0-3 years) and Head Start (3-5 years). There are 488 families with infants and toddlers in Early Head Start and 2,963 preschool children in Head Start. The terms of the Head Start Birth to Five and Early Head Start Child Care Partnership grants are from July 1, 2019 through June 30, 2024. The grants require grantees to submit a refunding application each year.

Contract Term

The City of Phoenix, as the Grantee, is entering into the second year of a five-year grant for the Head Start Birth to Five program and the Early Head Start Child Care Partnership programs. The remaining four years of the five-year contract term are July 1, 2020 to June 30, 2024.

Financial Impact

The grant funding for the second year of $37,343,112 is inclusive of $3,555,653 for Early Head Start Child Care Partners and $33,787,459 for Head Start Birth to Five and Early Head Start home-based funding. The aggregate contract total of $167,573,837 for the remaining four years of the grant (2021-24) is inclusive of $14,948,108 for Head Start Child Care Partners and $152,625,729 for Early Head Start and Head Start Birth to Five funding. Totals include a forecasted 2 percent Cost of Living Adjustment annually for each of the remaining four years of the grant. There is no impact to the General Fund.

Concurrence/Previous Council Action

City Council approved the five-year Head Start Birth to Five and Early Head Start Child Care Partnership grants on March 6, 2019 (S-45416).

This item was discussed by the Head Start Policy Council on March 9, 2020. This item was discussed by the Land Use and Livability Subcommittee, which serves as the Head Start Governing Board, on March 18, 2020.

This item was adopted as corrected.

36 Approval to Apply to National League of Cities - Cities Supporting the Early Childhood Workforce Application

This report requests City Council approval to apply to the National League of Cities for the Cities Supporting the Early Childhood Workforce

technical assistance initiative to assist Read On Phoenix (ROP) in aligning policies and programs to help city/community leaders in strengthening local efforts with early childhood workforce.

Summary

The National League of Cities' (NLC) Institute for Youth, Education, and Families (YEF Institute) is seeking to support city efforts in improving early care and education, strengthening city-school partnerships, and promoting joint planning initiatives between city governments, school districts, and private industry. NLC is creating opportunities to share lessons learned with city leaders nationwide and to stimulate new city-level efforts to make evidence-based, best practices work at the local level. NLC is targeting three cities: Charlotte, Philadelphia and Phoenix.

NLC is seeking cities to support their early childhood education workforce efforts by assisting city leadership in creating more comprehensive professional development opportunities and pathways. The goal of the project is to help develop local programs and policies that will ensure all early childhood educators have the tools and supports needed to provide high-quality early learning experiences for children and equitable access to building their own skills and knowledge. Children who participate in high quality early learning experiences are more likely to do well in school, graduate, be healthy and achieve financial security than are children who do not have such experiences. Each city will identify a focal point for their local early childhood workforce efforts.

Read On Phoenix received an invitation to apply for the "Cities Supporting the Early Childhood Workforce" technical assistance initiative to help the city deepen their efforts to address equity and explore financial levers that support the early childhood workforce. NLC will support Phoenix to further refine the local early childhood strategic plan.

NLC received funding from the Vanguard Foundation to provide technical assistance through Dec. 31, 2021. NLC will cover all expenses incurred during the technical assistance initiative that will include site visits to Phoenix, bi-monthly check-in calls, quarterly group huddle calls, and two national convenings. No funding will be provided directly to the city.

Concurrence/Previous Council Action
This item was recommended for approval at the Land Use and Livability Subcommittee meeting on Feb. 19, 2020.

This item was approved.

37 Aquatic Lifeguard and Swim Instructor Certification Program - EXC 20-038 (Ordinance S-46454)

Request to authorize the City Manager, or his designee, to enter into a contract with Starfish Aquatics Institute, to provide certification programs for the Parks and Recreation Department's aquatic section. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $250,000.

Summary
Under this contract, Starfish Aquatics Institute will provide curriculum and training related to the swimming lesson program, lifeguard certification services and pool operator training services. These services will be provided to over 500 aquatic staff members at 29 City swimming pool facilities. This contract will ensure that the department can enhance and support quality aquatic programs and services for City residents.

Procurement Information
In addition to public posting, 71 registered vendors received notification of Request for Information (RFI) 20-044. Starfish Aquatics Institute was the only vendor to respond. In accordance with Administrative Regulation 3.10, normal competition was waived by an approved determination memo based on limited vendor interest.

Contract Term
The term of the contract is five years, which will begin on or about April 1, 2020.

Financial Impact
The aggregate contract value will not exceed $250,000 over the life of the contract, with an annual estimated expenditure of $50,000. Funds are available in the Parks and Recreation Department's budget.

This item was adopted.

39 Intergovernmental Agreement with Maricopa County for Regional 9-1-1 Services (Ordinance S-46452)

Request authorization for the City Manager, or his designee, to enter into an intergovernmental agreement with Maricopa County. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse all funds related to this item.

Summary

Regional 9-1-1 Services, located on the Phoenix Fire Department campus, provides 24-hour 9-1-1 system maintenance and oversees the installation of 9-1-1 equipment for 25 9-1-1 Centers throughout the Maricopa County Region. This service is paid for through monies distributed by the State of Arizona to the City. Maricopa County Sheriff's Office (MCSO) is one of the 9-1-1 Centers for which Regional 9-1-1 Services provides state-funded 9-1-1 maintenance. MCSO has nine 9-1-1 special use designated call-taking equipment answering stations that require day-to-day maintenance and technical support, but do not meet the emergency 9-1-1 criteria to qualify for State-funded maintenance. Therefore, MCSO requires dedicated time and resources from the City of Phoenix Fire Department's Regional 9-1-1 Services Program to maintain this equipment, for which the City receives reimbursement.

Contract Term

The five-year contract term will begin July 1, 2020.

Financial Impact

The Fire Department will receive an aggregate amount of $270,000 through June 30, 2025.

Location

The location is city and countywide (Maricopa County).

This item was adopted.

40 Enter Into Cooperative Fire Rate Agreement with Arizona Department of Forestry and Fire Management (Ordinance S-46458)

Request to authorize the City Manager, or his designee, to execute an agreement with the Arizona Department of Forestry and Fire Management (Arizona DFFM) to establish reimbursement rates for Fire Department resources. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

The Arizona DFFM executes bi-annual agreements with fire departments across Arizona to set reimbursement rates for fire department apparatus and firefighters. These rates are utilized in the event that Arizona DFFM engages local fire department resources for a response to an incident. The agreements have been utilized as needed to reimburse the City for incident responses, usually for wildland fires. The agreement will reimburse the City of Phoenix for payroll, overtime backfill, vehicle fuel and/or maintenance costs associated with Fire Department deployment to emergency incidents. If not approved, the City of Phoenix would not be reimbursed by the Arizona DFFM for the aforementioned costs associated with Fire Department deployment to emergency incidents.

Contract Term

The term of the agreement is April 1, 2020 through April 1, 2022.

Financial Impact

Because natural and human-caused disasters are unpredictable, the financial impact of deploying resources per the request of the Arizona DFFM cannot be determined in advance. If deployed, the City of Phoenix will be reimbursed by the Arizona DFFM per the Fire Rate Agreement.

This item was adopted.

41 Police Department Air Support Unit Equipment, Parts and Services - Requirements Contract - RFA 19-011 (Ordinance S-46426)

Request to authorize the City Manager, or his designee, to proceed with a contract for FLIR Surveillance, Inc. to provide equipment, parts and services for the Police Department's Air Support Unit aircraft. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate value of this contract over the initial five-year

term will not exceed $400,000.

Summary
FLIR Surveillance, Inc. will supply the Police Department's Air Support Unit with the: Star SAFIRE 380-HD U-8000 System, Single LRU EO/IR Imaging System, U-800 parts, accessories, modifications, calibrations and overhauls, warranties, labor and repairs. The Air Support Unit's Astar Helicopters and the PC12 Pilatus airplane covered under this contract, are vital to public safety. This equipment assist pilots in detecting warm objects against cooler backgrounds when searching for suspects involved in criminal activity when it is dark. FLIR Surveillance, Inc. provides product replacements, warranties on service, refurbished equipment and transfer of warranties. This contract will provide preventative routine maintenance to remain in compliance with Federal Aviation Administration regulations for the safety, performance and operations of the aircraft.

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 FLIR Surveillance, Inc. as the manufacturer of the aircraft equipment. A Special Circumstance Without Competition Determination Memo was completed and approved by the Deputy Finance Director recommending the procurement with FLIR Surveillance, Inc. be accepted.

Contract Term
The five-year contract term will begin on or about March 18, 2020 and end on, or about Feb. 28, 2025.

Financial Impact
The expenditures against this contract shall not exceed the aggregate amount of $400,000. Funds are available in the Police Department's budget.

This item was adopted.

42 Authorization to Enter Into Purchase Order Agreement with

Med-Eng, LLC (Ordinance S-46446)

Request to authorize the City Manager, or his designee, to proceed with a one-time purchase of one Explosive Ordinance Disposal (EOD) 9 bomb suit for the Phoenix Police Department, Homeland Defense Bureau and to waive, or make an exception to Phoenix City Code, section 42-18 (indemnification prohibition) in order to enter into purchase order agreement. The aggregate value of this purchase will not exceed $18,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Police Department requires the purchase of an EOD 9 bomb suit for the Phoenix Police Department Homeland Defense Bureau. The purchase of the suit will provide the critical equipment required to safely enter an area with an explosive device. The equipment is designed to provide superior protection while also being ergonomically designed to allow the bomb technicians to move, climb and bend to safely and swiftly approach explosive devices.

Med-Eng, LLC submitted exceptions to the purchase order terms and conditions: Item 5, Indemnification and Item 11, Breach, Termination and Remedies. The exceptions do not foreclose all liability on the part of the vendor. The exception limits certain claims that may be brought against the vendor that may result from the use of the equipment. It does not release the vendor from its obligations under warranty for uniforms or equipment that are or may be defective.

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 Med-Eng, LLC as the supplier of the EOD 9 bomb suit that best meets the specification and performance standards of the Police Department. This memo was approved by the Deputy Finance Director recommending the procurement with Med-Eng, LLC be accepted.

Financial Impact

The total cost of this equipment will not exceed $18,000. Funds are available in the Police Department's budget.

This item was adopted.

43 One-Time Purchase of Mobile Imaging System (Ordinance S-46441)

Request to authorize the City Manager, or his designee, to allow the one-time purchase from Freedom Surveillance, LLC dba Strongwatch for a mobile imaging system for the Police Department, Homeland Defense Bureau in the amount not to exceed $375,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The Police Department, Homeland Defense Bureau, seeks to purchase the Strongwatch mobile imaging system which will be used for major events and high-profile event management. The system is used to stream live video back to a command post allowing command level decision-makers to observe events as they unfold and allows trained staff to make critical decisions with realtime information. In addition, the camera system can capture recorded visual information that can later be used to investigate incidents that occurred during major events.

The Homeland Defense Bureau currently operates a deployable camera system for major events. The Strongwatch system is compatible with the current system and will require no additional networking to tie into the current system. Additionally, the new Strongwatch platform will be interchangeable with the current Strongwatch platform.

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

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved Determination Memo for Special Circumstance Without Competition citing Freedom Surveillance, LLC dba Strongwatch as the provider of the mobile imaging system that is

compatible with the current system. The determination memo was completed and approved by the Deputy Finance Director recommending the one-time purchase with Freedom Surveillance, LLC dba Strongwatch be accepted.

Contract Term
This contract will begin on or about March 18, 2020 and will end on or about Sept. 17, 2020.

Financial Impact
Expenditures will not exceed $375,000. Funds are available in the Police Department's budget.

This item was continued to the April 15, 2020 City Council Formal Meeting.

44 Aviation Civil Construction - Job Order Contracting Services - 4108JOC187 (Ordinance S-46436)

Request to authorize the City Manager, or his designee, to enter into a master agreement with ViaSun Corporation to provide Aviation Civil Construction Job Order Contracting (JOC) services for the Aviation Department. Further request to authorize execution of amendments to the agreement as necessary within 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 $40 million.

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 projects 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

ViaSun Corporation services will be used on an as-needed basis to provide Aviation Civil Construction JOC services for earthwork and dust stabilization, concrete paving and flatwork, asphalt overlay and pavement rehabilitation, underground and above ground utilities (water, sewer, electrical, etc.), Americans with Disabilities Act (ADA) modifications, roadway striping and markings, bridge repairs (structural and maintenance), fence and gate installation and repairs, landscaping, grading and drainage, safety and security systems (loop detectors, barriers, attenuators, etc.), demolition, signage, airfield and landside maintenance, and minor design and engineering. Additionally, ViaSun Corporation will be responsible for fulfilling Small Business Enterprise program requirements.

Procurement Information

The selection was made using a qualifications-based selection process set forth in Arizona Revised Statutes (A.R.S.) section 34-603. 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. Nine firms submitted proposals and are listed below.

