City of Phoenix

Minutes

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

City Council Formal Meeting

Wednesday, December 12, 2018 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, December 12, 2018, at 2:30 p.m. in the Council Chambers.

Present: 9 - Councilman Sal DiCiccio, Councilwoman Vania Guevara, Councilwoman Felicita M. Mendoza, Councilman Michael Nowakowski, Councilwoman Laura Pastor, Councilwoman Debra Stark, Vice Mayor Jim Waring, Mayor Thelda Williams and Mayor Thelda Williams

Councilman DiCiccio joined the voting body via telephone during Citizen Comments.

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

CITIZEN COMMENTS

Note: Councilman DiCiccio joined the voting body via telephone.

Jeff Durbin introduced himself as a pastor at Apologia church. He expressed his concern about abortion and informed Council that Arizona law forbids the unjustified killing of humans.

Marcus Pittman introduced himself as a filmmaker and member of Apologia church and talked about a film that he made documenting mothers who decided to get an abortion. He called for the Council to put a stop to abortions.

Zach Morgan introduced himself as an elder at Apologia church and expressed his concern about abortions. He stated there are nearly 40 babies murdered prior to birth every day in Arizona and urged Council to end abortion now.

Zach Conover stated that he is a Christian who leads a ministry on behalf of unborn children in the State of Arizona. He explained that his ministry visits local abortion clinics in the community and preaches the gospel and offers help to those who are considering abortions. He stated that the Council has a duty to maintain the state's authority, rights, and liberties.

Luke Pierson introduced himself as an elder and pastor at Apologia church. He called upon the Council to abide by Arizona Revised Statute 13-3603 and to establish equal justice for those who are being oppressed.

The City Clerk confirmed that copies of the titles of Ordinances G-6541, S-45223 through S-45262, S-45264 through S-45267, and Resolutions 21697 through 21701 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

MINUTES OF MEETINGS

1 For Approval or Correction, the Minutes of the Formal Meeting on Oct. 3, 2018

Summary

This item transmits the minutes of the Formal Meeting of Oct. 3, 2018, for review, correction and/or approval by the City Council.

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

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

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

2 For Approval or Correction, the Minutes of the Formal Meeting on Oct. 17, 2018

Summary
This item transmits the minutes of the Formal Meeting of Oct. 17, 2018, for review, correction and/or approval by the City Council.

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

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

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

No: 0

BOARDS AND COMMISSIONS

3 ***REVISED ITEM (SEE ATTACHED MEMO)* 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 Williams and Councilmembers:

Central City Villiage Planning Committee
Appoint Christopher Colyer, as representative of District 6, for a term to expire Nov. 19, 2019, as recommended by Councilman Nowakowski.

Citizens Transportation Commission
Appoint David Moody, as representative of District 3, for a term to expire June 30, 2021, as recommended by Councilwoman Stark.

Phoenix Employee Relations Board

Reappoint Gregory Fretz, for a third term as Chairman to expire Dec. 15, 2021, as recommended by Mayor Williams.

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

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

No: 0

Mayor Williams administered the oath of office to the following Commission appointee:

David Moody - Citizens Transportation Commission

The above individual was invited to approach the dias so Council could extend their appreciation.

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

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

Note: Comment cards were submitted for the record in favor of Items 4, 13-15, 17, and 19 by the following individuals:

Sam Trivedi - Agent, Item 4
Gabriel Shanaham - Agent, Item 13
Theresa Morse, Item 14
Theresa Morse - Agent, Item 15
Kanar Shareef, Item 17
Gagandeep Bola - Agent, Item 19

The following individual submitted a comment card for the record on Item 20:

Police Officer Jared Smart, opposed

A motion was made by Vice Mayor Waring, seconded by Councilwoman Stark, that Items 4-20 be recommended for approval, except Item 20 which is being continued to the Jan. 9, 2019, City Council Formal meeting. The motion carried by the following voice vote:

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

No: 0

4 Liquor License - Best Western Plus

Request for a liquor license. Arizona State License Application 07070251.

Summary

Applicant
Chandrashekhar Trivedi, Agent

License Type
Series 7 - Beer and Wine Bar

Location
2108 W. Whispering Wind Drive
Zoning Classification: CP/BP DVAO
Council District: 1

This request is for an ownership and location transfer of a liquor license for a hotel. 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 October 2019.

The 60-day limit for processing this application is Dec. 18, 2018.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have taken L clases; am a hotller for past 30+ years; have had liquore license before with no violations. I will have properly trained staff members as well. I have no criminal background of any sort/type. We will operate for limited time."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This is the first dual brand 4-star hotel in the State. It will serve as a compliment to all my business & leisure travelers/guests staying at hotel. This will bring additional tax $$ as well to the community. My guest will all be served well & professionally."

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 - Best Western Plus
Liquor License Map - Best Western Plus

This item was recommended for approval.

5 Liquor License - Hush Public House

Request for a liquor license. Arizona State License Application 35226.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
14202 N. Scottsdale Road, Ste. 167
Zoning Classification: C-2 PCD
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.

The 60-day limit for processing this application is Dec. 15, 2018.

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

established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We will ensure all of our employees attend the Title 4 liquor law training course."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We would like to offer our patrons a great meal and the option of adult beverages if they choose."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Hush Public House
Liquor License Map - Hush Public House

This item was recommended for approval.

6 Liquor License - Smoke Zone Beer & Wine

Request for a liquor license. Arizona State License Application 37177.

Summary

Applicant
Martel Delly, Agent

License Type
Series 10 - Beer and Wine Store

Location
18403 N. 19th Ave.
Zoning Classification: C-2
Council District: 3

This request is for a new liquor license for a smoke shop. 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 within 300 feet of a residential district. A Use Permit hearing has been scheduled.

The 60-day limit for processing this application is Jan. 4, 2019.

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

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I as the applicant have had many years of experience working in an off sale liquor business, growing up my family owned and operated many businesses that have offered this type of liquor license. I have gone through the training and have become familiar with many rules which include always asking for ID, knowing when a customer may be too intoxicated, knowing how to be courteous when having to refuse service, and knowing how to maintain a safe establishment."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I as the applicant will not only offer customers a wide variety of beers and wines to choose from while shopping for other necessities but I will based off prior experience and training know how to do so while obeying all local laws, rules, and ordinances regarding alcohol sales and service and train my staff to do so as well."

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 - Smoke Zone Beer & Wine
Liquor License Map - Smoke Zone Beer & Wine

This item was recommended for approval.

7 Liquor License - Special Event - Coronado Neighborhood Association, Inc

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

Summary

Applicant
James Hogue

Location
1717 N. 12th St.
Council District: 4

Function
Community Event

Date(s) - Time(s) / Expected Attendance
Feb. 24, 2019 - 10 a.m. to 4 p.m. / 1,500 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

8 Liquor License - Phoenix Sports Center

Request for a liquor license. Arizona State License Application 07070601.

Summary

Applicant
Meaghan Plascencia, Agent

License Type
Series 7 - Beer and Wine Bar

Location
3839 W. Indian School Road
Zoning Classification: A-2
Council District: 4

This request is for an ownership transfer of a liquor license for a bar. This

location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Jan. 4, 2019.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am the new proud owner of the business my uncle and father worked hard to grow over the past 34 years. I work hard to provide for my family and two kids, who rely on me to teach them good morals and reliability. I am also a registered nurse, and therefore am well aware of the consequences of my actions and am capable of taking on great responsibility."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “The Phoenix Sports Center has been a local hang out for families for many years. We are now serving 2nd and 3rd generations of families who look forward to coming out every week to play soccer and have drinks and relax with friends. We pride ourselves in providing a fun - safe outlet to exercise, all while offering the ammenities to socialize and enjoy a drink.”

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 - Phoenix Sports Center
Liquor License Map - Phoenix Sports Center

This item was recommended for approval.

9 Liquor License - King's Mini Mart

Request for a liquor license. Arizona State License Application 36900.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 10 - Beer and Wine Store

Location
4150 N. 35th Ave.
Zoning Classification: C-2
Council District: 5

This request is for a new liquor license for a convenience store that does not sell gas. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Dec. 31, 2018.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have attended the Title 4 Basic and Management training classes with ALIC. I am working very closely with the ALIC team and their compliance team to make sure we are abiding by the Arizona liquor laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I would like to continue to offer the area a place where they can stop and grab chips and beverages with the ability to purchase alcoholic

beverages."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - King's Mini Mart
Liquor License Map - King's Mini Mart

This item was recommended for approval.

10 Liquor License - Uncle Bear's Grill

Request for a liquor license. Arizona State License Application 35205.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
4921 E. Ray Road, Ste. B3
Zoning Classification: C-2
Council District: 6

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 Dec. 15, 2018.

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

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We train all of our employees in responsible liquor service. We also conduct regular 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 like the ability to continue offering our patrons adult beverages with their meals if they choose to have one. This location has an existing series 12 restaurant license."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Uncle Bear's Grill
Liquor License Map - Uncle Bear's Grill

This item was recommended for approval.

11 Liquor License - Special Event - Be Causal

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

Summary

Applicant
Julie Jennings

Location
734 W. Polk St.
Council District: 7

Function
Dance

Date(s) - Time(s) / Expected Attendance
Dec. 22, 2018 - Noon to 2 a.m. / 400 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

12 Liquor License - Special Event - Downtown Phoenix Partnership, Inc.

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

Summary

Applicant
Alison Sipes

Location
308 N. 2nd Ave.
Council District: 7

Function
New Year's Eve Block Party

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

Dec. 31, 2018 - 8 p.m. to 2 a.m. / 12,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

13 Liquor License - Special Event - The Grand Canyon Sisters of Perpetual Indulgence, Inc.

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

Summary

Applicant
Stephen Potter

Location
1101 N. Central Ave., Ste. 200
Council District: 7

Function
Fashion Show

Date(s) - Time(s) / Expected Attendance
Feb. 16, 2019 - 6 p.m. to 11 p.m. / 175 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

14 Liquor License - Tilted Kilt Pub & Eatery

Request for a liquor license. Arizona State License Application 12078744.

Summary

Applicant
Jesus Altamirano, Agent

License Type

Series 12 - Restaurant

Location
2 E. Jefferson St., Ste. 22-217
Zoning Classification: DTC-Business Core
Council District: 7

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 Dec. 30, 2018.

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:
“The majority owner, Frederick Darby Alexander has experience in the liquor industry operating Tilted Kilt locations throughout the United States as well as operations of Applebee's Restaurants in Arkansas, Oklahoma, Kentucky and Indiana. As the majority owner he ensures that his staff is trained in identifying underage, valid forms of identification and identifying obviously intoxicated customers. His training does not stop there as he ensures the staff takes appropriate steps to ensure safety of the customer getting home as well as safety of all citizens. Staff are

instructed to notify the manager as soon as a customer is identified as obviously intoxicated so the appropriate measures are taken to protect customers, staff and citizens as well as upholding the laws of the city and state."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

15 Liquor License - Taco Bell Cantina

Request for a liquor license. Arizona State License Application 37173.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 12 - Restaurant

Location
201 E. Washington St., Ste. 105
Zoning Classification: DTC-Business Core
Council District: 7

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 Jan. 4, 2019.

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

established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Hot Tacos Inc holds numerous establishments throughout AZ and also hold liquor licenses at Pizza Hut. They have not been in violation of any liquor laws due to close observation of their staff and frequent liquor law training. The owners are very much 'hands on' with their employees. This location will have predominantly have business clientele frequenting this location which is why this location was selected. The owners have met capability, reliability and qualifications previously. Their business will be an asset to the downtown revitalization."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The owners have at least 30 liquor licenses in Arizona. They have not had any health dept violations or liquor violations. Service of food is their primary focus with alcohol service to compliment their food service. Audits by their company reflects a high percentage of food therefore the 40% food revenue will not be difficult to achieve. Once again, the owners train their staff regularly to ensure compliance, ability to recognize underage or over served customers to protect the health and safety of Arizona citizens."

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 - Taco Bell Cantina
Liquor License Map - Taco Bell Cantina

This item was recommended for approval.

16 Liquor License - Special Event - Heartstrings Foundation

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

Summary

Applicant
Rowan Pickering

Location
2501 E. Baseline Road
Council District: 8

Function
Dinner

Date(s) - Time(s) / Expected Attendance
Dec. 14, 2018 - 4 p.m. to Midnight / 150 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

17 Liquor License - Mr J's Market

Request for a liquor license. Arizona State License Application 35243.

Summary

Applicant

Sarok Shareef, Agent

License Type
Series 10 - Beer and Wine Store

Location
3202 E. McDowell Road
Zoning Classification: C-2
Council District: 8

This request is for a new liquor license for a convenience store that does not sell gas. This location was previously licensed for liquor sales and may currently operate with an interim permit. This location requires a Use Permit to allow drive-through alcohol sales.

The 60-day limit for processing this application is Dec. 16, 2018.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am a reliable, responsible and qualified individual to posses a liquor license. I have many years of experience managing succesful businesses resposibly. Thank you!"