Selected Firm

Rank 1: ViaSun Corporation

Additional Proposers

Rank 2: J. Banicki Construction, Inc.
Rank 3: Nesbitt Contracting Co., Inc.
Rank 4: Combs Construction Company, Inc.
Rank 5: KEAR Civil Corporation
Rank 6: Sunland Asphalt and Construction, Inc.
Rank 7: Markham Contracting Co., Inc.
Rank 8: The Weitz Company
Rank 9: Blucor Contracting, Inc.

Contract Term

The term of the master agreement is for up to five years, or up to $40 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 value for ViaSun Corporation will not exceed $40 million including all subcontractor and reimbursable costs. The value for each job order agreement performed under this master agreement will be 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 Aviation 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 agreed limits for all rendered agreement services, which may extend past the agreement termination.

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

Responsible Department
This item is submitted by Assistant City Manager Deanna Jonovich, Deputy City Manager Mario Paniagua, the Aviation Department, and the City Engineer.

This item was adopted.

45 Aviation Architectural Construction - Job Order Contracting Services - 4108JOC188 (Ordinance S-46437)

Request to authorize the City Manager, or his designee, to enter into a master agreement with FCI Constructors, Inc. to provide Aviation Architectural Construction Job Order Contracting (JOC) services for the Aviation Department. Further request to authorize execution of amendments to the agreement as necessary within 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 $30 million.

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 projects 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
FCI Constructors, Inc.'s services will be used on an as-needed basis to provide Aviation Architectural Construction JOC services for mechanical, electrical, plumbing, underground- and above-ground utilities (water, sewer, electrical, etc.), Americans with Disabilities Act (ADA) modifications, bridge repairs, landscaping, environmental services (asbestos, mold, lead-paint abatement, monitoring wells, etc.), roofing, carpentry, painting, flooring, building and office remodels, demolition and new builds, energy systems, fire alarms, ACAMS, lighting and controls, CCTV and other related technology, signage and infrastructure, fence and gate installation and repairs, and minor design and engineering. Additionally, FCI Constructors, Inc. will be responsible for fulfilling Small Business Enterprise program requirements.

Procurement Information
The selection was made using a qualifications-based selection process set forth in Arizona Revised Statutes (A.R.S.) section 34-603. 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 below.

Selected Firm
Rank 1: FCI Constructors, Inc.

Additional Proposers

Rank 2: SDB, Inc.
Rank 3: Builders Guild, Inc.
Rank 4: Gilbane Building Company
Rank 5: Chanen Construction Company

Contract Term
The term of the master agreement is for up to five years, or up to $30 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 value for FCI Constructors, Inc. will not exceed $30 million, including all subcontractor and reimbursable costs. The value for each job order agreement performed under this master agreement will be 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 Aviation Department's 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 agreed limits for all rendered agreement services, which may extend past the agreement termination.

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

Responsible Department
This item is submitted by Assistant City Manager Deanna Jonovich, Deputy City Manager Mario Paniagua, the Aviation Department, and the City Engineer.

This item was adopted.

46 Deer Valley Airport Police Hangar and Apron Replacement - Architectural Services - AV31000090 (Ordinance S-46438)

Request to authorize the City Manager, or his designee, to enter into an agreement with DWL Architects+Planners, Inc., to provide Architectural Services that include programming, design, and possible construction administration and inspection (CA&I) services for the Deer Valley Airport Police Hangar and Apron Replacement 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 $2.2 million.

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 design a new police hangar and associated apron at Deer Valley Airport. The City of Phoenix Police Air Support Unit currently occupies a hangar/office building and a separate aircraft storage facility located at Deer Valley Airport. Built in the 1970’s, the facility would require extensive improvements to the buildings and airfield expansion requirements for the current hangar site. The City has opted to replace the existing police hangar facilities on airport property immediately south of the current site. The new police hangar would be a like-for-like replacement of the existing facility.

DWL Architects+Planners, Inc.'s services include, but are not limited to: develop project program to meet operation and maintenance requirements of the Police Air Support Unit; space planning for the new police hangar office space; design that achieves Leadership in Energy and Environmental Design Silver Certification; inventory of existing

equipment and furniture; layout new ramp and taxi lane for police aircraft fleet; design aircraft hangar and administrative section of the building; design site infrastructure including, but not limited to water, sewer, storm water and coordinate with APS on new power feed; schematic design through bid ready documents and specifications; cost estimating; construction safety and phasing plans, bid phase assistance; materials testing coordination; possible construction administration and inspection services; and other services as required for a complete project.

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 the scoring results until an agreement is awarded. Four firms submitted proposals and are listed below.

Selected Firm
Rank 1: DWL Architects+Planners, Inc.

Additional Proposers
Rank 2: LEA-Architects, LLC
Rank 3: Corgan Associates, Inc.
Rank 4: ADM Group, Inc.

Contract Term
The term of the agreement is five years from the 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 DWL Architects+Planners, Inc. will not exceed $2.2 million, including all subconsultant and reimbursable costs.

Funding is available in the Aviation 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
702 W. Deer Valley Road
Council District: 1

This item was adopted.

47 Authorization to Apply for, Accept, and Disburse State Grant Funds for Aviation-Related Projects (Ordinance S-46442)

Request to authorize the City Manager, or his designee, to submit applications for grants to the Arizona Department of Transportation (ADOT) on behalf of the City of Phoenix Airport System for aviation-related projects. Further request authorization for the City Manager, or his designee, to enter into grant agreements with ADOT, amend existing grant agreements with ADOT, and take any administrative action related to the grant agreements that the City Manager or his designee deems necessary or appropriate. The grant agreements and amendments may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Further request authorization for the City Treasurer to accept any money related to the grant agreements and amendments. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
Each year, the Aviation Department submits grant applications to ADOT for eligible projects, including those related to maintenance, safety, capacity enhancement, environmental studies or planning, and land acquisition. The Aviation Department takes a proactive position in obtaining City Council authorization to accept any grants awarded by ADOT for eligible aviation-related projects.

Under the grant agreements, the State of Arizona (State) requires the City to indemnify and hold harmless the State and any of its departments, agencies, officers, and employees from any and all liability, loss, or damage the State may suffer as a result of claims, demands, costs, or

judgments of any character arising out of the City's or its independent contractor's performance or non-performance in carrying out any provision of the grant agreements. If any legal action is brought, the indemnification also includes court costs, expenses of litigation, and reasonable attorney's fees. Further, the State will not assume any liability to third persons and will not reimburse the City for the City's liability to third persons resulting from the performance of the grant agreements or any subcontract thereunder.

Contract Term
These authorizations are effective until June 30, 2021.

This item was adopted.

48 Authorization to Apply for, Accept, and Disburse Federal Non-Grant Funds for Aviation-Related Projects (Ordinance S-46444)

Request to authorize the City Manager, or his designee, to submit applications for non-grant funds to the United States and any of its agencies for aviation-related projects. Further request authorization for the City Manager, or his designee, to sign all certifications required for the non-grant agreements, enter into agreements with the United States and any of its agencies for the purpose of accepting federal non-grant funds, and to amend existing agreements. The agreements and amendments may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Further request authorization for the City Treasurer to accept any money related to the agreements and amendments. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
These authorizations will allow the Aviation Department to respond promptly to federal agencies if and when non-grant funds become available on short notice. The transaction agreements or amendments may become available from the Department of Homeland Security or any other federal program. The Aviation Department takes a proactive position in obtaining City Council authorization to accept any non-grant funds awarded by the United States for eligible aviation-related projects.

Contract Term
These authorizations are effective until June 30, 2021.

This item was adopted.

49 Authorization to Apply for, Accept, and Disburse Federal Grant Funds for Aviation-Related Projects (Ordinance S-46443)

Request to authorize the City Manager, or his designee, to submit applications for grants to the United States and any of its agencies for aviation-related projects. Further request authorization for the City Manager, or his designee, to sign all certifications required for the grants, to enter into agreements with the United States and any of its agencies for the purpose of accepting federal money, and to amend existing grant agreements. The grant agreements may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Further request authorization for the City Treasurer to accept any money related to the grant agreements and amendments. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
Each year, the Aviation Department submits grant applications to the United States and its agencies for eligible aviation-related projects. The Aviation Department takes a proactive position in obtaining City Council authorization to accept any grants awarded by the United States and its agencies for eligible aviation-related projects.

These authorizations will allow the Aviation Department to respond promptly to federal agencies if and when grant offers become available on short notice. The grant agreements or grant amendments or both may become available from the Department of Transportation, including the Federal Aviation Agency Airport Improvement Program, Department of Homeland Security, or any other federal program. Action associated with these authorizations will be for projects in the Aviation Department’s approved Capital Improvement Plan.

Contract Term

These authorizations are effective until June 30, 2021.

This item was adopted.

50 Regional Fare Collection System - Request for Award (Ordinance S-46453)

Request City Council approval to authorize the City Manager, or his designee, to enter into an agreement with Vix Technology, Inc. to provide a new fare collection system for the region's bus and light rail transit system, and to execute amendments to the agreement as necessary within the Council-approved expenditure authority provided below. This agreement addresses a planned capital improvement to replace the existing system which is proprietary in nature and has reached the end of its useful life. Further request to authorize the City Controller to disburse all funds related to this item. The total contract value with options and estimated sales tax is estimated at $61,228,625, and includes up to 16 years of system maintenance support from the vendor.

Summary

The City of Phoenix Public Transit Department, Valley Metro/Regional Public Transit Authority and its transit partners operate under the Valley Metro name which is comprised of 16 regional cities and towns within Maricopa County. Likewise, the existing fare collection system is regional and used by agencies operating or funding transit service throughout the Phoenix metro area. Design and implementation of the current fare collection system began prior to 2005, and with considerable advances in technology, demand for new ways to purchase fares strengthens the need for a new fare collection system.

Following approval by the Phoenix City Council in June 2018, the Public Transit Department in a joint effort with Valley Metro issued a Request for Proposals (RFP) in January 2019 to solicit a new regional fare collection system. The project is focused heavily on the customer experience and the implementation of a non-proprietary system. The new system must provide a technology-friendly experience for the customer in addition to creating a more efficient and expandable system in the future. As outlined in the staff report at that time, the project objectives were determined primarily from the needs and shortcomings of the current system, regional workshop input, and public input over the years. Those

objectives were as follows:

Improve fare payment options for customers.
Provide ability to offer stored value and mobile passes to provide flexibility for riders.
Enable innovative fares, including fare capping and time- and location-based products.
Explore new fare technologies, such as mobile ticketing and open architectures.
Improve data collection and ridership/revenue reconciliation, and eliminate current manual processes.
Provide the capability to more accurately correlate sales and usage data.
Provide more accurate ridership data.
Increase control over fare media distribution and reduced fare programs.
Ensure eligibility for reduced fare purchases at point-of-sale.
Reduce fare evasion or misuse.
Reduce fare media costs where possible.
Explore long-term alternatives with a phased project implementation schedule.
Begin with core improvements and expand the system as needed.
Require an open architecture to facilitate adding features, components and integration with third parties.

With the award of this contract and the implementation of the proposed improvements, transit riders will have a modern and easy-to-use fare system when utilizing transit throughout the region. At a minimum, the fare collection system will include the following new features:

An account-based, reloadable smart card system.
Open architecture mobile app that includes fare purchase and trip planning.
On-board validators for the regional bus fleet and station validators for light rail.
Touchscreen ticket vending machines (TVMs) throughout the region.

The initial improvements under this agreement will be implemented in advance of additional steps to modernize other aspects of the regional fare collection system. Future fare collection-related RFPs from the City

of Phoenix or Valley Metro will include a retail fare media network and potentially new on-board (bus) fare boxes.

Procurement Information
The City of Phoenix, Valley Metro and regional transit partners worked together on the issuance of the RFP. The Public Transit Department has led the procurement of a new fare collection system, with the scope of work and specifications developed through regional collaboration. The RFP was issued with a plan to implement the project in two initial phases in order to introduce improvements in a cost-effective, efficient and customer-friendly manner. A second RFP may be issued at a later date for Phase 3 if found to be necessary.

Phase 1
Mobile Ticketing with Validators: A mobile app will be developed and be available to transit customers, with validation at rail stations and on buses using validators capable of reading barcodes from the mobile ticketing app.

Phase 2
Smartcard Ticket Vending Machine (TVM) and Retail Network: Smartcards will be made available to the general public, including reduced fare customers, for the purchase of fare products. Account reload will be available through new TVMs, a retail network, and a website.

Phase 3 (If necessary)
Farebox Upgrade: Depending on the regional consensus and existing farebox life span, a second RFP may be issued later for the purchase and installation of new fareboxes. New fareboxes may ultimately be utilized for cash purchases of single rides only, as mobile ticketing and smartcards will become the dominant methods to purchase fares.

The Public Transit Department issued RFP PTD19-002 in accordance with City and Federal Transit Administration (FTA) procurement regulations. Six proposals were received from the following firms:

INIT Innovations in Transportation, Inc.

Kapsch Public TransportCom, North America, Inc.
Parkeon, Inc. dba Flowbird
Scheidt & Bachmann USA, Inc.
SPX Corporation dba Genfare
Vix Technology

An evaluation committee made up of qualified regional transit staff was appointed to conduct detailed evaluations of the proposals, establish a competitive range, and recommend a proposer for award of the contract. The evaluators were supported by an advisory team of technical experts who provided insight into aspects of the RFP's scope of work and technical specifications. Both the evaluation and technical committees included staff with transit backgrounds from the City of Phoenix, Valley Metro and the City of Tempe.

The proposals were evaluated on the following criteria (1,000 points possible):

Qualifications of the firm and staff (350 points)
Technical solution and project approach (450 points)
Cost (200 points)

After a thorough review of the proposals and multiple discussions, the evaluation committee determined the two highest-scored proposers (INIT and Vix) were within the competitive range. Those determined not to be in the competitive range were not considered further in the evaluation process and were notified of that determination.

Invitations to participate in Best and Final Offers (BAFOs) were sent to INIT and Vix. The invitations included questions and requests for clarification specific to each firm's proposal. The invitation also requested their best pricing and an invitation to demonstrate their proposed products.

The committee evaluated the BAFOs based on the same requirements and criteria applicable to the initial review of proposals. Each company's product demonstrations also took place, after which the BAFOs were scored and evaluations were finalized. As a result, the evaluation

committee recommends award of the contract to Vix Technology, whose proposal received the highest technical score and highest overall score. The combination of the weighted technical and cost scores are as follows:

Vix Technology (USA), Inc.: 914 points; $54,906,116 Base System Cost (No Options, excluding sales tax)
INIT Innovations in Transportation, Inc.: 870 points; $53,173,011 Base System Cost (No Options, excluding sales tax)

In addition, the award recommendation includes options related to fare inspection devices, Ticket Vending Machine upgrades to take place during the equipment's lifecycle, and future payment functions such as open payments (credit cards as fare media), or the ability to add cash to mobile tickets, to be incorporated into the project at the appropriate phase. These options may or may not be exercised during the contract term.

Contract Term
The agreement will begin on or about July 1, 2020, with an initial design-and-installation period of up to three years, a one-year initial warranty period, nine years of operations and maintenance support, and two optional extensions of up to three years each, for a maximum 19-year performance period.

Financial Impact
The total contract value with options and estimated sales tax is estimated at $61,228,625, and includes up to 16 years of system maintenance support from the vendor.

The initial capital aspects of the contract will be funded by Federal Transit Administration (FTA) and regional transportation tax (Proposition 400) funds. Annual maintenance costs, which will begin after system acceptance and a one-year warranty period, will be funded by regional (Proposition 400) and local funds from all agencies receiving and funding fixed route bus and light rail service in the region. The contract extends over 19 years as follows:

3 years: Base contract for designing, developing, hosting and installing the new fare collection components, including options.
Maximum cost: $33,224,975

1 year: Warranty and hosting agreement (cost included in base).

15 years: Operations and maintenance support.
Nine year base term
Two optional three-year extensions
Maximum cost: $28,003,650

The project will be funded as follows:

Base System Capital Cost, with options:
80 Percent - FTA
20 Percent - Regional funds (Proposition 400)

Concurrence/Previous Council Action

This item was recommended for approval at the Citizens Transportation Commission (CTC) meeting on Feb. 27, 2020, by a vote of 12-0.

This item was recommended for approval at the Transportation, Infrastructure and Innovation Subcommittee meeting on March 4, 2020, by a vote of 4-0.

This item was adopted.

51 Bus Operations Control Center and Data Collection Services - Request for Award (Ordinance S-46455)

Request to authorize the City Manager, or his designee, to enter into an agreement with Transdev Services, Inc. to provide management and oversight of the City's Operations Control Center (OCC) and Data Collection Services, and to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority provided below. Further request to authorize the City Controller to disburse all funds related to this item. The total contract value with options is estimated at $14,361,642, which will be funded as a component of the T2050 plan.

Summary

The primary function of the OCC is to manage the City's fixed route (bus)

transit fleet using the regional Computer Aided Dispatch / Automatic Vehicle Locator (CAD/AVL) system. Transit vehicles are managed by the OCC in revenue service, deadheading (i.e., out of service) to and from service end points, performing special event services, and holding area buses to be inserted into routes as they operate from the City's North, South and West facilities. The OCC provides oversight independent of the transit operations contractors, which directly manage transit services operating from the City's transit facilities.

The OCC's management of the City's bus operations includes oversight of 48 routes and 22 million revenue service miles-per-year. The OCC responds to over 65,000 monthly radio calls and text messages received directly from bus operators, and over 3,000 phone calls monthly from Phoenix Police and Fire departments and Valley Metro customer service personnel. Ridership data gathered from the OCC's data collection function is provided to the Federal Transit Administration's (FTA) NTD program, which leads to the apportionment of federal transit formula funds.

The current agreement with Transdev for these services is set to expire on June 30, 2020. In April 2019, the Public Transit Department received City Council approval to solicit a new agreement, and in August 2019 issued a Request for Proposals (RFP).

Procurement Information

The fixed-price contract will consist of a five-year base term beginning July 1, 2020, with an additional two-year option to extend at the City's discretion. The extension option will be exercised only if it is in the City's best interest to do so and the contractor has performed satisfactorily during the base period.

The Public Transit Department issued RFP PTD19-008 in accordance with City procurement regulations. Three proposals were received from:

First Transit, Inc.
RATP Dev USA
Transdev Services, Inc.

An evaluation committee of qualified regional transit staff conducted the proposal evaluations, requested clarifications from proposers, and recommended a proposer for award of the agreement. The evaluators were supported by an advisory team of subject-matter experts who provided insight into aspects of the RFPs scope of work and technical specifications. Both the evaluation and technical committees included staff with transit backgrounds from the City of Phoenix and regional transit partners.

The proposals were evaluated on the following criteria (1,000 points possible):
Fee schedule (500 points)
Offeror's qualifications, experience and performance (200 points)
Offeror's proposed organizational structure (150 points)
Offeror's understanding of the scope of work and transition plan (150 points)

The evaluation committee met with technical advisors in December 2019 to discuss and evaluate the proposals. Following those meetings, the Committee arrived at a consensus score for each evaluation criterion, except price. A price analysis was performed by the procurement officer, with the point score for price added to the technical proposal scores. The final scores are shown below (1,000 points max):

Transdev: 940 points (selected vendor)
RATP Dev USA: 911 points
First Transit, Inc.: 748 points

Consistent with the solicitation terms and conditions, the committee reached consensus that the combination of Transdev's technical score and overall price warrants a contract award.

Contract Term
The agreement will begin on or about July 1, 2020, for a five-year term, with an additional two-year option to extend at the City's discretion.

Financial Impact
The agreement value for Transdev Services, Inc., including the option

period, will not exceed $14,361,642. Funding for the first agreement year amount of $1,831,253 is available in the Public Transit Department's Fiscal Year 2020-21 proposed operating budget. This will be funded as a component of the T2050 plan.

Concurrence/Previous Council Action

This item was recommended for approval at the Citizen's Transportation Commission meeting on Feb. 27, 2020, by a vote of 11-0.

This item was recommended for approval at the Transportation, Infrastructure and Innovation Subcommittee meeting on March 4, 2020, by a vote of 4-0.

Location

302 N. First Ave.
Council District: 7

This item was adopted.

52 Request Authorization to Apply for and Accept FTA Section 5339 Buses and Bus Facilities Infrastructure Investment Grant Funds (Ordinance S-46457)

Request to authorize the City Manager, or his designee, to apply for the Federal Transit Administration (FTA) Section 5339 Bus and Bus Facilities Discretionary Grant for an amount not to exceed $6,948,750, and to enter into an agreement with the FTA for the purpose of accepting awarded grants. Further request to authorize the City Treasurer to receive and the City Controller to disburse all funds related to this item.

Summary

The Section 5339 Bus and Bus Facilities Competitive Grant Program provides funds to state and local governmental authorities for capital projects to: replace, rehabilitate, purchase, or lease buses and related equipment; and rehabilitate, purchase, construct, or lease bus-related facilities. The purpose of this program is to improve the condition of the nation's public transportation bus fleet; expand transportation access to employment, educational, and healthcare facilities; and improve mobility options in rural and urban areas throughout the country. The Public Transit Department will seek to utilize a combination of the Section 5339 Grant and local matching funds to purchase up to 15 buses to replace aging buses that have been utilized beyond the end of their useful life.

The new buses will replace aging buses used to operate daily transit service and provide transportation for a large number of passengers to reach employment and employment-related services.

Financial Impact

Applications for the FTA Section 5339 Grant require a minimum 15 percent nonfederal cost share. The total cost of this purchase is estimated to be $8,175,000, with the City's portion not to exceed $1,226,250.The local match will come from Regional Public Transportation Funds (Prop. 400) for the nonfederal share.

This item was adopted.

53 Refuse Body Repair- Contract Recommendation (Ordinance S-46427)

Request to authorize the City Manager, or his designee, to enter into contracts with American Equipment Services, Inc., Amrep Manufacturing Company, LLC, Balar Holding Corp., dba Balar Equipment, BTE Body Company, Inc., Short Equipment, Inc., Spartan Truck Company, Inc., and Terrific Trucks & Equipment Sales, LLC., to provide refuse body repair services. These contracts will have a combined aggregate value of $7,000,000 over the life of the contracts. Further request the City Controller to disburse all funds related to this item.

Summary

The Public Works Department manages a fleet of approximately 300 solid waste refuse trucks, predominantly automated side loaders. Last fiscal year, approximately 400 different body repairs were made to the refuse truck fleet. Quick repair of these trucks minimizes downtime, allowing for timely provision of solid waste collection service to Phoenix residents. Contractors will perform all work in accordance with the current standards set forth by the original manufacturer (OEM) for electrical, welding and repair of refuse trucks.

Procurement Information

Invitation for Bid (IFB) 20-FSD-038 was conducted in accordance with Administrative Regulation 3.10. Eight groups were identified with the following different body types: Amrep, Bridgeport, Galbrath, Heil, McNeilus, NewWay, Scorpion, and Wayne. The Public Works

Department, Procurement Section, received eight bids for all eight groups of refuse body types with an evaluation occurring on labor rate and pick-up/delivery fees. Of the eight bids, seven were deemed responsive and responsible, with the below vendors being recommended for award:

Short Equipment- All groups: $279.75
Balar Equipment- All groups (excluding Amrep, and Bridgeport): $285.00
American Equipment Services- All groups: $292.50
Terrific Trucks & Equipment- All groups: $327.00
BTE Body Company- All groups: $360.00
Spartan Truck Company- All groups: $370.00
Amrep Manufacturing Company- All groups: $375.00

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

Financial Impact
These contracts will have a combined aggregate value of $7,000,000 over the life of the contracts.

Location
Locations that could request on-site or mobile repairs are:
Glenrosa Service Center: 4021 W. Glenrosa Ave., District 5
Okemah Service Center: 3828 E. Anne St., District 8
Salt River Service Center: 3045 S. 22nd Ave., District 7
Union Hills Service Center: 138 E. Union Hills Drive, District 2

This item was adopted.

54 Purchase of Trailer-Mounted Air Compressors - Contract Recommendation (Ordinance S-46431)

Request to authorize the City Manager, or his designee, to enter into a contract with Arizona Generator Technology, Inc., dba Gen-Tech, for purchase of trailer-mounted air compressors. This contract will have an estimated expenditure of $715,000. Further request to authorize the City

Controller to disburse all funds related to this item.

Summary
The Public Works Department will use this contract on an as-needed basis to purchase new trailer-mounted air compressors on behalf of other City departments including the Water Services and Street Transportation departments. Trailer-mounted air compressors are used to supply the air needed to operate jack hammers and other air-actuated tools and attachments. Various City departments use these compressors for activities including maintenance and upkeep of city streets, sidewalks, parks, and water mains.

Procurement Information
Invitation for Bid (IFB) 20-FSD-028 was conducted in accordance with Administrative Regulation 3.10. The Public Works Department received offers from two vendors. Gen-Tech was the bid deemed responsive and responsible.

Gen-Tech: $23,971 per unit

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

Financial Impact
This contract has an estimated aggregate amount of $715,000 over the life of the contract. Funds are available in the Water Services and Street Transportation departments' budgets.

This item was adopted.