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We pride ourselves and our business being a positive influence in our community. We will always strive to give back and contribute. Safety is our top priority and they starts with community first mind set. Thank you!"

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 - Mr J's Market
Liquor License Map - Mr J's Market

This item was recommended for approval.

18 Liquor License - Phoenix Slice House

Request for a liquor license. Arizona State License Application 35757.

Summary

Applicant
Jared Repinski, Agent

License Type
Series 12 - Restaurant

Location

326 N. 48th St.
Zoning Classification: C-1
Council District: 8

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 location requires a Use Permit to allow alcohol sales as an accessory use to a restaurant.

The 60-day limit for processing this application is Dec. 22, 2018.

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

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

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

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

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

"I have been representing liquor licensed establishments in Arizona for over 15 years."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Tourism plays an important role in our economy and liquor licensed establishments (the sale of alcohol) is a very important aspect of tourism. Therefore, if the City of Phoenix continues to lead the State of Arizona by approving quality and diverse businesses (restaurants, bars, microbreweries, distilleries, hotels, resorts, golf courses, special events, etc...) similar to this proposed liquor licensed business, all businesses will prosper in our tourism based economy."

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 - Phoenix Slice House
Liquor License Map - Phoenix Slice House

This item was recommended for approval.

19 Liquor License - Speedway Food Mart

Request for a liquor license. Arizona State License Application 36266.

Summary

Applicant
Gagandeep Bola, Agent

License Type
Series 10 - Beer and Wine Store

Location
5201 S. 7th St.
Zoning Classification: C-2 SPVTABDO
Council District: 8

This request is for a new liquor license for a convenience store that does not sell gas. This location was previously licensed for liquor sales and may currently operate with an interim permit.

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

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

Other Active Liquor License Interest in Arizona

This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have ten plus years of retail experience selling beer and tobacco to adults of legal age. I am very responsible with selling beer and wine to individuala's of legal age."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “Very conveniet to the community and neighbors of business location to be able to grab a cold beer or wine after a long day at work or to enjoye the weekend with family or friends.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Speedway Food Mart
Liquor License Map - Speedway Food Mart

This item was recommended for approval.

20 (CONTINUED FROM DEC. 5, 2018) - Liquor License - Q House

Request for a liquor license. Arizona State License Application 31481.

Summary

Applicant
Sol Park, Agent

License Type
Series 12 - Restaurant

Location
7227 S. Central Ave., Ste. 1040
Zoning Classification: C-2 BAOD
Council District: 7

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

The 60-day limit for processing this application was Nov. 10, 2018. However, the applicant has submitted a written request for more time.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am capable and reliable to uphold and abide with the laws of holding a liquor license."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I will always practice a responsible business practices. At all times I will have the best interest in the community around us."

Staff Recommendation
Staff recommends disapproval of this application based on a Police Department recommendation for disapproval. The Police Department

disapproval is based on concerns with possible hidden ownership and faliure to meet the critera for a restaurant as outlined in Arizona Revised Statutes - Title 4 and Arizona Administrative Code - Title 19. The applicant has not demonstrated the capability, qualifications and reliability to hold and control a liquor license.

Staff also notes that 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 - Q House
Liquor License Map - Q House
Liquor License Police Department Recommendation - Q House

This item was continued to the Jan. 9, 2019, City Council Formal Meeting.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

Note: The following individual submitted a comment card for the record for Item 55:

Michael Angelo, in favor

A motion was made by Vice Mayor Waring, seconded by Councilwoman Pastor, that Items 21-86 be approved or adopted, except for Items 29-30, 32, 41-43, 48, 51, and 56; Item 44 is as corrected; and Item 83 is being continued to the Jan. 9, 2019, City Council Formal Meeting. The motion carried by the following vote:

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

No: 0

Items 21-28, Ordinance S-45223, were 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.

21 SiteOne Landscape Supply Holding, LLC doing business as SiteOne Landscape Supply, LLC

For $50,000.00 in payment authority for a new contract, entered on or about Jan. 1, 2019, for a term of three years with SiteOne Landscape Supply, LLC to provide Rain Master Control System parts, services and repairs for the Aviation Department. All landscape irrigation at Phoenix Sky Harbor International Airport and Phoenix Goodyear Airport is controlled by a Rain Master Irrigation System. The system provides Internet access to manage irrigation needs and set up automatic weather-based irrigation schedules, which assist in achieving the City's water conservation goals.

This item was adopted.

22 Phoenix Newspapers, Inc., doing business as Republic Media, The Arizona Republic, LaVoz Publishing, Republic Direct and AZ Business Gazette

For $62,200.00 in payment authority for required advertisements for the City Clerk, Aviation, Housing, Human Resources, Information Technology Services, Law, Neighborhood Services, Parks and Recreation, Phoenix Convention Center, Public Works, Street Transportation and Water Services departments. Advertisements are placed by departments to provide notice to the public and to satisfy legal requirements.

This item was adopted.

23 Arizona Aircraft Painting, LLC

For $55,000.00 in payment authority to purchase a one-time service for full exterior aviation paint system with corrosion resistant chrome epoxy for the Agusta A109E for the Phoenix Police Department. The 2005 Agusta A109E twin engine helicopter is utilized by the Phoenix Police Department for search-and-rescue operations and provides airborne

surveillance for the highest level of public safety for the community. The reconditioning of the unit, per Federal Aviation Guidelines, will extend the operational lifespan of the helicopter for the foreseeable future.

This item was adopted.

24 Aviation Specialties Unlimited, Inc.

For $65,000.00 in payment authority for a one-time purchase of aviation night vision portable goggles for the Phoenix Police Department. The night vision goggle technology is an essential component of aviation law enforcement and designed to provide the pilot visual cues to better manage night operations. Night vision technology serves to assist in collaborative search-and-rescue missions in dark conditions to serve and protect the community.

This item was adopted.

25 Amped Software, Inc.

For $51,000.00 in payment authority for a five-year contract, entered on or about Jan. 1, 2019, to purchase licenses for Amped Five video enhancement software. Amped Five is the most complete software for enhancing and analyzing images and videos used during Police investigations. A single tool to analyze crime scene photos, enhance surveillance and intelligence video with a workflow compatible with forensic needs. The software will enable the Police Department Forensic Imaging Detail to solve a wide range of problems associated with processing surveillance video. This will also significantly reduce data processing time and improve the success rate of cases.

This item was adopted.

26 Berla Corporation

For $32,500.00 in payment authority for a three-year contract, entered on or about Jan. 1, 2019, to purchase the Berla iVe software and physical key for the Police Department. Berla iVe is a digital forensics tool that allows examiners to extract data from a vehicles infotainment and telematics systems. Suspects in Internet crimes against children cases often times sync their cell phones and other electronic devices to their motor vehicle's. These digital information storage systems may contain images and videos of criminal conduct involving children as well as other criminal activity. The Berla iVe software allows for the collection of data

that assists investigators with identifying information to be used as evidence from persons involved in criminal activity.

This item was adopted.

27 Various Vendors for Sport Uniforms and Promotional Items

For $60,000.00 in additional payment authority for sport uniforms and promotional items for the Parks and Recreation Department. These contracts are used to support recreation programs, classes and athletic league activities by providing uniforms, awards and related items. Additional funds are being added to meet expenditure needs during the extended month-to-month contract term, for up to six months, beginning Dec. 15, 2018, while a new procurement is completed.

HP2, Inc., Contract 137576
Awards by C&L, Contract 137578
LS Branding, Inc., Contract 137575

This item was adopted.

28 MailFinance Inc.

For $26,000.00 in payment authority to purchase a Neopost document inserter and folder and Neopost letter opener for the Phoenix Municipal Court. The two separate machines are critical to ensure seamless and efficient processing of correspondence related to Court programs, notices and summons, as well as warrant and default notifications. The machines are needed to process the Court's high-volume mailings of approximately 23,000 letters and opening of around 8,000 pieces of mail per month.

This item was adopted.

31 Proposed Brown Annexation - Authorization to File

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

Summary
Signatures on the proposed annexation petitions shall not be obtained for

a waiting period of 30 days after filing the blank petition with the Maricopa County Recorder. Additionally, a Public Hearing will be scheduled within this 30-day waiting period, permitting the City Council to gather community input regarding the annexation proposal. Formal adoption of this proposed annexation will be considered at a later date.

Location
The proposed annexation area includes parcel 211-29-003A and is located at 5147 E. Westland Road (**Attachment A**). The annexation area is approximately 2.39 acres (0.0037 square miles) and the population estimate is zero.
Council District: 2

This item was approved.

33 Special Election - March 12, 2019 - Amend Election Precinct Legal Descriptions (Ordinance S-45260)

Request City Council approval of an ordinance amending Ordinance S-39341, as amended, which establishes voting precincts within the City of Phoenix by district for all elections, and repealing all ordinances in conflict.

Summary
This ordinance is needed to amend the precinct legal descriptions for City Council Districts 1, 2, 3, 6, 7, and 8 to reflect technical changes and corrections, including recent changes made by Maricopa County related to precinct names and precinct boundaries.

The City's voting precincts are based on combinations of County voting precincts. There are 125 City precincts and the requested changes will not alter that number.

This item was adopted.

34 Acquisition of Easements Near Northeast Corner of Ashler Hills Drive and Cave Creek Road For Improvements to Well 303 (Ordinance S-45229)

Request to authorize the City Manager, or his designee, to acquire easements across a portion of unimproved land by donation, purchase within the City's appraised value, or by the power of eminent domain for improvements to Well Site 303. Further request authorization for the City

Controller to disburse all funds related to this item.

Summary

Proposed improvements to Well 303 require easement acquisition across a portion of the property adjacent to the well site. A new well will be drilled, improvements will be made to the existing sewer main and water lines, and a perimeter block wall will be built. The property impacted by this project is located at 32255 N. 50th St., identified by Maricopa County Assessor Parcel Number (APN) 211-37-505A.

Financial Impact

Funding for this project is available in the Water Services Department's Capital Improvement Program budget.

Location

Northeast corner of Ashler Hills Drive and Cave Creek Road
Council District: 2

This item was adopted.

35 Amend License with Zayo Group, LLC to Extend the Term at 2120 N. Central Ave. (Ordinance S-45245)

Request to authorize the City Manager, or his designee, to amend Contract 122932 with Zayo Group, LLC to extend the license for a five-year term. Further request authorization for the City Treasurer to accept all funds related to this item. Revenue during the extended term will be $130 per month.

Summary

Zayo Group, LLC, formerly 360networks (USA), Inc., has held a license since 2008 with the City for a fiber conduit system for telecommunication purposes located at 2120 N. Central Ave. The licensee is in good standing and has requested a five-year extension. The monthly license fee during the extended term will be $130, plus applicable taxes, which is comparable to other similar telecommunication facilities at this location.

Contract Term

The contract will be extended for a five-year term beginning Jan. 9, 2019, and expiring Jan. 8, 2024.

Financial Impact

The monthly revenue during the extended term will be $130, plus applicable taxes.

Concurrence/Previous Council Action
Contract 122932 was authorized by Ordinance S-34393, adopted Sept. 19, 2007, and amended by Ordinance S-44157, adopted Dec. 13, 2017.

Location
2120 N. Central Ave.
Council District: 4

This item was adopted.

36 Authorization to Enter into Lease Agreement with Closed Loop Fund for Zero Percent Interest Loan to Finance Recycling Equipment (Ordinance S-45259)

An ordinance authorizing the City Manager, or his designee, to execute and deliver one or more installment-purchase or lease-purchase agreements, or supplemental or amended installment-purchase or lease-purchase agreements relating to use and acquisition of equipment to improve processing and recycling of solid waste materials by preventing or reducing the presence of contaminants in recycled materials; authorizing execution and delivery of other appropriate agreements in connection therewith, including but not limited to certificates necessary or appropriate for the financing and associated financing costs; authorizing the City Manager to take any and all other necessary or desirable actions in connection with such agreement and authorizing the City Controller to disburse all necessary funds therefor.

Summary
Closed Loop Fund offers zero percent loans to municipalities to develop recycling infrastructure and waste reduction programs. Funding for the Closed Loop Fund comes from various manufacturing and retail companies such as Coca-Cola, Wal-Mart, 3-M, Proctor and Gamble, and Colgate-Palmolive, with a goal of advancing recycling technologies and developing the circular economy.

The Public Works Department desires to install optical sorting equipment, screens, conveyor belts, and other sorting equipment to improve the processing and recycling of solid waste materials by

preventing or reducing the presence of contaminants in recycled materials. The equipment would be installed at the North Gateway Material Recovery Facility.

Financial Impact

This ordinance provides authorization to enter into a $3,000,000 lease purchase agreement with Closed Loop Fund to finance or reimburse costs of acquiring, constructing and improving real and personal property. The lease purchase amount would be repaid to Closed Loop Fund from recycling revenues over a five-year period at zero percent interest. Upon full payment of the lease purchase amount, the Public Works Department would own the installed recycling equipment.