55 SR85 Water Systems Operation and Maintenance Service - RFP 21-SW-001 - Requirements Contract (Ordinance S-46434)

Request to authorize the City Manager, or his designee, to enter into a contract with GHD Services, Inc. to provide water system operation and maintenance services for the Arizona State Route 85 (SR85) Landfill in an amount not to exceed $275,000 over the life of the contract. Further

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

Summary
Arizona Department of Environmental Quality (ADEQ) requires compliance with the State of Arizona Administrative Code (AAC) Title 18 Chapter 5. Therefore, the City requires the services of a certified water treatment system operator to operate and maintain the SR85 Landfill public water systems for the landfill administration offices and industrial building. Services include operating the water treatment plants and providing maintenance, repair and update work to the water treatment plants and related equipment. Although located in Buckeye, Ariz., municipal water services are not available in the area.

Procurement Information
Request for Proposal (RFP) 21-SW-001 was conducted in accordance with Administrative Regulation 3.10. Two offers were received by the Public Works Department on Nov. 13, 2019. The evaluation committee consisted of City staff from the Public Works and Water Services Departments. The offers were evaluated based on the following criteria: Proposer Qualifications and Experience (400 points), Staff Experience and Qualifications (225 points), Method of Approach (175 points), Certificates & Licenses (100 points), Rate Schedule (100 points).

GHD Services, Inc: 924 points

Matrix New World Engineering, Land Surveying and Landscape Architecture: 895 points

Public Works recommends that the offer from GHD Services, Inc. be accepted as the highest scored, responsive and responsible offeror.

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

Financial Impact
The total amount will not exceed $275,000 for the term of the contract including option years with an estimated annual expenditure of $55,000. Funds are available in the Public Works Department's budget.

Location
SR85 Landfill, 28633 W. Patterson Road, Buckeye, Ariz.
Council District: Out of City

This item was adopted.

56 Case Motor Graders - Contract Recommendation (Ordinance S-46439)

Request to authorize the City Manager, or his designee, to enter into a contract with Titan Machinery, Inc. for purchase of Case motor graders. This contract will have an aggregate amount not to exceed $1,100,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The Public Works Department has identified five older motor graders in the fleet that are experiencing excessive downtime with higher than average maintenance costs. These units will be replaced over the next five years. Case is the only manufacturer to produce a grader small enough to use in all alleyways. The Street Transportation Department uses these graders for general alley maintenance and draining ditch maintenance.

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a determination memo citing sole source. Titan Machinery, Inc. is the only authorized dealer of Case construction equipment in the State of Arizona.

Titan Machinery, Inc: $186,745.52 per unit

Contract Term
This contract will begin on or about April 1, 2020, for an initial one-year

term, with four option years to be exercised in increments of up to one year, for a total contract term of five years.

Financial Impact
This contract will have an aggregate expenditure not to exceed $1,100,000 over the life of the contract, including taxes and contract price increases due to inflation in the option years. Funds are available in the Street Transportation Department's budget.

This item was adopted.

57 Additional Expenditures for Preformed Thermoplastic Pavement Marking Materials - IFB 18-249A (Ordinance S-46432)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 147994 with Geveko Markings, Inc., for green preformed thermoplastic material. The additional amount of $151,500 is needed to complete current pavement maintenance projects. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
This contract provides thermoplastic pavement marking materials in a variety of colors and sizes and was intended primarily to supply commonly used yellow and white thermoplastic. With the approval of the Accelerated Pavement Maintenance program and corresponding additional bicycle lanes as called for under the T2050 plan, the need for green, reflective, 24-inch x 3-foot flat pre-cut line segments during this contract period is significantly greater than originally anticipated. This product is used to mark the pavement to indicate designated bicycle lanes. The Street Transportation Department anticipates continued need for this material.

The additional funds are needed to continue with projects already underway using green thermoplastic material. Thereafter, a new solicitation will be completed, for this color only, to ensure best pricing in accordance with the increase in projected purchase quantity. The new solicitation is expected to be complete by June 2020.

Contract Term

The current contract term, for remaining materials, is July 1, 2018 to June 30, 2023.

Financial Impact
Upon approval of the additional $151,500, the revised aggregate value will not exceed $492,905. Funds are available in the Street Transportation Department's budget.

Concurrence/Previous Council Action
The contract was originally approved by City Council on June 20, 2018.
This item was adopted.

58 **Water Production Wells and Aquifer Storage and Recovery Wells Phase 2 - Construction Manager at Risk Construction Services Amendment 1 - WS85010054, WS85010052 and WS85010045 (Ordinance S-46428)**

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 151455 with Felix Construction Company (Felix) to provide additional Construction Manager at Risk (CMAR) Services for the Water Production Wells and ASR Wells Phase 2 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 additional fee for services included in this amendment will not exceed $3,150,000.

Summary
The purpose of this project is to augment Phoenix's potable water resources during times of long-term water shortages, emergency outages, and meeting potable system demand balancing.

This amendment is necessary to add funds for GMP preparation and construction services. This amendment will also provide additional time to the agreement.

Felix Construction Company’s additional services include, but are not limited to: drilling two new wells and equipping three wells. The production capacity anticipated for the wells will be between 1,000 and 3,000 gallons-per-minute. Felix will be responsible for construction

means and methods related to the project and fulfilling the Small Business Enterprise program requirements. Felix will be required to solicit bids from prequalified subcontractors and to perform the work using the City's subcontractor selection process. Felix may also compete to self-perform limited amounts of work.

Contract Term

The term of the agreement amendment is three years and six months 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

This amendment will add funds to the construction services agreement, for a total not-to-exceed agreement value of $3,150,000, including all subcontractor and reimbursable costs.

Funding for this amendment 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 the 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:

Preconstruction Services Agreement 151454, and Construction Services Agreement 151455 (Ordinance S-46273) on Jan. 8, 2020

This item was adopted.

59 Lift Station 43 Operational Improvements - Design-Bid-Build - Change Order 2 - WS90400070 (Ordinance S-46429)

Request to authorize the City Manager, or his designee, to execute a change order to Agreement 147764 with Quest Civil Contractors, LLC, to provide additional construction services for the Lift Station 43 Operational Improvements project. Further request to authorize execution of

amendments to the agreement as necessary within the Council-approved expenditure authority provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed $385,376.

Summary

The purpose of this project is to demolish existing pump equipment, install three new 85-hp submersible raw sewage pumps in the spare north wet well and associated discharge piping. Improvements to the facility will include: new discharge piping including valves and magnetic flow meters; construction of wet well interior, perimeter wall, and earthwork; and replacement of the service entrance section which includes replacing two variable frequency drives with three reduced voltage soft starters, along with installation of cathodic protection and replacement of scrubber with biofilter retrofitted to the existing system.

Change Order 1, executed June 3, 2019, added an additional 170 days due to a change in the technical specifications for the pipe lining for a new final completion date of Dec. 24, 2019.

Change Order 2 is necessary because several unforeseen conditions such as pipe lining material changes, material tariffs, a reconfiguration of the pig-launching system, and additional bypass pumping considerations have resulted in an overall cost increase as the project is nearing substantial completion. Additional funding is needed to address costs associated with the requested changes.

Contract Term

The contract term remains the same. Work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past termination of the contract. No additional changes may be executed after the end of the term.

Financial Impact

The initial agreement for Design-Bid-Build Services was executed for a fee not-to-exceed $3,696,696, including all subcontractor and reimbursable costs;

Change Order 2 will increase the agreement by an additional $385,376,

for a new total not-to-exceed agreement value of $4,082,072, including all subcontractors and reimbursable costs.

Funding for this change order 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 the 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 Services Agreement 142740 (Ordinance S-42611) on June 1, 2016;

Construction Administration and Inspection Services Agreement 145425 (Ordinance S-43666) on June 21, 2017;

Design-Bid-Build Agreement 147764 (Ordinance S-44668) on June 6, 2018.

Location

Near Southern and 75th Avenues

Council District: 7

This item was adopted.

60 Licensing for Bridge Management Software - American Association of State Highway and Transportation Officials (Ordinance S-46445)

Request City Council approval for the City Manager, or his designee, to authorize payment to the American Association of State Highway and Transportation Officials (AASHTO) for bridge management software licensing for the Street Transportation Department in an amount not to exceed $300,000 for five years. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The AASHTOWare Bridge Rating analytical software allows the City to perform bridge load ratings for determining maintenance needs, assuring public safety, scheduling retrofit or replacement elements, and assessing overload for Federal reporting purposes. The City has utilized this

software and has renewed the software license annually for the last 10 years. The payment authority will cover the next five years of software products and license usage for fiscal years (FY) 2020-24.

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

Financial Impact

The total estimated cost, which includes five years of license usage fees, is an amount not to exceed $300,000. Funds are available in the Street Transportation Department's budget.

This item was adopted.

61 Water Quality and Hydraulics Study - Engineering Services - WS85700099 (Ordinance S-46463)

Request to authorize the City Manager, or his designee, to enter into an agreement with Carollo Engineers, Inc. (Carollo), to provide Engineering Services that include study services for the Water Quality and Hydraulics Study 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 $849,000.

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 study is to assess potential system-wide operating scenarios, anticipate any water quality or hydraulic issues, and advise and develop recommendations for operations and improvements in the event that restrictions are placed on Colorado River water delivered through the Central Arizona Project (CAP).

Carollo's services include, but are not limited to: evaluate and provide input on future operating scenarios including use of wells and new infrastructure to deliver Salt River Project (SRP) water to north pressure zones; develop blend scenarios and perform hydraulic modeling analysis to simulate distribution system conditions, including when wells are at high production rates and when SRP water is being delivered to north pressure zones; perform field investigations, sampling, and testing as needed to assist in meeting project goals; confirm water quality model results with bench testing; provide recommendations to provide stable water quality meeting regulatory requirements and treatment chemicals/processes that will be integrated with existing City facilities, if needed; assist the City with developing an implementation plan to bring on-line the future new Zone 3D and 4A resiliency infrastructure and an operations plan for various future scenarios; and provide a distribution modeling system plan for long-term monitoring of distribution system piping changes.

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 the scoring results until an agreement is awarded. Nine firms submitted proposals and are listed below:

Selected Firm
Rank 1: Carollo Engineers, Inc.

Additional Proposers
Rank 2: Brown and Caldwell, Inc.
Rank 3: Stantec Consulting Services Inc.
Rank 4: HDR Engineering, Inc.
Rank 5: Black & Veatch Corporation
Rank 6: Garver LLC
Rank 7: CDM Smith Inc.
Rank 8: Greeley and Hansen LLC
Rank 9: Primatech, L.L.C.

Contract Term

The term of the agreement is four 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 Carollo Engineers, Inc. will not exceed $849,000, 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.

This item was adopted.

62 **Intergovernmental Agreements with Flood Control District of Maricopa County for Paradise Ridge Flood Control Project Under Capital Improvement Projects Prioritization Process (Ordinance S-46461)**

Request City Council approval to authorize the City Manager, or his designee, to apply for, accept funds, and enter into Intergovernmental Agreements (IGAs) with the Flood Control District of Maricopa County (FCDMC) for the Paradise Ridge Flood Control project under the Capital Improvement Projects Prioritization Process (CIPPP). Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The preliminary estimate for the overall project is estimated at $32 million, which will be split 50/50 between the City ($16 million) and FCDMC ($16 million) for project design development, right-of-way acquisition, utility coordination/relocation, and construction implementation.

Summary

The FCDMC's CIPPP identifies potential capital projects for FCDMC participation. Flood control projects recommended through this

procedure may become eligible to receive future FCDMC funding, subject to budgetary constraints and contingent upon approval by the FCDMC's Board of Directors.

Currently under separate project development and implementation is the upstream Rawhide Wash Flood Hazard Mitigation project in the City of Scottsdale. The project improvements include construction of new floodwalls and levees, augmentation of existing floodwalls and levees, and containment facilities and would reduce the existing floodplain. After completion of the proposed project, approximately 960 acres of developable land within City of Phoenix jurisdiction (Paradise Ridge Area) would no longer be designated in a Federal Emergency Management Agency (FEMA) special flood hazard delineated floodplain and approximately 1,710 acres of floodplain would remain.

Floodplain Management staff, in collaboration with the Planning and Development Department, recommends submission of the Paradise Ridge Flood Control project for consideration for future funding under the FCDMC's CIPPP. This project would be the continuation of the upstream Rawhide Wash Flood Hazard Mitigation project in the City of Scottsdale that would extend into the City of Phoenix. The northern limit of the project is at the Scottsdale Road bridge outlet and the project extends approximately 3.5 miles downstream with a southern limit at the impoundment of the U.S. Bureau of Reclamation Dike No. 2 just north of the Central Arizona Project canal. The project would consist of an engineered natural desert trapezoidal channel with pertinent facilities and engineered structural elements to provide the conveyance and contain the existing floodplain within a new proposed channel. This project would ultimately remove the remaining 1,710 acres in Phoenix’s Paradise Ridge Area from the floodplain. FCDMC will be the lead agency for the development of the project.

Financial Impact

Paradise Ridge Flood Control Project: The total estimated project cost is approximately $32 million dollars with a proposed FCDMC / City of Phoenix 50/50 cost share. It is anticipated that funding for the City portion will come entirely from the new Paradise Ridge Drainage Impact Fee recently adopted by Council.

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

Location
The northern limit of the project is at the Scottsdale Road bridge outlet and the project extends approximately 3.5 miles downstream with a southern limit at the impoundment of the U.S. Bureau of Reclamation Dike No. 2 just north of the Central Arizona Project canal.

Council District: 2

This item was adopted.

63 Supply of Dry Ice Contract (Ordinance S-46430)

Request to authorize the City Manager, or his designee, to enter into an agreement with The Tool Den, to provide dry ice for the purpose of mosquito mitigation at the 91st Avenue Wastewater Treatment Plant and Tres Rios Wetlands. Further request to authorize execution of amendments to the agreement as necessary within Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total agreement value will not exceed $21,200.

Summary
The purpose of this contract is to obtain dry ice for the purpose of attracting mosquitoes into traps at the 91st Avenue Wastewater Treatment Plant and Tres Rios Wetlands. The dry ice is placed into the traps, and lasts approximately 12 hours. Traps are set and retrieved once per week at fixed trapping locations throughout the wastewater treatment plant and wetlands. Due to the limited shelf life of dry ice, a weekly supply is required during periods of high mosquito activity.

The Tool Den's services include, but are not limited to, provision and storage of dry ice.

Procurement Information

The selection was made using a Request for Quotation (RFQ) procurement process as set forth in the City of Phoenix Administration Regulation 3.10.

The RFQ was sent to 64 vendors.

Selected Vendor
The Tool Den

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

Financial Impact
The agreement value for the Contractor will not exceed $21,200.

Location
91st Avenue Wastewater Treatment Plant and Tres Rios Wetlands
Council District: 7

This item was adopted.

64 Sandblasting and Coating Services (Ordinance S-46440)

Request to authorize the City Manager, or his designee, to enter into an agreement with Riddle Painting and Coatings Company to provide sandblast and coating services for the Water Services Department for a five-year term. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total agreement value will not exceed $247,500.

Summary
Sandblasting and coating services are needed to remove rust and debris in order to extend the life of various equipment such as storage tanks, pipes, pump heads, impellers and bowls, that are used at Water and Wastewater Treatment Plants.

Procurement Information

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

Five bidders submitted bids and all were deemed responsive.

Riddle Painting and Coatings Company
Professional Piping Systems
Riley Industrial Services
Terrific Trucks and Equipment Sales
AIMS Companies

Selected Bidder:
Riddle Painting and Coatings Company

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

Financial Impact
The agreement value for Riddle Painting and Coatings Company will not exceed a total value of $247,500. Funding is available in the Water Services Department's operating budget.

This item was adopted.

65 Development Agreement Between City of Phoenix and J&D Concepts, LLC. for Upsizing of a Water Main in Foothill Drive from 27th Avenue to 29th Avenue (Ordinance S-46449)

Request to authorize the City Manager, or his designee, to enter into a Development Agreement between the City of Phoenix and J&D Concepts, LLC (Developer) to allow the Developer to pay the City an amount of $13,890 in lieu of the requirement to upsize approximately 1,310 feet of a substandard water main in Foothill Drive. Further request to authorize the Controller to disburse and City Treasurer to accept all funds related to this item.

Summary
The Developer owns approximately 4.2 acres of property consisting of

two lots at the northwest corner of 27th Avenue and Foothill Drive. To facilitate this development, local improvements to public infrastructure are necessary. The improvements include upsizing a substandard 4-inch water main in Foothill Drive to an 8-inch main from 27th to 29th Avenue. The Developer has agreed to pay funds to the City to upsize the water line and complete associated street pavement repairs. This payment will satisfy the Developer's stipulation to upsize the substandard water main in order to meet the site fire flow requirements. The Developer will promptly pay $13,890 to the City of Phoenix to satisfy the Developer's obligations for water main upsizing and street repair.

Financial Impact
The Developer will pay the City of Phoenix a one-time payment of $13,890.

Location
Northwest corner of 27th Avenue & Foothill Drive
Council District: 1

This item was adopted.

66 **Development Agreement Between City of Phoenix and 43 LB Owner, LP for Installation of Water Main in Magnolia Street Frontage (Ordinance S-46450)**

Request to authorize the City Manager, or his designee, to enter into a Development Agreement between the City of Phoenix and 43 LB Owner, LP (“Developer”) to allow the Developer to pay the City an amount of $57,940 in lieu of the requirements to extend an 8-inch main and perform associated street pavement repairs through the remaining 100-foot segment of Magnolia Street fronting this development. Further request to authorize the City Treasurer to accept all funds, and the City Controller to disburse all funds, related to this item. Also request to repeal Ordinance S-45807.

Summary
The Developer owns approximately 4.86 acres of property on the west side of 43rd Avenue between Lower Buckeye Road and Magnolia Street. This development was stipulated to extend an 8-inch water main within

Magnolia Street for approximately 100 feet, which will connect to a water main in 43rd Avenue. Due to the difficult installation of the water main extension across an existing high-pressure gas line and the associated permitting of the construction, the Developer will promptly pay $57,940 to the City to satisfy the Developer's obligations for water main installation and street pavement repair. The City will complete the construction of the water main extension.

The Development Agreement will commence when both parties have signed the Development Agreement and will require the Developer to deposit the $57,940 into an interest-bearing escrow account, which will be maintained as a money market account or its equivalent. The City will withdraw funds from the account as it incurs costs for the water line installation and will not require any additional funds from the Developer beyond what is deposited in the escrow account. The City will take all necessary measures to close the account and return any remaining funds to the Developer after completion of the water main installation or the tenth anniversary of the Development Agreement, whichever comes first.

This authority to enter into the Development Agreement with Developer replaces the City's prior authorization to enter such an agreement with an affiliated entity (43rd - Buckeye LP) that has since made some changes in ownership, so repeal of Ordinance S-45807 is requested.

Financial Impact
The Developer will pay the City a one-time payment of $57,940.

Location
On the west side of 43rd Avenue between Lower Buckeye Road and Magnolia Street.
Council District: 7

This item was adopted.

67 Valve Contracts (Ordinance S-46465)

Request to authorize the City Manager, or his designee, to amend agreements: 140434 with ALB Piping Products & Services LLC; 140435 with Core & Main LP; 140436 with Dana Kepner; 140438 with Dezurik;

140440 with Instrumentation and Control LLC; and 140441 with Miscowater to provide valves, new parts, accessories and services by extending each agreement term through June 30, 2021 and adding additional spending capacity to the agreements. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed $990,866.

Summary
These contracts provide valves, new parts, accessories and services necessary to replace and/or maintain equipment for the Water Services Department (WSD). The Procurement Officer identified State of Arizona contracts that could potentially cover the needs of WSD. Upon further review, the vendors from the State's contracts do not meet the needs of core line items used by WSD and therefore cannot be added. This extension is necessary to provide enough time for WSD to conduct a competitive procurement process for new agreements.

Contract Term
Each of the remaining agreement terms expire March 31, 2020. This amendment will extend each agreement through June 30, 2021.

Financial Impact
The initial agreements were for executed for a fee not-to-exceed $8,800,534.
This amendment will increase the agreement by an additional $990,866, for a new total not-to-exceed agreement value of $9,791,400.

Funds are available in the Water Services Department's Operating and Capital Improvement Program budgets.

Concurrence/Previous Council Action
The City Council approved Agreements 140434-140441 (Ordinance S-41577) on April 15, 2015.

This item was adopted.

69 Modification of Stipulation Request for Ratification of Feb. 19, 2020 Planning Hearing Officer Action - Z-27-B-01-7 - Approximately 1,750 Feet West of the Southwest Corner of 75th Avenue and Lower Buckeye Road

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Feb. 19, 2020. This ratification requires formal action only.

Summary

Application: PHO-1-20_Z-27-B-01-7
Existing Zoning: C-2 PCD (Approved R-3A PCD)
Acreage: 9.64

Applicant: Aaron Sher, Nextgen Apartments
Owner: Retreat at Tuscano LLC
Representative: Aaron Sher, Nextgen Apartments

Proposal:
Modification of Stipulation 1 regarding general conformance to the site plan date stamped Aug. 4, 2006.
Modification of Stipulation 2 regarding general conformance with the elevations date stamped Aug. 4, 2006.
Modification of Stipulation 2.B regarding apartment building construction materials.
Modification of Stipulation 2.C regarding garage door architectural details.
Deletion of Stipulation 3.B regarding a non-access controlled multi-use trail on the south property line.
Technical corrections to Stipulations 3, 9, 12, 15, 16, 19, 21, 22, 25.A, 25.A.3, 25.B, 25.B.4, 26, and 27.B.

Concurrence

Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard this case on Feb. 18, 2020, and recommended approval with a modification by a 6-0 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Feb. 19, 2020, and recommended denial as filed and approval with modifications and an additional stipulation. Please see

Attachment A for a complete list of the Planning Hearing Officer's recommended stipulations.

Location
Approximately 1,750 feet west of the southwest corner of 75th Avenue and Lower Buckeye Road
Council District: 7
Parcel Address: N/A

This item was approved.

70 Modification of Stipulation Request for Ratification of Feb. 19, 2020 Planning Hearing Officer Action - Z-122-03-7 - Approximately 315 Feet North of the Northwest Corner of 51st Avenue and Southern Avenue

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Feb. 19, 2020. This ratification requires formal action only.

Summary
Application: PHO-2-20--Z-122-03-7
Existing Zoning: S-1 (Approved C-2)
Acreage: 4.50

Applicant: Rosa Pritchett, Andrews Design Group
Owner: Laveen 51 2019 LLC
Representative: Rosa Pritchett, Andrews Design Group

Proposal:
Modification of Stipulation 1 regarding general conformance with the site plan dated March 10, 2006.
Deletion of Stipulation 6 regarding landscaped fingers.
Modification of Stipulation 10 regarding equestrian amenities.
Modification of Stipulation 13 regarding general conformance to the elevations dated March 10, 2006 and specific design requirements.
Deletion of Stipulation 20 requiring the developer to present final landscape plans to the Laveen VPC for review.
Modification of Stipulation 23 regarding general conformance to sign designs dated April 28, 2004.

Technical corrections to Stipulation 3, 4, 5, 11, 12, and 16.

Concurrence
Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee heard this case on Feb. 10, 2020 and recommended approval with modifications and an additional stipulation by an 11-0 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Feb. 19, 2020, and recommended denial as filed and approval with modifications and additional stipulations. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location
Approximately 315 feet north of the northwest corner of 51st Avenue and Southern Avenue
Council District: 7
Parcel Address: N/A

This item was approved.

71 **Modification of Stipulation Request for Ratification of Feb. 19, 2020 Planning Hearing Officer Action - Z-180-04-7 - Southwest Corner of the 65th Avenue and South Mountain Avenue Alignments**

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Feb. 19, 2020. This ratification requires formal action only.

Summary
Application: PHO-2-19--Z-180-04-7
Existing Zoning: S-1 (Approved R1-8), S-1 (Approved R-2)
Acreage: 175.93

Applicant: Sara Andrews, Meritage Homes
Owner: Williams Family Living 1996 Trust
Representative: Jorge Villasenor, EPS Group Inc.

Proposal:
Modification of Stipulation 1 regarding development of the project site.

Modification of Stipulation 1.A regarding the site plan date stamped Dec. 22, 2004.
Modification of Stipulation 1.B regarding the land use table dated Dec. 1, 2004.
Modification of Stipulation 1.C regarding the landscape master plan dated Dec. 1, 2004.
Modification of Stipulation 1.D regarding the open space amenitites plan dated Dec. 1, 2004.
Modification of Stipulation 2 regarding general conformance to the site plan date stamped Dec. 22, 2004.
Modification of Stipulation 2.A regarding setbacks on the west boundary.
Modification of Stipulation 2.B regarding cul-de-sacs along Dobbins Road.
Modification of Stipulation 2.C regarding perimeter wall offsets.
Modification of Stipulation 3 regarding the school site.
Review and approval of residental and commercial elevations by the Planning Hearing Officer per Stipulation 4.
Modification of Stipulation 5 regarding master plans.
Deletion of Stipulation 5.H. regarding the master lighting plan.
Modification of Stipulation 7 regarding a comprehensive sign plan.
Modification of Stipulation 19 regarding rear yard setback variation.
Modification of Stipulation 22.C regarding split rail fences.
Technical corrections to Stipulations 2.D, 2.E, 6, 8, 9, 14, 15, 22.B, and 25.

Concurrence

Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee heard this case on Feb. 10, 2020 and recommended approval with modifications and additional stipulations by an 8-2 vote.

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Feb. 19, 2020, and recommended denial as filed and approval with modifications and additional stipulations. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location

Southwest corner of the 65th Avenue and South Mountain Avenue

Alignments
Council District: 7
Parcel Address: N/A

This item was continued to the June 3, 2020 City Council Formal Meeting.