Concurrence/Previous Council Action

This item was recommended for approval by the Water, Wastewater, Infrastructure, and Sustainability Subcommittee on Dec. 5, 2018, by a vote of 3-0.

Location

The North Gateway Material Recovery Facility is located at 30205 N. Black Canyon Freeway.
Council District: 2

This item was adopted.

37 Housing Counseling and Loan Administration for Down Payment Assistance - Requirements Contract - RFQu 18-135 (Ordinance S-45249)

Request to authorize the City Manager, or his designee, to enter into contracts with Administration of Resources & Choices (ARC), Chicanos Por La Causa (CPLC), Greater Phoenix Urban League (GPUL), Newtown Community Development Corporation (NCDC), and Trellis, for Housing Counseling and Loan Administration for Down Payment Assistance services for the City's Neighborhood Services Department (NSD) Neighborhood Stabilization Program (NSP). Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value shall not exceed $250,000 over a five-year period.

Summary

These contracts are necessary to provide assistance to qualified homebuyers and homeowners. Services include pre-purchase housing counseling and homebuyer education services and loan administration of down payment assistance program services. Funding for services was provided to communities hardest hit by the significant foreclosure rates and widespread foreclosure risk coupled with mortgage delinquencies, for households at or below 120 percent area median income (AMI). Through these programs NSD is increasing emphasis on promoting the value of homeownership, ensuring successful homeownership and educating buyers on good neighbor principles.

Procurement Information

A Request for Qualifications, RFQu 18-135, for Housing Counseling and Loan Administration for Down Payment Assistance was conducted in accordance with Administrative Regulation 3.10. The solicitation was posted on the City's website. There were five offers received by the Procurement Division on May 4, 2018. All offers received were responsive to the specifications as stated in the solicitation and will be part of the Qualified Vendors List for the following service categories:

Category 1: Pre-purchase Housing and Homebuyer Education (HBE)
Administration of Resources and Choices (ARC);
Chicanos Por La Causa (CPLC);
Greater Phoenix Urban League (GPUL);
Newtown Community Development Corporation;
Trellis.

Category 2: Loan Administration of Down Payment Assistance (DPA) Program
Administration of Resources and Choices (ARC);
Trellis.

The Deputy Finance Director recommends award to all firms listed above, as responsive and responsible bidders and be accepted for the Qualified Vendors List.

Contract Term

The contract term shall begin on or about Jan. 1, 2019, and end Dec. 31,

2023.

Financial Impact

The aggregate contract value shall not exceed $250,000. Funds are available in the Neighborhood Services Department's budget.

This item was adopted.

38 Calsense Irrigation Parts and Supplies - Requirements Contract IFB 19-059 (Ordinance S-45251)

Request to authorize the City Manager, or his designee, to enter into a contract with Sprinkler World of Arizona, Inc. for the purchase of Calsense-brand irrigation parts and supplies for the Parks and Recreation and Public Transit departments. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $950,000.

Summary

This contract will provide Calsense irrigation parts, supplies and landscaping communication services on an as-needed basis, for the ongoing maintenance and repairs of landscape areas at all Public Transit Department facilities, including the light rail corridors, and Parks and Recreation Department locations citywide.

Procurement Information

Invitation for Bid 19-059 was conducted in accordance with Administrative Regulation 3.10. There were three offers received by the Finance Department's Procurement Division on Oct. 26, 2018. The bid notification was sent to more than 200 suppliers and was publicly posted and available for download from the City’s website. Following are the three lowest-priced responsive and responsible offerors:

Sprinkler World of Arizona, Inc.: Unit prices range from $0.23 - $6,229.81
Ewing Irrigation Products: Unit prices range from $0.22 - $6,246.61
Horizon Distributors, Inc.: Unit prices range from $0.23 - $6,328.88

The Deputy Finance Director recommends that Sprinkler World of Arizona, Inc. be accepted as the overall lowest-priced, responsive and responsible offeror.

Contract Term
The five-year contract term will begin on or about Dec. 17, 2018.

Financial Impact
The aggregate contract value will not exceed $950,000. Funds are available in the Parks and Recreation and Public Transit departments budgets.

This item was adopted.

39 Service and Repair of Residential and Commercial Appliances - Requirements Contract - IFB 18-304 (Ordinance S-45254)

Request to authorize the City Manager, or his designee, to enter into a contract with Byassee Equipment Inc., to provide the service and repair of residential and commercial appliances for Citywide departments in an amount not to exceed $350,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The contract will provide service and repair of commercial, residential and miscellaneous appliances, including gas and electric stoves and ranges that are used to support the public afterschool programs and Citywide projects for multiple departments. Primary users are the Fire, Human Services, and Parks and Recreation departments.

Procurement Information
IFB 18-304 Service and Repair of Appliances was conducted in accordance with Administrative Regulation 3.10. The solicitation was emailed to 53 suppliers and was posted on the City's website. One offer was received by the Procurement Division on Nov. 9, 2018.

It is recommended by the Deputy Finance Director that the bid for Byassee Equipment Inc. be accepted as a responsive and responsible bidder.

Contract Term
The term of the contract will be five years and begin on or about Jan. 1, 2019.

Financial Impact

The aggregate contract value will not exceed $350,000. Funds are available in various City department budgets.

This item was adopted.

40 Two-way Pager Equipment and Service (Ordinance S-45255)

Request to authorize the City Manager, or his designee, to enter into a contract with SPOK, Inc. to continue to supply pagers and related software and data services used Citywide in an amount not to exceed $126,000 over a five-year period. Pagers are used primarily by the Fire, Planning and Development, Water Services, and Aviation departments. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Over the last decade, the use of pagers as a communications tool for City departments has decreased significantly, being replaced by mobile phones and other devices offering more features. However, multiple departments rely on two-way pagers as a low-cost notification tool, often with the pager number integrated into long-standing process control, emergency protocol, and business processes within these departments. SPOK, Inc. provides the pagers and the monthly service associated with the City's current fleet of approximately 350 pagers. The Information Technology Services Department regularly audits the use of pagers and works with departments to cancel service when they are no longer needed.

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo citing the operational impact and risk of changing pager numbers hard-programmed into process control and emergency protocols. Unlike cell phone numbers, pager phone numbers are not subject to the Federal Communications Commission (FCC) wireless local number portability requirements, and are typically owned by the paging company and cannot be ported away from them.

Contract Term

The term of the contract will be for five years, beginning on or about Jan.

1, 2019, and ending Dec. 31, 2023.

Financial Impact

This request is for a five-year amount not to exceed $126,000, based on a monthly total cost of Citywide pagers of approximately $2,100.

This item was adopted.

44 ***REVISED ITEM (SEE ATTACHED CORRECTION MEMO)* Integrated Library System Upgrade - RFA 19-029 - Requirements Contract (Ordinance S-45244)**

Request to authorize the City Manager, or his designee, to enter into a contract with Innovative Interfaces, Inc. to upgrade the Phoenix Public Library's Integrated Library System (ILS). Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value of all option years will not exceed $2,490,000 (including applicable taxes), with an estimated annual expenditure of $498,000.

Summary

The Library Department has been using the ILS since 2008. The ILS is a robust and scalable online library catalog solution within the Phoenix Public Library's public facing website. The online catalog provides mission critical resources and services to Library customers at 17 locations and to the online community 24 hours a day, seven days a week. The Phoenix Public Library website catalog averages yearly page views of 7,456,764. The ILS is used for nearly all aspects of the Library's daily business and integrates closely with other key systems and services including online library card issuing, several eMedia lending platforms, and research database access.

This contract will allow the Library Department to move from an on-premise ILS environment to a hosted solution using Amazon Web Services. The hosted solution provides additional service opportunities to further enhance Library user experience, deliver functionality to Library staff and customers, and manage existing and future Library customer accounts. In addition, the hosted solution will provide ongoing maintenance and support, disaster recovery, system resiliency, and will decrease the support impact on Library staff.

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 the result of a Determination Memo citing the ILS hosted solution meets all of the Phoenix Public Library's business requirements.

Contract Term
The initial two-year contract term shall begin or or about Jan. 1, 2019. Provisions of the contract may include an option to extend the term of the contract up to three additional years, in one-year increments, which may be exercised by the City Manager or designee.

Financial Impact
The aggregate contract value of all option years will not exceed $2,490,000 (including applicable taxes), with an estimated annual expenditure of $498,000. Funds are available in the Phoenix Public Library budget.

Concurrence/Previous Council Action
This item was recommended for approval at the Parks, Arts, Libraries and Education Subcommittee meeting on Nov. 28, 2018, by a 3-0 vote.

This item was adopted as corrected.

45 HOME Open Doors Down Payment Assistance Request for Proposals

This report requests City Council approval of the Housing Department's Open Doors Down Payment Assistance (DPA) Program Request for Proposals (RFP), and the associated revisions to the Affordable Housing Loan Program (AHLP) Underwriting Guidelines. Further request authorization for the City Manager, or designee, to issue the Open Doors DPA RFP and to begin negotiations with the recommended proposer(s). There is no impact to the General Fund.

Summary
The City receives an annual allocation of federal HOME Investment Partnerships Program (HOME) funds from the U.S. Department of Housing and Urban Development (HUD), which the City can use to

increase homeownership opportunities for low- and moderate-income families. The Housing Department has offered homeownership programs like Open Doors DPA to the community since the 1990's. The Open Doors DPA program is designed to assist eligible first-time homebuyers with the purchase of an affordable home in the City of Phoenix by providing funding for down payment and/or closing costs. Assistance is based on need and is provided to households earning at or below 80 percent of the Area Median Income ($55,300 for a family of four). The most recent five-year Open Doors DPA contract ended in August 2018, and served 89 households to successfully become homeowners. Through the Housing Department, the citywide DPA program will follow the City's AHLP Underwriting Guidelines.

The Housing Department may award to one or more agencies. The award(s) will be for three years, commencing on or about July 1, 2019, with the City retaining the option to renew or extend the agreements for two additional periods of up to one year each. The allocation will not exceed $1.2 million over the five-year period.

Procurement Information

The RFP will be available through the City's website in February 2019. A selection committee will convene to evaluate proposed projects for the RFP, based on the criteria below. The committee will be made up of representatives from City departments and community partners with relevant expertise who are not competing for the funding. Formal recommendation for the RFP award(s) will be presented to the Planning and Economic Development Subcommittee and City Council for approval.

Applicants must meet the following threshold criteria prior to moving forward to evaluation and scoring by the selection committee:

A public agency or nonprofit organization operating within Maricopa County.

Entity is not on the HUD Debarment List.

Three years minimum experience with loan origination programs.

Applications that do not meet the threshold criteria will be rejected and not move forward to evaluation.

Evaluation criteria for selection will include the following:
Experience, Financial Capacity and Qualifications (450 pts) - Evidence of proposers's capacity and demonstrated effectiveness in performing the specified work. Financial stability and years in existence. Qualifications of staff to perform services described and experience in accomplishing the proposed services.
Design (350 pts) - Proposer's approach, methodology and implementation for providing services.
Pricing and Costs (200 pts) - Reasonableness of fees and expenses.

Underwriting Guidelines Revisions
The City first adopted the Underwriting Guidelines (Guidelines) in October 2005. Since then the Guidelines have been periodically updated. The Homeownership Assistance Loan Program section of the Guidelines were last updated in December of 2013. The goals of the Guidelines are to:
1. Provide long-term housing affordability.
2. Provide homeownership opportunities.
3. Create predictable, clear underwriting, and approval process.
4. Manage risk and encourage high performing subrecipient contracts.

Proposed revisions to the Guidelines include:
1. Revised threshold and evaluation criteria.
2. Revised loan forgiveness terms.
3. Revised Period of Affordability to align with current HOME regulatory requirements.
4. Overall updates to comply with current HOME regulatory requirements.

Financial Impact
There is no impact to the General Fund. HOME is a federally-funded program.

This item was approved.

46 Artist Design Contract for Community Well Site #225 Public Art Project (Ordinance S-45256)

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

contract with Arizona artist Mary Shindell, or her City-approved designee, for an amount not to exceed $35,000 to work with a landscape architect to design enhancements for Community Well Site #225 Public Art Project. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Fiscal Year 2018-23 Public Art Project Plan includes a project to commission artists to work with landscape architects and other design professionals to enhance the security and appearance of community well sites and other water facilities Citywide. The well sites are an essential part of the City's water delivery system, and are often located in residential neighborhoods.

On Sept. 26, 2018, a six-person artist selection panel recommended Mary Shindell and five other finalists after reviewing a pool of 88 artists who had responded to a City-issued Request for Qualifications. In addition to Mary Shindell, the finalists included Jeff Zischke (AZ), Suikang Zhao (NY), Joseph O'Connell (AZ), Pete Goldlust (OR), and Volkan Alkanoglu (OR). Mr. O'Connell subsequently withdrew himself from consideration for the project due to scheduling conflicts.