72 Final Plat - Avilla Gateway - 190035 - North of Indian School Road and West of 99th Avenue

Plat: 190035
Project: 18-1836
Name of Plat: Avilla Gateway
Owner(s): Nexmetro Gateway, LLC
Engineer(s): Coe & Van Loo Consultants, Inc.
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Jan. 22, 2020
Final Plat requires Formal Action Only

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

Location
Generally located north of Indian School Road and west of 99th Avenue.
Council District: 5

This item was approved.

73 Final Plat - 7035 West Buckeye Road - 180008 - Southeast Corner of 71st Avenue and Buckeye Road

Plat: 180008
Project: 17-1253
Name of Plat: 7035 West Buckeye Road
Owner(s): Amazon.com.AZDC, LLC
Engineer(s): Hunter Engineering, LLC
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Feb. 21, 2020
Final Plat requires Formal Action Only

Summary
Staff requests that the above plat be approved by the City Council and

certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public.

Location
Generally located at the southeast corner of 71st Avenue and Buckeye Road.
Council District: 7

This item was approved.

74 Final Plat - Lot 11 Estrella Town Center - 190116 - North of Lower Buckeye Road and West of 75th Avenue

Plat: 190116
Project: 04-1947
Name of Plat: Lot 11 Estrella Town Center
Owner(s): HH-Estrella, LLC
Engineer(s): Larson Engineering
Request: A 7 Lot Commercial Plat
Reviewed by Staff: Feb. 25, 2020
Final Plat requires Formal Action Only

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

Location
Generally located north of Lower Buckeye Road and west of 75th Avenue.
Council District: 7

This item was approved.

75 Final Plat - 12th Street & Baseline - 190056 - 12th Street and Baseline Road

Plat: 190056
Project: 18-224
Name of Plat: 12th Street & Baseline
Owner(s): Tru Vista 5, LLC
Engineer(s): 3 Engineering
Request: A 38 Lot Residential Plat

Reviewed by Staff: Jan. 27, 2020
Final Plat requires Formal Action Only

Summary
Staff requests that the above plat be approved by the City Council and certified by the City Clerk. This plat must record after the sewer easement: Ordinance S-46411. Recording of the plat dedicates the streets and easements as shown to the public.

Location
Generally located north of Baseline Road, east of 12th Street.
Council District: 8

This item was approved.

76 Final Plat - Arizona Pacific Pulp & Paper - 190079 - East of 36th Street and North of Superior Avenue

Plat: 190079
Project: 01-19773
Name of Plat: Arizona Pacific Pulp & Paper
Owner(s): BNF, LLC
Engineer(s): Alliance Land Surveying, LLC
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Feb. 12, 2020
Final Plat requires Formal Action Only

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

Location
Generally located east of 36th Street and north of Superior Avenue.
Council District: 8

This item was approved.

77 Final Plat - Central Logistics Center - 190076 - East of Central Avenue and South of Buckeye Road

Plat: 190076
Project: 05-512
Name of Plat: Central Logistics Center

Owner(s): PR VWP Central Property, LLC
Engineer(s): Survey Innovation Group, Inc.
Request: A 6 Lot Commercial Plat
Reviewed by Staff: Feb. 12, 2020
Final Plat requires Formal Action Only

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with Abandonment V190046A. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

Location

Generally located east of Central Avenue and south of Buckeye Road.
Council District: 8

This item was approved.

78 **Abandonment of Right-of-Way - V190036A - Minnezona Circle located East of Northeast Corner of 32nd Street and Campbell Avenue (Resolution 21813)**

Abandonment: V190036A
Project: 18-4111
Applicant(s): Ed Bull; Ed Bull, Burch, Cracchiolo, P.A.
Request: To abandon a 50-foot right-of-way of Minnezona Circle; per subdivision plat "Nuevo Ventura', Book 109, Page 20.
Date of Hearing: July 11, 2019
This file is a companion case to Z-29-19-6 and both files need to be heard concurrently, with the zoning case first, followed by the Abandonment of Right of Way.

Location

Minnezona Circle located east of the northeast corner of 32nd Street and Campbell Avenue
Council District: 6

Financial Impact

A fee was also collected as part of this abandonment in the amount of $2,965.10.

This item was adopted.

79 Abandonment of Easement - V190046A - East of Central Avenue and South of Buckeye Road (Resolution 21812)

Abandonment: V190046A
Project: 05-512
Applicant: Eric Whitehurst; Kimley-Horn
Request: To abandon certain easements in their entirety, including a PUE per Doc 94-173254, a PUE per Doc 85-470294, and a Water/Sewer Easement per DKT 1507, PG 237.
Date of Decision: Dec. 9, 2019

Summary
The resolution of the abandonment and the commercial plat Final Plat for "Central Logistics Center," Plat 190076, are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

Location
East of Central Avenue and South of Buckeye Road
Council District: 8

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.

80 Planning and Development Department Residential and Commercial Building Field Inspection On-Call Services (Ordinance S-46456)

Request to authorize the City Manager, or his designee, to enter into separate agreements with the four consultants listed below, to provide Residential and Commercial Building Field Inspection On-Call services

for the Planning and Development Department. 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 total fee for services will not exceed $3 million aggregate.

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 On-Call consultants will be responsible for providing On-Call Residential and Commercial Building Field Inspection services that include, but are not limited to: field inspections of new construction, alterations, and repairs submitted by commercial and residential property owners for compliance with the Phoenix Building Construction Code and Fire Codes.

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. Four firms submitted proposals and are listed below.

Selected Firms
Rank 1: Onsite Engineering, P.L.C.
Rank 2: Willdan Engineering Inc.
Rank 3: Bureau Veritas Certification North America, Inc.
Rank 4: Shums Coda Associates, Inc.

Contract Term

The term of each agreement is up to two years, or up to $3 million, whichever occurs first. 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 each of the On-Call consultants will not exceed $3 million, including all subconsultant and reimbursable costs. The total fee for all services will not exceed $3 million aggregate.

Funding is available in the Planning and Development Department's Operating budget. The Budget and Research Department will review and approve funding availability prior to issuance of any on-call task order of $100,000 or more. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

This item was adopted.

81 Intergovernmental Agreement between State of Arizona and City of Phoenix for Paradise Ridge Flood Control Improvement Funding and Reimbursement (Ordinance S-46460)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the Arizona State Land Department (ASLD) to provide construction of a storm drainage facility project in the vicinity of Paradise Ridge, which is an approximately 5,000-acre parcel located on the northwest corner of 56th Street and the Loop 101 Freeway. Approval of this item will allow for development of a strategically valuable parcel from an economic development perspective. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item. This file is a companion case and will be heard consecutively with: Intergovernmental Agreements with Flood Control District of Maricopa County for Paradise Ridge Flood Control Project under Capital Improvement Projects Prioritization Process.

Summary

The City is currently participating in the Rawhide Wash Flood Hazard Mitigation Project (RWFHMP), a joint effort with the Flood Control District of Maricopa County (FCDMC) and the City of Scottsdale (COS) to design and construct flood control improvements that will contain a Federal Emergency Management Agency (FEMA) special flood hazard delineated floodplain that currently impacts land in Scottsdale and Phoenix.

The proposed Paradise Ridge Flood Control Project (PRFCP) represents a specific segment of the RWFHMP that is wholly within Phoenix city limits, and would involve a joint effort of the City, the FCDMC, and ASLD. Under the proposed arrangement, FCDMC would manage the project and contribute half of the required funds necessary for design and construction. ASLD would advance funds up to $19 million to cover the remaining costs for design and construction, and ensure the required land is made available for the flood control facilities. The City would collect the Paradise Ridge Storm Drainage Impact Fee that was recently approved by City Council to reimburse ASLD as the benefitting lands develop, which are all ASLD owned lands. Upon completion of the project, the City would maintain the flood control facilities.

Proposed Paradise Ridge Flood Control Project IGA with ASLD Deal Points

ASLD will advance funds up to a maximum of $19 million towards the design and construction of the project, which will be used by the City to match the funding contribution of the FCDMC. The most recent estimate provided by the FCDMC's design concept report indicates that the City's share of the project would be $16 million but this is a preliminary estimate and actual costs could be higher or lower.

ASLD will ensure that land is made available for construction of the project by attaching that right-of-way (ROW) to the future sale of the parcel and requiring the successful purchaser to then transfer that land to the FCDMC. That land would eventually be transferred to the City, to allow it to meet its obligation to maintain the project once constructed.

After the project is completed, the City will collect impact fees through the recently-adopted Paradise Ridge Storm Drainage Impact Fee and then transfer to ASLD on an annual basis the proceeds of the fees collected. Only drainage impact fees will be used to repay ASLD, and

the rate of repayment will depend entirely on ASLD's sale of land in the benefitting area and subsequent pulling of permits and paying of drainage impact fees.

Once the full actual cost of design and construction is known, the City will review, and if necessary revise, the Paradise Ridge Storm Drainage Impact Fee to ensure that adequate amounts are collected to reimburse ASLD.

To compensate ASLD for the opportunity cost of contributing its funds, the drainage impact fee will include a 1.9 percent charge on outstanding principal balances that will be calculated once a year. The City will periodically estimate the total cost of repaying ASLD, with the additional charge, and if necessary revise the drainage impact fee to ensure adequate funds are collected.

If the City's anticipated share of design and construction costs exceeds the $19 million that ASLD will provide, the City has the option of adding $2 million in additional funds that would be repaid from future Paradise Ridge Storm Drainage Impact Fees. If the City provides additional funding, the City would be repaid from available drainage fees before ASLD is repaid from the same source.

Financial Impact

The City's financial impact is expressly limited to storm drainage impact fees collected in the Paradise Ridge Impact Fee Area. The City's obligation to make reimbursement payments to the ASLD is dependent upon the availability of impact fee revenue. There is no maturity date or scheduled amortization on the reimbursement, and no recourse to require reimbursement from other City revenue sources. Approval of this item will not cost the General Fund money and if awarded the matching funds from the Maricopa County Flood Control District alleviate a significant barrier to developing this strategically located parcel for future economic development.

Concurrence/Previous Council Action

This item was recommended for approval at the Transportation, Infrastructure and Innovation Subcommittee meeting on March 4, 2020 by a vote of 4-0.

Location

Desert View Village - generally east of 64th Street between the Central Arizona Project Canal and Pinnacle Peak Road.
Council District: 2 and Out of City

This item was adopted.

82 **Amend City Code - Ordinance Adoption - Rezoning Application Z-32-19-6 (Clarendale Arcadia PUD) - Approximately 360 Feet South of the Southeast Corner of 32nd Street and Camelback Road (Ordinance G-6685)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-32-19-6 and rezone the site from C-O/M-O SP to PUD for assisted living, memory care, and accessory uses.

Summary
Current Zoning: C-O/M-O SP
Proposed Zoning: PUD
Acreage: 5.86 acres
Proposal: Planned Unit Development to allow assisted living, memory care, and accessory uses.

Owner: Lako Limited Partnership
Applicant: Ryan Companies Senior Living
Representative: Stephen C. Earl - Earl, Curley & Lagarde, PC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee meeting heard this case on Jan. 7, 2020, and recommended approval, per the staff recommendation with a modified stipulation by an 18-1 vote.
PC Action: The Planning Commission heard this case on Feb. 6, 2020, and recommended approval, per the staff memo dated Feb. 6, 2020 with additional stipulations by a 9-0 vote.

Location
Approximately 360 feet south of the southeast corner of 32nd Street and Camelback Road
Council District: 6
Parcel Addresses: 3233 E. Camelback Road

This item was adopted.

83 **(CONTINUED FROM JAN. 8 AND MARCH 4, 2020) - Amend City Code - Ordinance Adoption - Rezoning Application Z-29-19-6- Approximately 235 Feet East of the Northeast Corner of 32nd Street and Campbell Avenue (Ordinance G-6658)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-29-19-6 and rezone the site from R1-6 to P-1 to allow parking to serve adjacent businesses.

Summary
Current Zoning: R1-6
Proposed Zoning: P-1
Acreage: 0.78
Proposed Use: Parking to serve adjacent businesses

Owner: James Aaron Klusman
Applicant: Ed Bull, Burch & Cracchiolo, PA
Representative: Ed Bull, Burch & Cracchiolo, PA

Staff Recommendation: Approval subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard this case on Aug. 6, 2019, and recommended approval per the staff recommendation by a 15-0 vote.
PC Action: The Planning Commission heard this case on Dec. 5, 2019, and recommended approval per the Camelback East Village Planning Committee recommendation by a 9-0 vote.

Location
Approximately 235 feet east of the northeast corner of 32nd Street and Campbell Avenue
Council District: 6
Parcel Addresses: 3216 and 3220 E. Minnezona Circle

This item was adopted.

85 **(CONTINUED FROM MARCH 4, 2020) - Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application PHO-2-19_Z-SP-5-14-4 - Approximately 420 Feet North of the Northeast Corner of 7th Street and Indian School Road (Ordinance**

G-6683)

Request to hold a public hearing on the Planning Hearing Officer rezoning application for the following item and consider adoption of the Planning Hearing Officer's recommendation on Dec.18, 2019.

Summary
Application: PHO-2-19_Z-SP-5-14-4
Existing Zoning: C-2 HGT/WVR SP
Acreage: 3.13
Applicant: Susan E. Demmitt, Gammage & Burnham, PLC
Owner: Quick N Clean 44 LLC, 4201 N 7th SP LLC
Representative: Susan E. Demmitt, Gammage & Burnham, PLC

Proposal:
1. Modification of Stipulation 1 regarding general conformance to the site plan date stamped Feb. 2, 2018 and elevations date stamped Feb. 2, 2018.

Location
Approximately 420 feet north of the northeast corner of 7th Street and Indian School Road
Council District: 4
Parcel Address: N/A

Concurrence
Village Planning Committee (VPC) Recommendation: The Encanto Village Planning Committee heard this case on Dec. 2, 2019 and recommended approval with additional stipulations by a 7-5 vote.
PHO Action: The Planning Hearing Officer heard this case on Dec. 18, 2019 and recommended approval with modifications and additional stipulations. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

This item was withdrawn.

86 **(CONTINUED FROM MARCH 4, 2020) - Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application PHO-2-19_Z-118-14-4 - Approximately 420 Feet North of the Northeast Corner of 7th Street and Indian School Road (Ordinance**

G-6684)

Request to hold a public hearing on the Planning Hearing Officer rezoning application for the following item and consider adoption of the Planning Hearing Officer's recommendation on Dec. 18, 2019.

Summary
Application: PHO-2-19_Z-118-14-4
Existing Zoning: C-2 HGT/WVR SP
Acreage: 3.13
Applicant: Susan E. Demmitt, Gammage & Burnham, PLC
Owner: Quick N Clean 44 LLC, 4201 N 7th SP LLC
Representative: Susan E. Demmitt, Gammage & Burnham, PLC

Proposal:
1. Modification of Stipulation 1 regarding general conformance to the site plan date stamped Jan. 10, 2018 and elevations date stamped Feb. 2, 2018.

Concurrence
Village Planning Committee (VPC) Recommendation: The Encanto Village Planning Committee heard this case on Dec. 2, 2019 and recommended approval with additional stipulations by a 7-5 vote.
PHO Action: The Planning Hearing Officer heard this case on Dec. 18, 2019 and recommended approval with modifications and additional stipulations. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location
Approximately 420 feet north of the northeast corner of 7th Street and Indian School Road
Council District: 4
Parcel Address: N/A

This item was withdrawn.

87 **Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-51-19-4 - Northeast Corner of 7th Street and Thomas Road (Ordinance G-6686)**

Request to hold a public hearing on the rezoning application for the following item and consider adoption of the Planning Commission's recommendation and the related Ordinance if approved. The request is to rezone the site from R-5 M-R to PUD (Planned Unit Development) to allow a mixed-use development.

Summary
Current Zoning: R-5 M-R
Proposed Zoning: PUD
Acreage: 2.94
Proposed Use: Planned Unit Development (PUD) to allow mixed-use development

Owner: Phoenix Country Club
Applicant: AGS, LLC
Representative: Jason B. Morris, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Encanto Village Planning Committee heard this case on Feb. 3, 2020, and recommended denial by a 6-5 vote.
PC Action: The Planning Commission heard this case on March 5, 2020 and recommended approval, per staff memo dated March 5, 2020 by a 6-2 vote.

Location
Northeast corner of 7th Street and Thomas Road
Council District: 4
Parcel Address: 2901 N. 7th St.

This item was continued to the April 1, 2020 City Council Formal Meeting.

88 Request City Council Confirmation of Mayoral Declaration of a Local Emergency

Request for the City Council to confirm a declaration by Mayor Kate Gallego by proclamation of the existence of a local emergency in the City of Phoenix, as required by the Phoenix City Code, Chapter 11, section 3.

The Phoenix City Code, section 11-3(B), and Arizona Revised Statutes, section 26-311, empowers the Mayor to proclaim the existence of a local

emergency, subject to confirmation by the City Council, in the case of a great emergency which endangers life or property within the City. The Mayor declared the existence of a great emergency related to the threat from the COVID-19 virus by Proclamation on March 17, 2020.

This item is required by City Code section 11-3(B) as a result of the Proclamation by the Mayor declaring a local emergency.

This item was continued to the March 18, 2020 City Council Special Meeting held at 4 p.m.

Items 19, 26-27 and 29, Ordinance S-46425 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.

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Williams, that Items 19 and 27 be adopted. The motion carried by the following vote:

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

19 Olympian Worldwide Moving & Storage, Inc.

For $60,000.00 in payment authority for a new contract, to be entered into on or about May 1, 2020, for a five-year aggregate contract term for fine arts handling and transportation services on an as-needed basis for the Aviation Department. Artwork includes, but is not limited to: paintings, prints, photographs, and sculptural artwork made of ceramic, glass, metal, wood and/or fiber.

This item was adopted.

27 EnergyCAP, Inc.

For $30,000.00 in additional payment authority for Contract 137798 to provide secure multi-department access to verify, monitor and analyze departmental energy usage and rates. The contract also provides a reporting system for the City to accurately monitor, analyze and report its progress toward its commitment to reduce energy consumption by 20 percent, reduce Greenhouse Gas emissions, and develop effective energy conservation initiatives. The Public Works Department requests a contract extension on behalf of the City Manager's Office of Sustainability for an additional year and pay authority to allow sufficient time to solicit a new contract for these services without service interruption.

This item was adopted.

26 Salt River Project

For $30,300.00 in payment authority to repair and repaint a rusting shade structure built as part of the Waterworks at Arizona Falls Public Art Project. Salt River Project operates the site, which occupies the Arizona Canal, at the northwest corner of 56th Street and Indian School Road. The work includes repairing and repainting an outdoor shade structure and its supporting columns, and replacing up to three safety drains on the public plaza below the site's waterfall. The repairs are necessary due to corrosion. The work would prevent further deterioration of the shade structure and help to ensure a safe walking surface for the public.

Discussion

Note: Councilman Nowakowski left the voting body.

Management Intern Jenny Hackleman read a comment submitted by Dianne Barker who noted she was in favor. Ms. Barker asked if the City would include inspection, any necessary repairs of the walking surface, or the functional foundation of the art shade structure. She suggested Council consider waterfall drop, hydro-electric clean energy for building walls, to energize solar panels and cool downtown Phoenix.

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

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

No: 0

Absent: 1 - Councilman Nowakowski

29 **Managed Medical Review Organization, Inc.**

For $90,000.00 in additional payment authority for Contract 144922 for independent medical evaluations for the Retirement Office. The number and complexity of applications submitted has increased from previous years, requiring additional funds. Independent medical evaluations are used when either the City of Phoenix Employees' Retirement System Board, Disability Assessment Committee, or the Local Police and Fire Retirement Boards require information to determine the eligibility of individuals for a disability retirement. Further, State statute requires all public safety members who have filed an application for disability retirement be referred for an independent medical evaluation by a board-certified, Arizona licensed physician to determine if they meet the criteria listed in Arizona Revised Statutes, section 38-859.

Discussion

Note: Councilman Nowakowski returned to the voting body.

Councilwoman Williams stated she had a potential conflict and would not take part in the vote.

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

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

No: 0

Conflict: 1 - Councilwoman Williams

38 **Margaret T. Hance Park Improvements - Construction Manager at Risk Construction Services - PA75200553 (Ordinance S-46451)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Haydon Building Corp. to provide Construction Manager at Risk (CMAR) Construction Services for the Margaret T. Hance Park Improvements 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 $8.6 million.

Summary

The purpose of this project is to transform the identity of Margaret T. Hance Park and activate the Central Plaza with day and night programming featuring visual landmarks, shade elements, gardens, a playground, an interactive water feature, a cafe, and public restrooms. Improvements have been identified at a conceptual level and include the park land roughly one block east and west of Central Avenue. Improvements include, but are not limited to: Phase 1A - constructing a new playground and water feature; Phase 1 - parking, recladding of Central Avenue Bridge, modifications to Central Avenue bridge abutments, recladding of Arizona Department of Transportation vents, terraces and tree plantings with improved stair and ramp connections from Central Avenue, park offices and storage, restrooms, shade canal gardens, and shade structures and lighting.

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

Haydon Building Corp.’s Phase 1A services include, but are not limited to: constructing a new playground, water play area, shade canopy, LED lighting, sidewalks, seat walls, site furnishings, landscape, and all labor,

materials and equipment for the construction of the Margaret T. Hance Park Improvements.

Procurement Information
The 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 365 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 Haydon Building Corp. will not exceed $8.6 million, including all subcontractor and reimbursable costs.

Funding is available in the Parks and Recreation Department's Capital Improvement Program budget. Two million of the $8.6 million in funding is being provided by a contribution from Fiesta Events, Inc. 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 Parks, Arts, Education and Equality Subcommittee:
Recommended approval of this item by a vote of 3-0 on May 24, 2017.

Parks and Recreation Board approved:
Sponsorship Agreement for Phase 1A with Fiesta Events, Inc. on Aug. 15, 2019.

City Council approved:
Design Services Agreement 145602 (Ordinance S-43648) on July 6,

2017.

CMAR Preconstruction Services Agreement 149558 (Ordinance S-45494) on April 3, 2019.

Intergovernmental Agreement between State of Arizona and City of Phoenix for Margaret T. Hance Park Joint Repair Project (Ordinance S-46304) on Jan. 8, 2020.

Location

67 W. Culver St.

Council District: 7

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

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

No: 1 - Councilman Waring

68 **Request for Ratification of Jan. 15, 2020 Planning Hearing Officer Action - Z-115-50-7- Northeast Corner of 1st Avenue and Adams Street**

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation to deny without further hearing by the City Council on matters heard by the Planning Hearing Officer on Jan. 15, 2020. This ratification requires formal action only.

Summary

Application: PHO-1-19--Z-115-50-7

Existing Zoning: DTC-Business Core

Acreage: 1.75

Applicant: Chad Keller, Christy Signs

Owner: 101 North First Ave LLC

Representative: Chad Keller, Christy Signs

Proposal:

Comprehensive Sign Plan Review for more than two signs on a building

over 56 feet in height.

Concurrence

Village Planning Committee (VPC) Recommendation: The Central City Village Planning Committee heard this case on Jan. 13, 2020 and recommended denial by a 13-0 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer took this case under advisement on Jan. 15, 2020. On Jan. 24, 2020, the Planning Hearing Officer took this case out from under advisement and recommended denial.

Location

Northeast corner of 1st Avenue and Adams Street
Council District: 7
Parcel Address: N/A

Discussion

Management Intern Jenny Hackleman read a comment submitted by Doug Newton in favor of Item 68. Mr. Newton mentioned he represented the Phoenix Downtown Neighborhood Alliance, and added they fully supported this item. He stated it was important to note the requested additional signs were to be illuminated, with one of the signs facing the Orpheum Lofts across from 1st Avenue. He talked about the Central City Village Planning Committee recommendation for denial by a vote of 13-0, and added this further supported the importance of the Council vote to ratify the denial.

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

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

No: 0

84 Gated Alley Program Pilot - Expansion and Funding (Ordinance S-46462)

This report requests City Council approval to expand the Gated Alley Program Pilot citywide, enter into any necessary agreements to implement the expanded pilot, and use $400,000 in Neighborhood Block Watch Grant Program funds for the costs associated with installation of gates. Further request authorization for the City Controller to disburse all funds related to this item. There is no impact to the General Fund.

Summary

On June 27, 2017, the City Council approved the original Gated Alley Program (GAP) Pilot for specific targeted areas in the Royal Palm and Sunnyslope neighborhoods. This program was designed by an interdepartmental committee in collaboration with residents to provide a new approach to deterring illegal dumping, graffiti and criminal activity in residential alleys. The GAP Pilot provided homeowners whose properties abut an alleyway the opportunity to submit an application to the City requesting both the relocation of solid waste services from the alley to curbside, and permission to install locked gates at the ends of the alley adjacent to their properties at the owners' cost. The City covered the cost of relocating solid waste services and the required revocable fence permit fees. Many residents outside of the pilot areas are experiencing continued issues with illegal dumping, graffiti and criminal activity occurring in their alleys and have expressed interest in gating their alleys, as it is a tool that could reduce the number of alley clean-ups required and increase safety. Therefore, City staff recommend expanding the GAP Pilot up to an additional 10 alley segments in each Council District.