On Oct. 30, 2018, the panel interviewed the five finalists before recommending that Mary Shindell be contracted for the Community Well Site #225. The panel based its decision on Ms. Shindell's ability to work well with the community and design teams, her experience in creating vibrantly-colored works of public art with highly durable materials, and her potential to create enhancements that suit the needs of the community and site.

The selection panel included Dianne Cripe, public art specialist; Jacob Meders, artist; Abraham James, architect; Christina Dubois, Phoenix Water Services Department representative; Kathy Matlock, District 2 community representative; and Sophia Garza, District 7 community representative.

Financial Impact

The Community Well Site Enhancement Public Art Project is part of the

Community Beautification and Greenspace Program, which is one of 31 projects in the Fiscal Year 2018-23 Public Art Project Plan that City Council approved on June 28, 2018. The Art Plan includes $1,000,000 in this fiscal year for this and two other community well site enhancement projects. The proposed $35,000 design contract will cover all costs related to the artist's working with City staff and a landscape architect to develop the design concept and construction documents for this project. The funds for this project come from the Water Services Department Capital Improvement Program.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission reviewed and recommended this item for approval at its Nov. 20, 2018, meeting. The Parks, Arts, Libraries and Education Subcommittee recommended this item for City Council approval on Nov. 28, 2018, by a vote of 3-0.

Location

The project will be located 4411 E. Beverly Lane.
Council District: 2

This item was adopted.

47 Artist Design Contract for Community Well Site #156 Public Art Project (Ordinance S-45257)

Request to authorize the City Manager, or his designee, to enter into a contract with Arizona artist Jeff Zischke, or his City-approved designee, for an amount not to exceed $35,000 to work with a landscape architect to design enhancements for Community Well Site #156 Public Art Project. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Fiscal Year 2018-23 Public Art Project Plan includes a project to commission artists to work with landscape architects and other design professionals to enhance the security and appearance of community well sites and other water facilities Citywide. The well sites are an essential part of the City's water delivery system, and are often located in residential neighborhoods.

On Sept. 26, 2018, a six-person artist selection panel recommended Jeff

Zischke and five other finalists after reviewing a pool of 88 artists who had responded to a City-issued Request for Qualifications. In addition to Jeff Zischke, the finalists included Mary Shindell (AZ), Suikang Zhao (NY), Joseph O'Connell (AZ), Pete Goldlust (OR), and Volkan Alkanoglu (OR). Mr. O'Connell subsequently withdrew himself from consideration for the project due to scheduling conflicts.

On Oct. 30, 2018, the panel interviewed the five finalists before recommending that Jeff Zischke be contracted for the Community Well Site #156 project, in Maryvale. The panel based its decision on Mr. Zischke's ability to work well with the community and design teams, his expertise in creating exemplary works of public art with highly durable materials, and his potential to create enhancements that suit the needs of the community and site.

The selection panel included Dianne Cripe, public art specialist; Jacob Meders, artist; Abraham James, architect; Christina Dubois, Phoenix Water Services Department representative; Kathy Matlock, District 2 community representative; and Sophia Garza, District 7 community representative.

Financial Impact

The Community Well Site Enhancement Public Art Project is part of the Community Beautification and Greenspace Program, which is one of 31 projects in the Fiscal Year 2018-23 Public Art Project Plan that City Council approved on June 28, 2018. The Art Plan includes $1,000,000 in this fiscal year for this and two other community well site enhancement projects. The proposed $35,000 design contract will cover all costs related to the artist's working with City staff and a landscape architect to develop the design concept and construction documents for this project. Funds for project construction would be requested once the design phase is completed successfully. The funds for this project come from the Water Services Department Capital Improvement Program.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission reviewed and recommended this item at its Nov. 20, 2018, meeting. The Parks, Arts, Libraries and

Education Subcommittee recommended this item for City Council approval on Nov. 28, 2018, by a vote of 3-0.

Location
The project will be located 6237 W. Osborn Road.
Council District: 7

This item was adopted.

49 Designate City-Owned Property on Camelback Mountain as Mountain Preserve (Ordinance S-45250)

Request that the City Council change the existing designation of City-owned property on Camelback Mountain from mountain park to mountain preserve, and order that the ordinance be recorded.

Summary
The Parks and Recreation Department uses the following park categories to assist in management, planning, and budget allocation for all City parks: flatland parks, mountain preserves, and mountain/desert parks.

Currently, Camelback Mountain property is designated under the category of a mountain park. A review by the Parks and Recreation Department considered the opportunity to designate associated City-owned property on Camelback Mountain to a mountain preserve status.

Camelback Mountain is a unique destination and one of the City's most popular hiking areas. The area is enjoyed by a variety of out of state visitors and in-state recreational users ranging from hikers, rock climbers and earth (B.A.S.E.) jumpers. Over 450,000 users visited Camelback Mountain from July 2017 through July 2018. The mountain also provides a natural habitat to sensitive plant life and a variety of native animal species unique to the Sonoran Desert, such as rattlesnakes and chuckwalla lizards; nesting sites for Peregrine and Prairie falcons; and dens for foxes.

To thoughtfully consider a potential update to the property designation of Camelback Mountain, the Parks and Recreation Department formulated a multisector task force comprised of a citizen group to gain public input and direction. These individuals continue to be involved in ongoing

conversation about public safety, land stewardship, and policy issues related to the property designation.

Chapter XXVI, section 1(d) of the Phoenix City Charter provides that the City Council may designate real property as mountain preserve by ordinance upon recommendation of such designations by the Parks and Recreation Board. On Oct. 25, 2018, the Parks and Recreation Board recommended that several properties the City owns be designated as mountain preserve so that the protections afforded to preserve property under chapter XXVI will apply. **Attachment A** shows the property parcels and **Attachment B** shows the map to help identify the property to be designated mountain preserve.

Concurrence/Previous Council Action
This item was heard and recommended unanimously by the Parks and Recreation Board on Oct. 25, 2018.

This item was recommended for approval by the Parks, Arts, Libraries and Education Subcommittee on Nov. 28, 2018, by a vote of 3-0.

Public Outreach
Public outreach was conducted at task force meetings, through survey distribution and presentations to the Phoenix Sonoran Preserve Mountain Parks/Preserve Committee and Parks and Recreation Board.

Location
4925 E. McDonald Drive
Council District: 6

This item was adopted.

50 Fiscal Monitoring Services Request for Proposals Contract Award (RFP-CED18-FMS) (Ordinance S-45232)

Request to authorize the City Manager, or his designee, to enter into a contract with The PUN Group, LLP to provide fiscal monitoring services for Human Services Department programs. The aggregate contract amount will not exceed $694,000. Further request to authorize the City Controller to disburse all funds related to this item for the life of the contract.

Summary

The successful proposer will conduct periodic fiscal monitoring of subcontractors accountable to the City to facilitate Human Services Department programs. These fiscal monitoring activities are required to comply with grant stipulations, including the Workforce Innovation and Opportunity Act, the Strengthening Working Families Initiative, Head Start, Victim Services and Homeless programs.

Procurement Information

Solicitation RFP-CED18-FMS, Fiscal Monitoring Services, was issued on Aug. 30, 2018, and conducted in accordance with Administrative Regulation 3.10. The PUN Group, LLP submitted the only responsive offer for this business opportunity. Staff verified the proposal met the minimum qualifications and requirements of the RFP.

Contract Term

The contract will be for one year, beginning on or about Dec. 15, 2018, with four one-year renewal options.

Financial Impact

The aggregate value of this agreement shall not exceed $694,000. $33,640 in general funds have been allocated annually and $105,160 in grant funds.

Concurrence/Previous Council Action

The Phoenix Business and Workforce Development Board approved the Workforce Development Program funding portion of this contract at its Nov. 8, 2018, meeting.

This item was adopted.

52 Emergency Medical Service Medications - IFB 14-061A - Requirements Contract (Ordinance S-45246)

Request to authorize the City Manager, or his designee, to extend contracts 137714 with Henry Schein, 137715 Life Assist, Inc., and 137716 Bound Tree Medical, LLC, for a month-to-month extension, up to 12 months, through Jan. 31, 2020. Further request authorization for the City Controller to disburse all funds related to this item in the amount not

to exceed $735,000 during the extension period.

Summary

The Contractors will continue to provide the Phoenix Fire Department (PFD) with Emergency Medical Service (EMS) medications on an as-needed basis. PFD is the only public provider of EMS within the City of Phoenix, utilizing dual-role firefighters in the delivery of fire and emergency medical services. Approximately 900 firefighters are trained to the level of Emergency Medical Technician (EMT) and about 300 firefighters are Certified Emergency Paramedics (CEP). PFD firefighters provide treatments and procedures used on Advanced Life Support (ALS) ambulances, which include the starting of Intravenous Lines (IVs), and administration of emergency medications including medications that can alter blood pressure. When time is critical and effective pre-hospital care is necessary, PFD is well positioned strategically, geographically, administratively, and operationally to provide support. As PFD firefighters are often required to administer emergency medications and intravenous fluids to patients, EMS medications must be stocked and readily available on the ALS ambulance.

PFD recently did an internal assessment of their medication and medical supplies needs. As a result of this assessment, PFD will be combining multiple contracts of similar medical items into one procurement. Approval of the extension will provide Procurement additional time to issue the solicitation and secure multiple contracts for EMS medications and medical supplies.

Contract Term

The contract term for the contracts will be on a month to month basis through Jan. 31, 2020.

Financial Impact

The aggregate value for the extensions will not exceed $735,000. The revised total aggregate value for the contract will be $6,335,000. Funds are available in the Fire and Police Department's budget.

Concurrence/Previous Council Action

This contract is a result of solicitation IFB 14-061, which resulted in the

award of three contracts and was originally approved by Formal Council Action on Jan. 15, 2014.

This item was adopted.

53 Emergency Medical Services Medical Supplies Locker - IFB 14-062A-Requirements Contract (Ordinance S-45247)

Request to authorize the City Manager, or his designee, to extend contracts 137702 Henry Schein, 137703 Life-Assist, Inc., 137704 Boundtree Medical, LLC, 137697 Midwest Medical Supply Company, for a month-to-month extension, up to 12 months through Jan. 31, 2020. Further request authorization for the City Controller to disburse all funds in the amount not to exceed $2,200,000 related to this item.

Summary

The Contractors will continue to provide the Phoenix Fire Department (PFD) with Emergency Medical Service (EMS) Medical Supplies Locker Systems on an as-needed basis. PFD provides emergency medical services to patients throughout the greater Phoenix area. High volume medical supplies are frequently used by PFD in the treatment of these patients, making it necessary to be able to allow for the bulk dispensing of emergency medical supplies. EMS medical supplies must be stocked and readily available.

PFD recently conducted an internal assessment of its medication and medical supplies needs. As a result of this assessment, PFD will be combining multiple contracts of similar medical items into one procurement. Approval of the extension will provide Procurement additional time to issue the solicitation and secure multiple contracts for EMS medications and medical supplies.

Contract Term

The contract term will be on a month-to-month basis through Jan. 31, 2020.

Financial Impact

The aggregate will not exceed $2,200,000. The revised aggregate value will be $13,034,600. Funds are available in the Fire and Police Department's budget.

Concurrence/Previous Council Action

This contract is a result of solicitation IFB 14-062, which resulted in the award of four contracts and was originally approved by Formal Council Action on Jan. 15, 2014.

This item was adopted.

54 Request to Apply for and Accept 2019 Urban Area Security Initiative Grant (Ordinance S-45264)

Request to authorize the City Manager or his designee to apply for and accept, if awarded, up to $800,000 from the Urban Area Security Initiate Grant (UASI) program to fund a one-time purchase of a Project 25 (P25) Inter RF Subsystem Interface (ISSI) for the Regional Wireless Cooperative (RWC). Also request authorization for the City Treasurer to accept and for the City Controller to disburse all funds related to this item.

Summary

The UASI grant is funded through the Arizona Department of Homeland Security and is intended to help organizations prevent, protect against, mitigate, respond to, and recover from acts of terrorism. The RWC is a mission critical public safety, police, and fire radio network supporting 19 cities, towns, and fire districts in the Phoenix metropolitan region. A single, secure P25 ISSI connection provides standards-based interoperability with internal and external public safety organizations, reducing both the cost and complexity of interoperable radio communications. An ISSI would significantly enhance interoperability between local, county, state, tribal, and federal agencies with RWC members during multi-agency response to emergencies and large planned public events. An ISSI would also allow integrations to other large radio networks throughout the state. Other organizations that might benefit are the Topaz Regional Wireless Cooperative (TRWC - Mesa), Pinal County, Maricopa County, and the Department of Public Safety.

If the RWC is awarded the grant, the cost savings for each member will be over $42,000.

The deadline to submit this grant is Dec. 21, 2018.

Financial Impact

Cost sharing or matching is not required for this grant. There is no financial impact to the General Fund.

This item was adopted.

55 Airport Retail Concessions Street Pricing Policy (Ordinance S-45267)

Request authorization for the City Manager, or his designee, to amend the Airport Retal Concessions agreements to discontinue the Street Pricing Policy for all retail concessions at Phoenix Sky Harbor International Airport (Airport) effective Feb. 15, 2019.