City staff identified funding as a barrier for many neighborhoods in the GAP Pilot. Therefore, City staff seek authorization to create a grant program using $400,000 in Neighborhood Block Watch Grant Program (NBWGP) funds to assist neighborhoods within low-income community census tracts with the cost. Gating alleys has a correlation with reducing crime and is an eligible use of the funding source. NBWGP funds will be used to create a capital pool that can be used exclusively to fund contracts between awarded groups/organizations and City contractors or contractors on the Approved Contractor List (ACL) to design, obtain necessary permitting and complete all other work associated with building and installing the gates at the end of alleys. A recognized Block Watch Group or Neighborhood Organization registered with the Neighborhood Services Department (NSD) and within a low-moderate income census

tract will be permitted to apply for NBWGP. The request must include signatures from at least 51 percent of the property owners that would be impacted by each alley closure. NSD will administer the program funding to eligible applicants, the Public Works Department (PWD) will continue to relocate trash pickup from alley to curbside and the Planning and Development Department (PDD) will coordinate the petition verification and permitting process.

Additionally, NSD will either use a City vendor or maintain an ACL, which will be an internal process, to ensure qualified contractors perform the work. Neighborhood organizations using grant funding must utilize contractors on the ACL or City vendors to install the gates. To be added to the ACL and be eligible to participate as a contractor, receive bid opportunities, and perform services on GAP projects, contractors will be screened and qualified on an individual basis and must meet and maintain all eligibility requirements established by NSD and PDD. These requirements include holding a license with the Arizona Registrar of Contractors, maintaining adequate insurance and the like. Once on an approved ACL, contractors will be eligible to submit bids on alley gates within the alley segments designated as part of the program.

Staff seeks authorization to proceed with all actions necessary or appropriate to implement and administer the expanded GAP Pilot on a citywide basis including the following:

Establish a separate GAP grant award process using $400,000 in NBWGP funds that may be used by recognized Block Watch Groups or registered Neighborhood Organizations within low-income community census tracts to pay for the costs associated with the design, construction and installation of gates at the ends of alleys.
Enter into or amend any necessary contracts or agreements with eligible Block Watch Groups or Neighborhood Organizations.
Enter into and/or amend contracts with private contractors or other service providers to perform work or otherwise implement the GAP Pilot.
Maintain an ACL of qualified contractors to enter into agreements with Block Watch Groups or Neighborhood Organizations that will be funded by the GAP grant.

Provide funding to Block Watch Groups, Neighborhood Organizations, contractors on the ACL or City vendors to perform work or otherwise implement the GAP Pilot.

Establish requirements for the design, construction and installation of gates in alleys that must be adhered to regardless of whether grant funding is utilized, and which may vary depending on the conditions at the alley sites.

Concurrence/Previous Council Action

The Land Use and Livability Subcommittee approved a recommendation to expand the Gated Alley Program Pilot to all the Council Districts to include up to 10 alley segments per council district, by a vote of 4-0 on Jan. 15, 2020.

The Neighborhood Block Watch Grant Program Fund Oversight Committee approved a recommendation to reallocate $400,000 in NBWGP funds to cover the expense for installing gates at the ends of alley segments located within neighborhoods defined as part of the expansion of the Gated Alley Program Pilot at the NBWGP Oversight Committee by a vote of 8-1-1 on Feb. 5, 2020.

The Public Safety and Justice Subcommittee approved a recommendation to reallocate $400,000 in Neighborhood Block Watch Grant Program funds to cover the cost of gates within eligible neighborhoods that are part of the expanded citywide Gated Alley Program Pilot by a vote of 4-0 on Feb. 12, 2020. The motion included that the grant criteria should be based upon need as demonstrated by crime, graffiti and dumping data as well as economic need.

Discussion

Management Intern Jenny Hackleman read a comment submitted by Bramley Paulin who noted he was neutral on this item. Mr. Paulin said he had concerns with the staff report lacking detail compared to the proposed gate alley policy that was provided at the Public Safety and Justice subcommittee. He mentioned there were no details about the soft costs to implement and administer each gate location, including permit and inspection fees. He suggested the information provided at the subcommittee showed this was a money grab by City departments, and added the requirement for each gate to be permitted separately was not necessary. He discussed how cost savings from moving trash pick up locations from the alley to the street could go towards additional gates,

and mentioned previous Council action on dust-proofing alleys could have that funding diverted to cover the costs of additional gates. He commented he supported the gating of alleys, and said he was with the Violence Impact Project Coalition. He noted he was in favor of increasing efficiency and getting more alleys gated, and added this was an efficient use of funds and staff time.

Ms. Hackleman read a commented submitted by Jeff Spellman who was in favor. He mentioned he was with the Violence Impact Coalition neighborhood organization that focused on crime prevention from 19th to 35th avenues, and said he was aware of this pilot program and the challenges with neighborhood leaders. He commented he was in favor of increasing the program to get more alleys gated, and added this was an efficient use of funds and staff time.

Ms. Hackleman read a comment submitted by Rosa Menjivar who was in favor. Ms. Menjivar stated she was a member of the Estrella Super Mom Block Watch, and commented this would increase safety for children who walk through alleys. She mentioned if the alleys were closed they would be clean and safe, and added for those who lived there could access alleys when needed because they would be locked.

Ms. Hackleman read a comment submitted by Shannon McBride who was in favor. Ms. McBride thanked the Council for working through this difficult time with the coronavirus, and commented she was excited to get the gated alley program in the community. She suggested there could be a collaborative effort with the Police Department and Neighborhood Services Department to create a comprehensive plan for the safety of the community.

Ms. Hackleman read a comment submitted by Armida Hernandez who was in favor. Ms. Hernandez said she had been cleaning the alleys for the past seven years, and added everyone should work together to maintain the alleys.

Ms. Hackleman read a comment submitted by Linda Gillham who was in favor. Ms. Gillham stated to keep unwanted trash and traffic out of alleys, the gates should be put in place.

Ms. Hackleman read a comment submitted by Angela Dera who was in favor. Ms. Dera commented this was good for the safety of her family and children, and added people would come into the alley and leave trash. She suggested this would prevent crime.

Ms. Hackleman read a comment submitted by Crystal Gillham who was in favor. Ms. Gillham mentioned she would like the gated areas to be more positive, and suggested there could be a community garden or park.

Ms. Hackleman read a comment submitted by Pam Fitzgerald who was in favor. Ms. Fitzgerald noted she was a neighborhood leader in the Washington Park Neighborhood, and talked about the problems residents faced who lived along the light rail. She discussed how crime has increased in her neighborhood, and mentioned burglaries were happening because people were in alleys and climbing over walls. She asked for neighborhoods along the light rail to be given priority because of the high crime rate, and added this would keep illegal dumping of garbage out of the alleys. She suggested it was unfair to have property owners clean up the alleys, and repeated her request for approval of the gated alley program and priority for neighborhoods near light rail.

Ms. Hackleman read a comment submitted by Hillary Rusk who was in favor. Ms. Rusk mentioned she was the President of Royal Palm Neighborhood in Council Districts 3 and 5. She said their neighborhood was the first in Phoenix to participate in this program, and commented this had been extremely effective in keeping illegal dumping, tresspassing and property crime out of alleys. She stated she was eager to see this program expanded, and to have neighborhoods who needed help with funding be provided that help through block watch grant money.

Vice Mayor Guardado made a motion to adopt Item 84.

Councilwoman Stark seconded the motion. She said she was excited to see this program be extended, and thanked Vice Mayor Guardado for teaming up with her. She noted there were problems in some areas in Council districts, and added it was a pleasure to work with Vice Mayor Guaradado.

Vice Mayor Guardado thanked Councilwoman Stark for her leadership in getting this started, and added this would be a huge help to everyone in Council District 5. She said this would make streets and alleys safer, and also thanked Planning and Development Director Alan Stephenson for his leadership and hard work on this issue. She noted this was one of the first issues she spoke to Mr. Stephenson about when she came into office, and thanked Deputy City Manager Mario Paniagua for his leadership and bringing his team out to help with the clean ups. She expressed appreciation for everyone at the City who helped, and commented she hoped to continue to have everyone work together on moving this forward.

Councilman Nowakowski thanked Vice Mayor Guardado for her hard work, and talked about how some of these neighborhoods were tough neighborhoods and that people had been cleaning up these alleys over and over again. He discussed the complaints about the conditions of the alleys, and thanked Vice Mayor Guardado for sitting down with the neighborhood block watches and neighborhood associations to come up with this pilot program. He said this would be beneficial to the individuals who live in these neighborhoods, and mentioned his office had received calls on the importance of this program.

Vice Mayor Guardado amended her motion to include the adoption of Item 84 per the approval from the Jan. 15, 2020 Land Use and Livability Subcommittee, and the Feb 12, 2020 Public Safety and Justice Subcommittee recommendations.

Councilwoman Williams thanked the Neighborhood Block Watch Grant Fund Oversight Committee, and noted they grasped this idea and fully supported it. She commented it was very important that Council approve this.

Mayor Gallego stated the committee worked very hard and Council appreciated their support.

Vice Mayor Guardado inquired if she could add to the motion to include 10 gates around the Central Arizona Shelter Services (CASS) building

given the issues around homelessness.

Mr. Stephenson answered it was in the purview of Council and staff to do that. He noted the City would have to look at funding on how that could happen because that was not how it was discussed with the Neighborhood Block Watch Grant Fund Oversight Committee for the original $400,000 in funding. He suggested Council direction to staff could be to look at including 10 gates around the CASS building and go forward from there.

Vice Mayor Guardado clarified Council could move forward and have staff tell them if it was possible or not, but noted Council wanted to move forward in asking for 10 more gates.

Mr. Stephenson explained the funding set up currently, was a $400,000 allocation. Gate allocation would be based on need in low to moderate income status throughout the city and not in a specific area. He said staff would meet with Council to discuss what alleys these gates would go in, and commented if Council wanted to direct staff to include 10 gates for the CASS building as part of this with a future direction for staff to figure out funding, then the Council could go in that direction. He said staff would look at funding and specifics as it related to this program, because that had not been discussed as part of the current presentation.

City Manager Ed Zuercher commented the City could approach this from the perspective if there were remaining funds from the $400,000 allocation, that up to 10 gates could be allocated to this area. He noted if there were no remaining funds, the City would go back to the Neighborhood Block Watch Grant Program Oversight Committee for further authorization for more funds.

Councilwoman Pastor asked Mr. Stephenson if the process mentioned by Mr. Zuercher was possible to be added to the motion. She explained how this would go back through the subcommittees, and talked about the further process of acquiring up to 10 gates for the area around the CASS building.

Mr. Stephenson replied yes, that would be the direction for staff and

others to work on.

Councilwoman Stark questioned if Council was amending the motion to include the suggestions made by Vice Mayor Guardado.

Mayor Gallego commented it would be a combination of Vice Mayor Guarado's and Mr. Zuercher's proposals.

Mr. Zuercher explained how the process would be to first see if there were any remaining funds from the original allocation, but before going there the City could go back to the Neighborhood Block Watch Fund Oversight Committee as Councilwoman Pastor suggested. He said this could be done simultaneously by having the number of gates and locations identified and money requested.

Mayor Gallego asked Vice Mayor Guardado if that was okay to add to the motion.

Vice Mayor Guarado responded yes.

Mayor Gallego also asked Councilwoman Stark if that was okay to add to the motion.

Councilwoman Stark replied yes.

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Stark, that this item be adopted as amended in accordance with the recommendations from the Jan. 15, 2020 Land Use and Livability Subcommittee and the Feb. 12, 2020 Public Safety and Justice Subcommittee meetings; with additional direction to return to the Neighborhood Block Watch Fund Oversight Committee to approve funds for up to 10 gates to alleys in the area around the Central Arizona Shelter Services/Human Service Campus. The motion carried by the following vote:

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

No: 0

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

CITIZEN COMMENTS

Management Intern Jenny Hackleman read a comment submitted by Brian Mori. Mr. Mori mentioned he applauded several Council District offices for their transparency the previous day, and discussed his background being a bilingual Phoenix native and having worked in a variety of career fields. He talked about his disappointment having meetings closed to the public, and suggested this was a violation of Arizona law and democracy. He stated unless proven that an individual had coronavirus, the City had no right to exclude individuals from observing the legislative process, and said now was the time to stand for individual freedom.

Prior to adjournment, Mayor Gallego announced the Council would reconvene at 4 p.m. for a special meeting to vote on the call for an executive session. She said after the vote, the Council would convene in executive session, and added the session was for legal advice and would be closed to the public. She mentioned after the executive session, the Council would reconvene to discuss the declaration of a local emergency, and noted this meeting would be open to the public to watch on phoenix.gov, Phoenix TV on channel 11, or by phone at 602-666-0783. She stated the public could continue to submit comments about the declaration of local emergency to be read into the record until 4 p.m. today at councilmeeting@phoenix.gov or 602-262-6001.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 3:09 p.m.

MAYOR

ATTEST:

CITY CLERK

TS

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the formal session of the City Council of the City of Phoenix held on the 18th day of March, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 2nd day of June, 2021.

CITY CLERK