Summary

On Dec. 5, 2018, at the City Council Formal Meeting, the Council approved Item 82, "Airport Concession Street Pricing Policy" to discontinue the Airport Street Pricing Policy for food and beverage operators and that new pricing be effective Feb. 15, 2019. The Council further requested that an item to discontinue the Airport Street Pricing Policy for Airport retail concessions be placed on the City Council Formal Meeting agenda on Dec. 12, 2018.

Location

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

This item was adopted.

57 Baggage Handling Control System Design, Programming and Integration Services - AVN IFB 19-007 (Ordinance S-45225)

Request to authorize the City Manager, or his designee, to enter into a contract with Quantum Integrated Solutions, Inc. (Quantum) to provide baggage handling control system design, programming and integration services for the Aviation Department in an amount not to exceed $2 million for a five-year aggregate contract term. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The contract will provide 24 hours a day, seven days a week, technical support including but not limited to design, program, integration, and architectural controls for the baggage handling system (BHS) at Phoenix Sky Harbor Internation Airport (PHX). Additionally, this contract will also

provide a one-time upgrade service to existing BHS at Terminal 3 and Terminal 4 North at PHX. The upgrade of the BHS will provide a more reliable system and better tracking to ensure bags are sent to the proper locations.

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

Procurement Information
Solicitation AVN IFB 19-007 was conducted in accordance with Administrative Regulation 3.10. Three offers were received on Oct. 15, 2018. The offers were evaluated based on price, responsiveness, terms and conditions, and responsibility to provide the required services. Quantum's offer was deemed to be fair and reasonable based on the market and previous contract pricing.

Quantum Integrated Solutions, Inc.: $270,400.00
Vertech Industrial Systems, LLC: $327,437.50
Control Touch Systems, LLC: $381,265.00

Contract Term
This contract will begin on or about Jan. 1, 2019, for a five-year aggregate contract term with no options to extend.

Financial Impact
The contract amount will not exceed $2 million for the five-year aggregate term. Funds are available in the Aviation Department's budget.

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

This item was adopted.

58 Phoenix Sky Harbor International Airport Terminal 2 Building Demolition, Apron Reconstruction, Mural Relocation, and Garage Demolition - Construction Manager at Risk Preconstruction Services - AV08000082-FAA, AV02000033 (Ordinance S-45240)

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

agreement with Kiewit Infrastructure West Co., to provide Construction Manager at Risk (CMAR) Preconstruction Services for the Phoenix Sky Harbor International Airport Terminal 2 (T2) Building Demolition, Apron Reconstruction, Mural Relocation, and Garage Demolition 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 $735,500.

Summary

Terminal 2, the apron, and associated systems were constructed over 60 years ago and have reached their useful life. The Terminal 3 (T3) improvements were undertaken to provide gates for the airlines operating at T2. This allows T2 to be demolished without an impact to capacity and operations.

The purpose of this project under the first phase, project number AV08000082-FAA, is to demolish the PSHIA T2 concourse and reconstruct the apron. This will provide dual taxi lanes and improved operational safety. Phase 1 of the project will have Federal Aviation Administration (FAA) funds associated with the work consistent with the phasing and grant availability.

The purpose of this project under the second phase, project number AV02000033, is to demolish the PSHIA T2 terminal building (processor) and possibly the T2 garage at a future date once a separate detailed scoping is completed and funding becomes available. Phase 2 will demolish the T2 processor, include relocation of the art mural to a new airport location with public access prior to demolition, and possibly the T2 parking garage in accordance with the airport's plan for development. The second phase is not eligible for federal funds.

Kiewit Infrastructure West Co. will begin in an agency support role for CMAR Preconstruction Services. Kiewit Infrastructure West Co. will assume the risk of delivering the project through a Guaranteed Maximum Price (GMP) agreement.

Kiewit Infrastructure West Co.'s services include, but are not limited to:

project planning, scheduling and detailed cost estimates; preparing Guaranteed Maximum Price proposals; investigate utility conflicts; provide alternate systems evaluation and constructibility reviews of project plans and specifications, and compliance with 49 Code of Federal Regulations Part 26 and the U.S. Department of Transportation Disadvantaged Business Enterprise Program.

Procurement Information
The selection was made using a qualification-based selection and interview 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. Six firms submitted proposals and are listed below:

Selected Firm
Rank 1: Kiewit Infrastructure West Co.

Additional Proposers
Rank 2: Viasun-BCS, a Joint Venture
Rank 3: J. Banicki Construction, Inc.
Rank 4: Sundt Construction, Inc.
Rank 5: Granite Construction Company

Contract Term
The term of the agreement is 225 calendar days from issuance of the Notice to Proceed for Phase 1 and 300 calendar days from issuance of the Notice to Proceed for Phase 2. 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 Kiewit Infrastructure West Co. will not exceed $735,500, including all subcontractor 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.

Concurrence/Previous Council Action
The City Council approved Engineering Services Agreement (S-45142) on Nov. 14, 2018.

Location
3400 E. Sky Harbor Blvd.
Council District: 8

This item was adopted.

59 Phoenix Sky Harbor International Airport Terminal 4 S-1 Concourse - Construction Manager at Risk Construction Services - AV21000097 (Ordinance S-45233)

Request to authorize the City Manager, or his designee, to enter into an agreement with McCarthy Building Companies, Inc. to provide Construction Manager at Risk (CMAR) Construction Services for the new Phoenix Sky Harbor International Airport Terminal 4 S-1 Concourse 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 $236,250,000.

Summary
The purpose of this project is to construct the eighth and final concourse at the southside of Terminal 4, providing additional boarding gate capacity and enhancing customer service. The project will add eight new boarding gates and will include a new north-south connector bridge over Sky Harbor Boulevard and a new east-west concourse connector bridge. The project also includes, but is not limited to, support facilities, ticket counters, and modifications of the security checkpoint, baggage system and baggage claim.

McCarthy Building Companies, Inc.'s initial services will include

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

McCarthy Building Companies, Inc.'s services include, but are not limited to: subcontractor procurement, construction, scheduling, quality control, closeout activities, and all work 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. Scoring and selection were made in conjunction with the CMAR Preconstruction Services selection process.

Contract Term
The term of the agreement is three years and seven months 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 McCarthy Building Companies, Inc. will not exceed $236,250,000, including all subcontractor 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.

Concurrence/Previous Council Action

The City Council approved:

Architectural Services Agreement 146829 (Ordinance S-44236) on Jan. 24, 2018; and

Construction Manager at Risk Design (Preconstruction) Services Agreement 146830 (Ordinance S-44239) on Jan. 24, 2018.

Location

3400 E. Sky Harbor Blvd.

Council District: 8

This item was adopted.

60 Phoenix Sky Harbor International Airport Terminal 4 S-1 Concourse - Construction Manager at Risk Design Services Amendment 1 - AV21000097 (Ordinance S-45241)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 146830 with McCarthy Building Companies, Inc., to provide additional Construction Manager at Risk (CMAR) Design Services for the new Phoenix Sky Harbor International Airport Terminal 4 S-1 Concourse. 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 $1.3 million.

Summary

The purpose of this project is to construct the eighth and final concourse at the southside of Terminal 4 providing additional boarding gate capacity and enhancing customer service. The project will add eight new boarding gates and will include a new north-south connector bridge over Sky Harbor Boulevard and a new east-west concourse connector bridge. The project also includes, but is not limited to, support facilities, ticket counters, and modifications of the security checkpoint, baggage system, and baggage claim.

This amendment is necessary because Council previously approved McCarthy Building Companies, Inc.'s initial CMAR design phase services for 30 percent design of the project, cost estimating, and program validation. This amendment will provide additional funds for completion of the CMAR design phase services and extend time to the agreement.

Contract Term

The term of the agreement amendment is 416 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 initial agreement for Construction Manager at Risk (CMAR) Design Services was executed for a fee not-to-exceed $2 million, including all subconsultant/subcontractor and reimbursable costs.

Amendment 1 will increase the agreement by an additional $1.3 million, for a new total not-to-exceed agreement value of $3.3 million, including all subconsultant/subcontractor and reimbursable costs.

Funding for this amendment 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 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:

Architectural Services and possible CA&I Agreement 146829 (Ordinance S-44236) on Jan. 24. 2018; and

Construction Manager at Risk Design Services Agreement 146830 (Ordinance S-44239) on Jan. 24, 2018.

Location

3400 E. Sky Harbor Blvd.

Council District: 8

This item was adopted.

61 Phoenix Sky Harbor International Airport Terminal 4 S-1 Concourse - Architectural Services Amendment 1 - AV21000097 (Ordinance S-45242)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 146829 with SmithGroup, Inc. to provide additional Architectural Services and provide Construction Administration and Inspection Services for the new Phoenix Sky Harbor International Airport Terminal 4 S-1 Concourse 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 $21.5 million.

Summary

The purpose of this project is to construct the eighth and final concourse at the southside of Terminal 4 providing additional boarding gate capacity and enhancing customer service. The project will add eight new boarding gates and will include a new north-south connector bridge over Sky Harbor Boulevard and a new east-west concourse connector bridge. The project also includes but is not limited to support facilities, ticket counters, and modifications of the security checkpoint, baggage system, and baggage claim.

This amendment is necessary because Council previously approved SmithGroup, Inc. to provide initial design phase services for program validation and 30 percent design of the project. This amendment will provide additional funds to complete the design to 100 percent, add construction administration and inspection services, and extend the agreement time.

SmithGroup, Inc.'s additional services include, but are not limited to: design development; construction document development; construction submittal review; contractor progress payment certification; construction inspection; meeting documentation; report preparation, and other work as required for complete Design and Construction Administration and Inspection Services.

Contract Term

The term of the agreement amendment is three years and seven 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

The initial agreement for Architectural Services was executed for a fee not-to-exceed $10 million, including all subconsultant and reimbursable costs.

Amendment 1 will increase the fee by an additional $21.5 million for a new total not-to-exceed agreement value of $31.5 million, including all subconsultant and reimbursable costs.

Funding for this amendment 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 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:

Architectural Services and possible CA&I Agreement 146829 (Ordinance S-44236) on Jan. 24. 2018; and

Construction Manager at Risk Design (Preconstruction) Services Agreement 146830 (Ordinance S-44239) on Jan. 24, 2018.

Location

3400 E. Sky Harbor Blvd.

Council District: 8

This item was adopted.

62 Authorization to Amend Ordinance with Chicanos Por La Causa to Extend Agreement Execution Deadline (Ordinance S-45258)

Request to authorize the City Manager, or his designee, to amend Ordinance S-44141 to extend the deadline to enter into the development agreement and lease with Chicanos Por La Causa (CPLC) until June 19, 2019.

Summary

On Dec. 13, 2017, the Phoenix City Council adopted Ordinance S-44141 to enter into a development agreement and lease agreement with CPLC, or its City-approved designee, for the development of a mixed-use project focused on employment-generating uses, with ancillary community-serving uses, on approximately 35 acres of land in Sky Harbor Center. Ordinance S-44141 granted 12 months from the date of the ordinance, which would be Dec. 12, 2018, to execute the development agreement and lease.

As part of the CPLC approval, City Council authorized City staff to negotiate with the Roman Catholic Diocese of Phoenix (Diocese) for a potential lease of the historic Sacred Heart Church. Negotiations with the Diocese were completed in June 2018. At the June 20, 2018, Formal meeting, City Council approved business terms and authority for the City to enter into the lease with the Diocese's affiliate, Sacred Heart Roman Catholic Parish Phoenix (Parish). That approval, Ordinance S-44586, granted 12 months for the Parish to execute the lease with the City, which would expire June 19, 2019. CPLC has requested an extension to enter into the development agreement and the lease with the City until June 19, 2019, to coincide with the Parish deadline. All agreements will be sent to the Federal Aviation Administration to review concurrently once they are executed.

Financial Impact

This extension will have no financial impact on the General Fund.

Concurrence/Previous Council Action

Ordinance S-44141 was approved at the Dec. 13, 2017, City Council Formal meeting.

Location
The site is generally located on the northeast corner of 16th Street and Buckeye Road, and the northeast corner of Sky Harbor Circle North and Buckeye Road.
Council District: 8

This item was adopted.

63 Extension of Scheidt & Bachmann Maintenance Service Agreement (Ordinance S-45234)

Request to authorize the City Manager, or his designee, to enter into a contract change order to Agreement 123686 with Scheidt & Bachmann USA, Inc. to exercise the final extension option to the transit fare collection Maintenance Service Agreement (MSA). Further request authorization for the City Controller to disburse funds in an amount not to exceed $11 million over the four-year period.

Summary
On June 15, 2005, City Council authorized award of a competitively sourced contract to Scheidt & Bachmann USA, Inc. (S&B) for a fare collections system (FCS). The subsequent MSA with S&B commenced on Jan. 29, 2007, as an eight-year base term contract, with two four-year extension options. The cost for the base contract period was $18,353,823. The compensation for the extension options was set up to be negotiated by both parties. The first four-year option period had a cost of $9,523,334 and will expire on Jan. 28, 2019.

The proposed cost for the final four-year option period is $10,576,098, including applicable taxes, as negotiated by City staff and S&B. Staff recommends a change order not to exceed $11 million to accommodate expected fleet expansion for planned bus service improvements over the next four years as a direct result of the voter approved Transportation 2050 (T2050) Plan.

A solicitation for a new regional FCS will be issued in the near future. This final four-year option for the S&B MSA will provide necessary maintenance of the existing FCS until the acquisition and implementation of a new regional FCS is complete. The MSA may be terminated if the new FCS is implemented prior to the end of the four-year option period.

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

Contract Term

The extension will be for a four-year period, beginning Jan. 29, 2019, through Jan. 28, 2023 or sooner if terminated due to implementation of the new FCS.

Financial Impact

The total cost related to this item will not exceed $11 million over four years. Funds are available for the first year cost of $2,509,824 in the Public Transit Department operating budget T2050 fund. The City will recover regional transit partners' portion of the annual MSA costs as incurred.

Concurrence/Previous Council Action

This item was recommended for approval at the Aviation and Transportation Subcommittee meeting on Nov. 27, 2018, by a vote of 3-0.

This item was adopted.

64 Pre-Encoded Smart Card Fare Media Award Recommendation - IFB PTD19-001 (Ordinance S-45236)

Request to authorize the City Manager, or his designee, to enter into a contract with ABCorp NA, Inc. for the provision of Pre-Encoded Smart Card Fare Media to the Public Transit Department. Further request authorization for the City Controller to disburse funds in an amount not to exceed $525,000.

Summary

The Contractor will supply pre-encoded smart card fare media to the Public Transit Department for use on the Scheidt & Bachmann Fare Collection System (S&B FCS) currently in use. The cards will be used for three regional transit fare programs - Platinum Pass, ASU UPass, and Semester Pass - on transit bus fare boxes and ticket vending machines, and will be encoded with the fare type, customer name, validity start date

and validity end date.

Procurement Information
IFB PTD19-001 was conducted in accordance with City of Phoenix Administrative Regulation 3.10. On Sept. 6, 2018, three bids were received. They are listed below with their total contract cost:

ABCorp NA, Inc.: $456,542.50
Paragon Magnadata, Inc.: $558,905.00
Valid USA - Identity Solutions: $716,377.50

ABCorp NA, Inc. was the lowest bid received. Based on confirmation with ABCorp NA, Inc. references, review of market conditions and comparison with the current contract, the pricing has been determined to be fair and reasonable and ABCorp's bid is determined to be responsive and responsible. The requested contract amount was increased by approximately 15 percent to account for applicable taxes and potential growth in the three fare programs during the span of the contract term.

Contract Term
The contract term shall begin on Feb. 1, 2019, and end on Jan. 31, 2021. Provisions of the agreement include options to extend the contract up to three additional years in increments of one year, which may be exercised by the Public Transit Director if it is in the City's best interest to do so.

Financial Impact
The aggregate contract value if the City exercises all options shall not exceed $525,000. Funds for the first year amount of approximately $105,000 are available in the Public Transit Department operating budget.

Concurrence/Previous Council Action
This item was recommended for approval at the Aviation and Transportation Subcommittee meeting on Nov. 27, 2018, by a vote of 3-0.

This item was adopted.

65 Heavy Duty Brake Service - Contract Recommendation (Ordinance

S-45226)

Request to authorize the City Manager, or his designee, to enter into a contract with TruckPro Holding Corporation, TruckPro, LLC dba Arizona Brake and Clutch Supply and Freightliner of Arizona, LLC dba Velocity Truck Centers to provide heavy duty brake services for the Public Works Department. This contract will have a total aggregate value of $4,500,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department is responsible for maintaining 4,000 heavy duty vehicles with a gross vehicle weight of 26,000 pounds or greater. This contract will be used to provide brake service on steer axle and drive axle components on heavy duty fleet such as fire equipment, refuse trucks, and street equipment that provide critical services to residential customers. Due to the diversity of the Public Works fleet, this service has historically been performed by third party vendors to eliminate excessive down time.

Procurement Information

Invitation for Bid 19-FSD-027 was conducted in accordance with Administrative Regulation 3.10. The solicitation contained two groups: Group I - Drum Brakes and Group II - Disc Brakes with the bids being evaluated by total cost of a complete brake job. Two bids were received with both vendors bidding on the two groups offered, and both are being recommended for award to expedite service.

TruckPro, LLC dba Arizona Brake and Clutch Supply: Group I - $1,245; Group II - $2,060.50
Freightliner of Arizona, LLC dba Velocity Truck Centers: Group I - $2,184; Group II - $2,457

Contract Term

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

Financial Impact

This contract will have a $900,000 estimated annual expenditure, with a total aggregate amount not to exceed $4,500,000 over the life of the contract. Funds are available in the Public Works Department's budget.

This item was adopted.

66 Five-Year T2050 Streets Technology Program

Request City Council approval of Fiscal Years (FY) 2022 and 2023 of the Five-Year Transportation 2050 (T2050) Streets Technology Program.

Summary

As part of the T2050 Streets Technology Program, the Street Transportation Department previously received approval for the replacement of 3,000 damaged and faded illuminated street name signs over a two-year period, left turn arrows at five to seven intersections annually over a five-year period, and repainting all of the traffic signal poles in the City over a 10-year period. To date, over 2,000 illuminated street name signs have been installed. The remaining signs will be installed by FY 2019. Signal poles have been painted at approximately 213 intersections, and an additional five to seven left turn arrows have been installed annually over the last two years.

Proposed Program for FY 2022 and FY 2023

Fiscal years 2022 and 2023 will see the continuation of signal pole painting at intersections. In addition, the Street Transportation Department proposes to add fiber communications and enhanced intersection technology to the five-year program. These additions will enhance operations at intersections, and allow signals to be managed more efficiently by staff at the Traffic Management Center (TMC). The advantages of these technology enhancements include: remote troubleshooting access, improved cost management as compared to traditional in-ground roadway improvements, and the ability to monitor and manage all modes of travel (bicycle, pedestrian, vehicle and transit).

Fiber Communications

The main source of the City's traffic data comes from signalized intersections. Data is processed at a central point where the data can be transferred through rented fiber from third parties or can be owned and operated by the City.

The Street Transportation and Information Technology departments coordinate the installation of fiber at key locations in the City to provide reliable, secure and high speed data links. Using the City's own fiber helps avoid the ongoing costs associated with additional leased data circuits. The proposed Fiber Communications Program will expand the City's fiber network and allow for data to be sent and received more efficiently.

Fiber communication is currently deployed along a master “ring” network throughout the City. Additionally, there are priorities for fiber communication outside of the “ring” network that would provide more reliable communications to infrastructure. As additional technology is added to the existing 1,135 traffic signals in the City, connections to key points around the City’s fiber “ring” network will be required. A summary of priorities is provided in **Attachment A - Table 1**. In addition, some existing fiber communications will be used in the connection along Baseline Road from Loop 202 to Central Avenue. The average cost to install one mile of fiber cable is approximately $200,000. Current funding allows for two to three miles to be installed each year. The proposed Fiber Communications Program would add approximately $550,000 each year starting in FY 2022, and allow for an additional two to three miles to be installed.

Intersection Technology

The technology used by the City to control traffic is primarily from technologies and methodologies from the 1980s and 1990s. This has served the City well as it is based on our grid street system - half mile and mile spacing of most major corridors. As traffic volumes have increased however, more signalized intersections were added to the grid at spacing other than the half mile and mile. This has reduced our ability to move traffic efficiently in multiple directions simultaneously. Providing more advanced technology at the signalized intersections to monitor the traffic data will help to reduce widespread congestion that is currently occurring.

The City’s TMC also has access to some closed-circuit television cameras (CCTVs) around the City, but this covers less than 15 percent of the intersections. Enhancing technologies at each intersection will

provide the City with real-time operational conditions to be able to adjust signal timing to better move people and traffic.

Upgrades to this technology include:
Installing new traffic signal controllers which accept additional device integration.
Adding CCTV monitoring where needed.
Adding detection technology where needed.
Adding ARIDs (anonymous re-identification device) that will capture real-time travel time and speed condition data.

This enhanced technology will also enable the intersection to support connected vehicle and rideshare/autonomous vehicles as those advancements change the landscape for roadway design and community mobility in the future.

The intersections where this technology is proposed to be deployed will also need to be upgraded to meet ADA requirements because accurate pedestrian movement and detection is required in implementing signal timing. Upgraded intersections outfitted with appropriate technology for managing the transportation network will become the standard by which all future intersections will be built.

The average cost of one intersection to be outfitted with technology for real-time operational management is approximately $185,000. Current funding allows for approximately five intersections to be completed each year. The proposed Enhanced Intersection Technology Program will add $925,000 per year starting in FY 2023. This will allow approximately five additional intersections to be upgraded annually.

Proposed 5-year Program
Attachment A - Table 2 includes the proposed Five-Year Streets Technology Program for FYs 2019 - 2023. FYs 2019 - 2021 were previously approved. Staff requests approval of FYs 2022 and 2023.

Concurrence/Previous Council Action

The Citizens Transportation Commission recommended approval for this item by a vote of 13-0 at its Oct. 25, 2018, meeting.

This item was recommended for approval at the Aviation and Transportation Subcommittee meeting on Nov. 27, 2018, by a vote of 3-0.

This item was approved.

67 Proposed Transportation 2050 Accelerated Five-Year Pavement Maintenance Program through FY2023 (Ordinance S-45252)

Request City Council approval of the proposed first steps of an accelerated five-year T2050-funded major streets pavement maintenance program through fiscal year 2023 based on City Council action taken on Oct. 3, 2018, to advance $200 million in pavement maintenance projects through financing of borrowing against future T2050 Streets revenues.

Summary

Current Five-Year Pavement Maintenance Program

City Council approved the current pavement maintenance program through FY2022. Prior to the October 3 Council action, staff planned to present the additional streets identified for FY2023 to Council for review and approval as part of the annual five-year program update. **Attachment A - Tables 1 and 2** show the number of roadway miles previously approved for treatment through FY2022. The tables also include the miles in the proposed new fifth-year (FY2023) of the pavement maintenance program.

Table 1 includes the T2050-funded portion of the program, while **Table 2** includes the state-distributed Highway User Revenue Fund (HURF) portion.

Bicycle Program

The City's Bicycle Program is a multi-faceted, coordinated effort to ensure the establishment of a well-connected citywide bicycle network. The pavement maintenance program is a key component of Streets' implementation efforts related to the Bicycle Program and helps to implement the T2050 program goal to provide 1,080 new bicycle lane miles. **Attachment A - Table 3** shows a summary of the bicycle facilities

planned to be implemented through the current pavement maintenance program.

Pavement Maintenance Acceleration

City Council took action on Oct. 3, 2018, to accelerate pavement maintenance projects, and specifically authorized Streets to advance $200 million in pavement maintenance projects on the City's arterial and major streets through the financing or borrowing against future T2050 Streets revenues.

Additionally, City Council took action to delay the planned Northeast Light Rail Extension so that first year expenditures are in 2050, the final year of the T2050 program. Included in the Council action was direction to staff to determine whether the revised light rail program could enable additional financing that could be used to accelerate more pavement maintenance. The Finance Department is evaluating to determine if an additional $200 million could be financed within the current five-year period with future T2050 Light Rail funds in consideration of the Northeast Extension delay.

Staff has developed a proposed implementation plan that can be accomplished within five years to improve both the City's arterial and major collector streets, and the City's local and minor collector streets. To commence the additional pavement maintenance quickly, the proposal is divided into two main implementation phases:

Phase 1 - Accelerate and complete in FY2019 and FY2020 the currently identified and approved asphalt mill and overlay treatments for all City streets currently scheduled for FY2020, FY2021, and FY2022, as well as the asphalt mill and overlay projects proposed for FY2023. **Attachment B** details the list of arterial and major collector street asphalt mill and overlay projects that will be accelerated and completed in the FY2019 and FY2020 and funded by T2050 Streets revenues. Similarly, **Attachment C** details the list of local and minor collector street asphalt mill and overlay projects that will be accelerated and completed in the FY2019 and FY2020 and funded by HURF revenues.

Phase 2 - Identify and approve a significantly higher number of street

miles to receive asphalt mill and overlay projects. Staff has identified the number of additional arterial and major collector street miles that can be completed in FY2021, FY2022, and FY2023, but the specific streets have not yet been identified. Following a process to identify the highest priority streets based on pavement condition and analysis of other streets projects, staff will return for approval of the specific arterial and major collector streets that will receive the mill and overlay treatments in these fiscal years.

At this time, no increased funding is available for local and minor collector streets, so there will be a reduced number of mill and overlay treatments in FY2021 - FY2023.

A summary of the proposed T2050-funded accelerated five-year arterial and major collector streets pavement maintenance program is shown in **Attachment A - Table 4,** and a summary of the proposed accelerated five-year local and minor collector streets pavement maintenance program funded by HURF revenue is shown in **Attachment A - Table 5**.

Staff proposes that the additional bicycle facility miles planned to be implemented through the current pavement maintenance program be incorporated into the accelerated pavement maintenance schedule.

Maps per Council District depicting the location of all asphalt mill and overlay projects on all streets proposed for accelerated treatment in FY2019 and FY2020 are included in **Attachment D.** Additional background information regarding Streets' pavement maintenance program is provided in **Attachment E.**

Utility Conflicts

Over the last several weeks, staff from the Street Transportation Department met with utility companies to discuss accelerated pavement maintenance and to identify conflicts. Companies were given until Nov. 30, 2018, to submit potential conflicts. Staff is in the process of reviewing those conflicts and will use this information to identify conflicts in Phase I and to develop recommendations for Phase II of the five-year accelerated pavement maintenance program.

Pavement Maintenance Priorities

Staff will continue to use the pavement management system methodology as the primary criteria to identify which streets are in need of pavement maintenance. If a conflict is identified for a street that is in need of pavement maintenance, staff will use the following criteria to reprogram the maintenance:

Reprogram into the next year.

Identify another arterial roadway within the same council district in the current year.

Identify residential roadways within the same council district in the current year.

Identify an arterial roadway in an adjacent council district in the current year.

Staffing Plan

To efficiently deliver the accelerated pavement maintenance program, in addition to the contractors that will perform the pavement maintenance, additional positions will be necessary within the Street Transportation Department to conduct:

planning, programming, and conflict review.

construction management, inspections, and project coordination.

permitting and monitoring of traffic restrictions and closures.

public engagement, coordination, and notification.

restriping activities including lane line layout and geometric design.

Staff will return the City Council to request approval of a recommended staffing plan related to the accelerated pavement maintenance program.

Next Steps

Staff will engage with the public and Council to identify potential streets to prioritize for maintenance as part of Phase II, and will return to Council with recommendations.

Financial Impact

On Oct. 3, 2018, City Council directed staff to expend an additional $200 million over the next five years to accelerate pavement maintenance on major collector streets, and to implement the increased maintenance through financing against future T2050 Streets revenues. Based on on

this accelerated pavement maintenance program, Streets staff will work closely with the Budget and Research and Finance departments on the appropriate timing of financing and bonding activities to support the program.

Concurrence/Previous Council Action
The Citizen's Transportation Commission recommended approval of this item on Nov. 15, 2018, by a vote of 8-0.

This item was recommended for approval at the Aviation and Transportation Subcommittee meeting on Nov. 27, 2018, by a vote of 3-0.

This item was adopted.

68 T2050 Mobility Program Update (Ordinance S-45253)

This report requests City Council approval to implement the updated five-year Transportation 2050 (T2050) Mobility Program and to allocate up to $3.5 million in T2050 Streets Mobility funds for future mobility-related projects and studies in Fiscal Years (FY) 2019 through 2023. Staff further requests approval of the updated five-year Sidewalk to Bus Stop ADA Accessible Program.

Summary
The T2050 Mobility Program was originally presented to Council on May 10, 2017. At that meeting staff introduced two focus areas for mobility program improvements including (1) sidewalk improvements on major streets to make transit bus stops Americans with Disabilities Act (ADA) accessible, and (2) mobility improvement areas for further study. Council gave approval to move forward with the first 11 of 39 mobility assessment studies focused on pedestrian and bicycle facilities **(Attachment A)**. Staff is working with a team of consultants to complete these initial 11 studies.

Staff has made progress in these mobility program improvement areas as described below.

Mobility Assessment Studies

Update

Four of the 11 mobility assessment studies (Areas 1, 2, 4, and 11) commenced in September 2017 and are now complete. The remaining seven studies (Areas 3, 5-8, 10, and 12) started between March and June of 2018 are expected to be complete by May 2019. Staff determined that assessment of Area 9 (downtown Phoenix) at this time would conflict with several other ongoing transportation and planning projects and replaced it among the prioritized studies with Area 12 (Sunnyslope).

All mobility assessment studies are 12 months in duration and include a Current Conditions Report (CCR) and a Proposed Conditions Report (PCR). The CCR is a snapshot of the existing mobility area conditions. This includes potential barriers to safe, convenient travel by residents of all ages and abilities using all travel modes to neighborhood destinations identified as important to residents. The PCR features a list of recommended improvement projects that would address the mobility issues identified in the CCR. The CCRs for all 11 Areas have been completed, and the PCRs for Areas 1, 2, 4, and 11 are currently under review. Proposed projects include sidewalk installation, vertical curb and gutter improvements, crosswalk recommendations, bike lane installation, streetlighting improvements, landscaping and/or shade trees, pedestrian and traffic signalization installation, as well as other traffic calming measures.

The PCRs for the remaining mobility assessment study areas (3, 5-8, 10, and 12) are expected to be completed by May 2019.

Project Selection

Recommended projects in all mobility studies are scored and ranked using a 100-point scoring criterion that was developed to be robust, flexible, and context-sensitive, relying on neighborhood input in order to inform the development of unique scoring criteria weights that correspond to neighborhood desires.

Neighborhood input was achieved through public meetings and in surveying residents in all mobility areas, via hand-delivered door hangers, social media, and customized web pages for each study area. Survey questions asked residents and visitors to indicate the destinations to

which they most frequently travel (by all travel modes) as well as their perceived value of the types of mobility projects.

Project Implementation

The mobility assessment study will develop a list of projects that address neighborhood-specific mobility challenges. Staff anticipates that the identified project needs will exceed the available T2050 Mobility program funding. Once all consultant teams finalize their PCRs, staff will vet the proposed projects with the assistance of other City departments to fund as many as possible. These potential project lists will be categorized based on the scope of work, budget, and how the project will be delivered. The four categories are described below:

Category 1: Projects that require little or no design and can be completed using the City's job order contracting program. These projects may include installation of sidewalk, ADA curb ramps, vertical curb and gutter, striping (i.e. bike lanes), and landscaping installation.

Category 2: Projects that require design work in order to proceed to construction.

Category 3: Projects that can be accomplished and funded through leveraging existing City-managed annual funding programs (pavement maintenance, HAWK signals, and traffic calming) or existing non-City funding such as federal grants.

Category 4: Projects that would be accomplished as part of a larger scale major street improvement project (capital improvement project).

In order to quickly begin some of the identified mobility projects, staff requests to use up to $700,000 annually in T2050 Mobility funds in FY 2019 through FY 2021, and up to $200,000 annually in FY 2022 and FY 2023 to move forward with Category 1 mobility projects. FY 2019 will focus on Areas 1, 2, 4, and 11 where studies and potential project lists have already been completed. Once the remaining studies are finalized, a similar approach will be used to fund Category 1 projects in FY 2020 and FY 2021, with the focus to be in Areas 3, 5-8, 10, and 12.

In addition to funding Category 1 projects, staff recommends programming an additional $200,000 annually over the next five years to begin new mobility studies in the other 28 (of 39) areas previously recommended by the CTC. These area studies will be started based on the sequential order they appear in the list approved by the Council in May 2017 (**Attachment B**).

Staff is requesting approval for the above proposed program amount up to $3.5 million (**Attachment C**). Currently, the T2050 Mobility Program fund balance over the five years is $9,883,360. Staff will return to Council with a recommended list of mobility projects classified as Category 2, 3, or 4 to program the remaining T2050 Mobility Program funds through FY 2023.

Five-Year Sidewalk to Bus Stop ADA-Accessible Program

On Nov. 1, 2017, Council recommended approval to implement the five-year plan of the ADA compliant sidewalk improvements to provide major street bus stop connections. The first round of 16 projects are in final stages of implementation. Additionally, staff leveraged T2050 Mobility program funds for nine sidewalk projects with $380,000 in outside funding awarded to the City through the Maricopa Association of Governments (MAG) Achieving Transit Accessibility Now (ATAN) grant opportunity.

MAG's ATAN grant program was authorized by its Regional Council in January 2017 and authorized the use of $2.5 million in transit funding to improve accessibility at transit stops in the MAG region. The ATAN program addresses immediate and critical needs for improved accessibility to bus stops. Project applications are evaluated on a rolling cycle, with project awards being distributed every six months or as needed. The City's nine sidewalk projects that received ATAN funding are scheduled for completion in August 2019.

The updated proposed Five-Year Sidewalk to Bus Stop ADA Accessible Program is shown in **Attachment D** and a map of the project locations is shown in **Attachment E**. The Program reflects the completion time frame for the initial list of approved sidewalks. In addition, four new project

locations were identified through a collaborative effort between the Street Transportation and Public Transit Departments.

As City staff continues to evaluate opportunities to implement mobility and accessibility improvements focused on major transit corridors, MAG's ATAN Program provides a viable funding source for this effort. To that end, staff recently submitted an application for the next round of ATAN Program funding. The City will request $320,000 in ATAN funding to install Rapid Rectangular Flashing Beacons (RRFB) and/or HAWK signals near bus stop locations. These signals would create safer street crossing opportunities where transit passengers are boarding or exiting.

Concurrence/Previous Council Action
The Citizen's Transportation Commission recommended approval for this item by a vote of 13-0 at their Oct. 25, 2018, meeting.

This item was recommended for approval at the Aviation and Transportation Subcommittee Nov. 27, 2018, meeting by a vote of 3-0.

This item was adopted.

69 T2050 New and Expanded Major Streets Program for Fiscal Years 2019 - 2023 (Resolution 21700)

Request City Council approval of the proposed five-year Transportation 2050 (T2050) New and Expanded Major Streets program for Fiscal Years (FY) 2019-23.

Summary
On April 19, 2017 Council approved the T2050 New and Expanded Major Streets Program for FY 2018-22 (**Attachment A**). At that meeting, Council also provided a 16-Year Lifecycle Program for T2050 New and Expanded Major Streets that identified 41 individual projects within City limits to be designed and constructed over multiple years (**Attachment B**). The 16-Year Lifecycle Program is used to guide updates to the rolling five-year T2050 New and Expanded Major Streets program.

Attachment C is the proposed updated five-year program for T2050 New and Expanded Major Streets Program for FY 2019-23. The updated program includes projects previously approved and updated, as well as projects in FY 2023. The updated program includes a number of cost

adjustments associated with more fully developed and refined cost estimates from the previous initial planning level estimates. In some cases, project cost adjustments are related to actual cost and/or scope adjustments. Changes are described below:

Baseline Road: Loop 202/59th Avenue to 55th Avenue (A): Project budget and costs now include no T2050 funding and have been lowered from $9,488,000 to $2,000,000, as the project will be fully funded using Impact Fees and required developer contributions.

Buckeye Road: 67th Avenue to 59th Avenue (B): Refined project costs and made necessary adjustments to scope and timing.

Indian School Road: 107th Avenue to 91st Avenue (C): Refined project costs and made necessary adjustments to scope and timing.

Lower Buckeye Road: 75th Avenue to 19th Avenue (D): Refined project costs and made necessary adjustments to scope and timing. The project segment between 71st Avenue to 67th Avenue has been advanced from scheduled construction in FY 2030 to design and construction in FY 2020 through an intergovernmental agreement between the Maricopa County Department of Transportation and the City of Phoenix that provides a T2050 and City cost savings. The City's portion of the project costs are budgeted at $2.5 million through a combination of T2050 and HURF funds. In addition, a segment of Lower Buckeye Road from 43rd Avenue to 35th Avenue was advanced in the program from FY 2023 to FY 2021 to initiate design earlier to align better with other roadway segments programmed earlier in the plan.

Baseline Road: 46th Avenue to 43rd Avenue (E): Refined project costs and made necessary adjustments to scope and timing.

91st Avenue: Camelback Road to Thomas Road (F): Refined project costs and made necessary adjustments to scope and timing.

91st Avenue: Buckeye Road to Lower Buckeye Road (H): Refined project costs and made necessary adjustments to scope and timing.

Lower Buckeye Road: 91st Avenue to 75th Avenue (I): Refined project costs and made necessary adjustments to scope and timing.

16th Street and Indian School Road (AA): This project has been completed, so it is no longer shown in the five-year program.

35th Avenue: Glendale Avenue to Camelback Road (BB): Refined project costs and made necessary adjustments to scope and timing.

Camelback Road: 19th Avenue to 17th Avenue (EE): Refined project costs and made necessary adjustments to scope and timing.

43rd Avenue: McDowell Road to Bell Road (GG): Project costs were refined and phase adjustments were updated to break out this longer corridor into more manageable phases. In addition, an ADA improvement project (43rd Avenue: McDowell Road to Bell Road) was added to the corridor to further improve the delivery of the project.

Project Update

Based on the previously approved five-year program, work was initiated on seven projects in 2018. Four of these projects (Projects B, D, and two segments in Project GG) are in final design and right-of-way coordination and acquisition. One segment of Project GG is in final design and will move into construction this fiscal year. Construction of Project A was deferred from 2018 to 2019 to take advantage of a public/private partnership opportunity and Project AA was completed in 2018.

Major new or expanded roadway projects typically take five years from project initiation to project completion. Various components impact project schedules including: right-of-way acquisition, utility relocations, drainage requirements, roadway structures, and public involvement. More specifically, initial project development and design phases require up to two years to complete, while right-of-way acquisition efforts run approximately one year. The construction process, from contract procurement to completion, is approximately two years. Street Transportation Department staff continue to work diligently to deliver the T2050 New and Expanded Major Streets projects as quickly and efficiently as possible.

Concurrence/Previous Council Action

The Citizens Transportation Commission recommended approval for this item by a vote of 8-0 at its Nov. 15, 2018, meeting.

This item was recommended for approval at the Aviation and Transportation Subcommittee meeting on Nov. 27, 2018, by a vote of 3-0.

This item was adopted.

70 Request Authorization to Enter Into an Intergovernmental Agreement with Flood Control District of Maricopa County and the City of Scottsdale for the Rawhide Wash Project (Ordinance S-45224)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the Flood Control District of Maricopa County (FCDMC) and the City of Scottsdale for the Rawhide Wash Project. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item. The estimated project cost for the design phase is estimated at $2 million of which the City's cost share is estimated to be $800,000. The design phase will include final design, channel rights-of-way, and utility relocations.

Summary

The Rawhide Wash Flood Hazard Mitigation project is defined as the conveyance alternative presented in the Pinnacle Peak West Area Drainage Master Study. The northern limit of the infrastructure is approximately the Rawhide Wash alluvial fan apex located north of Happy Valley Road and the southern limit is the bridge crossing at Pinnacle Peak Road east of Scottsdale Road. The project improvements will include construction of new floodwalls and levees and re-construction of existing floodwalls and levees. The project will also include submittal of an application for a Federal Emergency Management Agency (FEMA) Letter of Map Revision to revise the apex flow discharge and the re-delineation of the floodplain limits downstream of Scottsdale Road within City of Phoenix jurisdiction upon completion of this construction project. Floodplain re-delineation within City of Phoenix jurisdiction will be based on existing condition drainage infrastructure, development activities, and topography that will reduce the existing Special Flood Hazard Area Zone "AO." After completion of the proposed project, approximately 1,531 acres of land within Phoenix jurisdiction will no longer be designated in a FEMA delineated floodplain, which benefits approximately 80 percent from a total of approximately 1,933 acres of land. The remaining 20 percent, or approximately 402 acres, are within the City of Scottsdale and unincorporated County areas. The cost share analysis was developed based on flood damage reduction, flood insurance savings, reduced cost of fill for future development and the

elimination of redundant infrastructure costs. This resulted in a cost share of 50 percent FCDMC, 40 percent City of Phoenix, and 10 percent City of Scottsdale.

During the design phase, an amendment to this Intergovernmental Agreement will be developed and processed for the construction phase of the project. A separate request for construction phase funding for the project will be submitted for City Council consideration.

Financial Impact
The estimated project design cost is $2 million. Of this amount, the City's cost share is estimated to be $800,000, with the remainder covered by FCDMC and the City of Scottsdale. Funds are available in the Street Transportation Department's Capital Improvement Program budget.

Concurrence/Previous Council Action
On July 6, 2017, Council approved the request to apply for FCDMC funds for Flood Control Projects under the Capital Improvement Project Prioritization Process (CIPPP). The Rawhide Wash Project was submitted and approved by the FCDMC on Oct. 25, 2017, for FY 2018-19.

This item was recommended for approval by the Water, Wastewater, Infrastructure and Sustainability Subcommittee meeting on Nov. 7, 2018, by a vote of 4-0.

Location
The northern limit of the Project is generally the Rawhide Wash alluvial fan apex located north of Happy Valley Road and the southern limit is the bridge crossing at Pinnacle Peak Road.
Council District: 2 and Outside of City

This item was adopted.

71 Cesar Chavez Community Center - Architectural Services - PA75200538 (Ordinance S-45227)

Request to authorize the City Manager, or his designee, to enter into an agreement with Gabor Lorant Architects, Inc. to provide Architectural Services that include planning, program management, project

management, programming, design, and construction administration and inspection (CA&I) services for the Cesar Chavez Community Center 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 $1.2 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 community center at Cesar Chavez Park. The community center will serve as a resource center for the surrounding community providing services such as recreation and sports activities, as well as providing multi-purpose space and classrooms for activities and events. The building will be designed to ADA compliance; fire, life, and safety standards; and may strive to achieve Leadership in Energy and Environmental Design (LEED) Certification. Improvements will also include parking, hardscape and landscape, irrigation, security lighting, and other elements as required.

Gabor Lorant Architect Inc.’s services include, but are not limited to: assisting with community meetings; providing analysis for the site specific location of the new community center; project administration; programming; schematic design through bid ready documents and specifications; cost analysis; bid phase assistance; materials testing coordination; 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. Twelve firms submitted proposals and are listed in **Attachment A.**

Contract Term
The term of the agreement is two 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 Gabor Lorant Architects, Inc. will not exceed $1.2 million, including all subconsultant and reimbursable costs.

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

Public Outreach
Public outreach and community participation will be conducted on an as needed basis beginning in early 2019.

Location
Cesar Chavez Park, 7858 S. 35th Ave.
Council District: 7

This item was adopted.

72 Traffic Count Services, Requirements Contract - IFB 63-0040 (Ordinance S-45228)

Request to authorize the City Manager, or his designee, to enter into a contract with United Civil Group Corp for traffic count services for the Street Transportation Department in an amount not to exceed

$1,127,800. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Street Transportation Department Traffic Count Shop currently utilizes a contractor to provide traffic data collection services that involve the collection of vehicle, pedestrian, and bicycle counts, including turning movement counts at mid-block, signalized or unsignalized intersections, or any other location identified by the City. The traffic data collected under this contract will be used for the City Traffic Volume Map, signal/HAWK warrant studies, speed studies and all other special studies that support traffic operations functions.

Procurement Information

IFB 63-0040 was conducted in accordance with Administrative Regulation 3.10. The notice of bid was sent to 160 registered vendors and publicly posted and available for download on the City website. There were two offers received by the Street Transportation Department on Nov. 13, 2018. Both offers received were responsive to the specifications as stated in the solicitation. The bid from United Civil Group Corp was the lowest priced, responsive and responsible bid.

Contract Term

The five-year contract term will begin on or about Jan. 1, 2019.

Financial Impact

The aggregate contract value will not exceed $1,127,800. Funds are available in the Street Transportation Department's budget.

This item was adopted.

73 Construction Administration and Inspection Services for Water Services Department's Pavement Restoration Job Order Contract Program - 8423600000 (Ordinance S-45230)

Request to authorize the City Manager, or his designee, to enter into separate agreements with two consultants listed below to provide Engineering Services that include construction administration and inspection (CA&I) services for the Water Services Department's Pavement Restoration Job Order Contract program. Further request to authorize execution of amendments to the agreements as necessary

within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $4.7 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 for the consultants to perform CA&I services on an as-needed basis to support the Water Services Department Pavement Restoration Job Order Contract program, including pavement restoration after cuts are made in the City rights-of-way to access water pipes and mains.

The Engineering consultant's services include, but are not limited to: conduct pre-construction conference and hold subsequent meetings as necessary with the project team; resident engineering services during construction and daily interaction with contractor to clarify job requirements; administration of contractor’s contract and decision-making regarding technical project issues; and perform on-site examinations of materials, equipment, and workmanship.

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: Consultant Engineering, Inc.
Rank 2: Tristar Engineering and Management

Additional Proposers
Rank 3: Ritoch Powell & Associates
Rank 4: Wood, Patel & Associates

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

Financial Impact
The agreement value for each of the Engineering consultants will not exceed $2,350,000, including all subconsultant and reimbursable costs.

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

74 Recommend Award of Streetlight Maintenance, Design, and Construction Services to Power Tech Contracting (Ordinance S-45231)

Request to authorize the City Manager, or his designee, to enter into a contract with Power Tech Contracting for streetlight maintenance, design, and construction services for the Street Transportation Department in an amount not to exceed $6,922,425 over a five-year period. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The City of Phoenix has approximately 97,000 streetlight fixtures. This contract is for a variety of streetlight maintenance, design, and

construction services to be performed on an as-needed basis within the public right-of-way. The contractor will provide all required material, equipment, transportation and services necessary for the complete installation, operation and maintenance of approximately 93,000 LED fixtures and an additional 3,600 decorative and speciality fixtures. The maintenance of LED luminaries installed on City traffic signal poles and under warranty is not included as part of this contract. The contractor will also be responsible for managing a call center to respond to resident requests related to streetlight outages, and maintaining accurate service records.

The Street Transportation Department is in the midst of a comprehensive LED streetlight conversion project, which will soon be complete. The LED fixtures are under warranty and any maintenance issues related to them will be the responsibility of the LED streetlight conversion vendor. However, additional streetlight maintenance related responses to downed poles and maintenance of poles, mast arms, conduit and other material associated with streetlights will fall under this contract. Power Tech Contracting, as the City's contractor for maintenance, design, and construction services, is proposed to fulfill this role based on the competitive procurement process outlined below.

Procurement Information
In accordance with Administrative Regulation 3.10, the Street Transportation Department conducted a Request for Proposal (RFP) procurement process. The RFP was issued on Aug. 23, 2018. Proposals were received from three firms. The selection committee thoroughly reviewed and scored all proposals and reached consensus in recommending award of the contract to Power Tech Contracting as the successful proposer.

The final scores were as follows (out of 150 possible points):

Power Tech Contracting: 128
Ameresco, Inc: 111
Fluoresco Services, LC: 105

Contract Term

The contract term will be for a three-year period starting Jan. 1, 2019, and ending Dec. 31, 2021. Provisions of the contract include an option to extend the term up to two years, which may be exercised by the City Manager or his designee.

Financial Impact

The aggregate contract value for five years will not exceed $6,922,425. Funds are available in the Street Transportation Department's budget. As part of the LED streetlight conversion project, the Street Transportation Department anticipates streetlight maintenance savings, which will ramp up as the LED streetlight conversion project nears completion.

This item was adopted.

75 Intergovernmental Agreement with MCDOT for Roadway Improvements on Lower Buckeye Road from 71st Avenue to 67th Avenue (Ordinance S-45239)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the Maricopa County Department of Transportation (MCDOT) to cost share roadway improvements on Lower Buckeye Road from 71st Avenue to 67th Avenue. Further request authorization for the City Controller to disburse all funds related to this item. The City's cost will not exceed $2.5 million.

Summary

The current configuration of Lower Buckeye Road between 71st and 67th Avenues includes only one travel lane in each direction. The roadway segments immediately east and west of this area include two travel lanes in each direction along with a center-turn lane. This noncontiguous configuration has led to "bottlenecks" and increased traffic congestion in a fast growing area of the City.

MCDOT is planning to make improvements to this stretch of Lower Buckeye Road in fiscal year (FY) 2020. MCDOT's original design does not allow for the ultimate construction of this roadway. The City desires to enter into a cost share agreement with MCDOT to complete full roadway improvements. This agreement would not only include widening this segment of Lower Buckeye Road to align with the adjacent roadway configuration, but also allow for other improvements such as sidewalks, American's with Disabilities Act (ADA) sidewalk ramps, streetlights, and

traffic signal upgrades.

This section of Lower Buckeye Road was originally programmed for improvements in FY 2030 using Transportation 2050 (T2050) funds. The Citizen's Transportation Commission (CTC) recently recommended advancing this project to construction in FY2020 to not only take advantage of this cost share opportunity, but to also address traffic congestion in this fast growing area of the City.

Financial Impact
The total project cost is estimated to be $4.6 million. The City's share will not exceed $2.5 million.

Concurrence/Previous Council Action
The CTC unanimously voted in favor of this item by a vote of 13-0 at their Oct. 25, 2018, meeting.

This item was recommended for approval at the Aviation and Transportation Subcommittee meeting on Nov. 27, 2018, by a vote of 3-0.

Location
Lower Buckeye Road from 71st to 67th avenues
Council District: 7

This item was adopted.

76 Union Pacific Railroad Company, Public At-Grade Pedestrian Crossing Agreement, Grand Canalscape Phase II (Ordinance S-45243)

Request to authorize the City Manager, or his designee, to enter into an agreement with Union Pacific Railroad Company and Salt River Project for a pedestrian crossing along the Grand Canal, south of Washington Street west of State Route 143. The agreement includes construction of railroad signals and modification to the railroad track for pedestrian crossings. Further request authorization for the City Controller to disburse all funds related to this item. The cost of the construction improvements and the fee for rights to use the crossing total $341,130, and will be funded from a Federal Transportation Investment Generating Economic

Recovery (TIGER) grant. Funding for the signal maintenance fee of $6,800 is available through the Street Transportation Department's Capital Improvement program budget.

Summary

The Grand Canalscape Project is a multi-use path that runs along the Grand Canal and crosses an existing Union Pacific Railroad track south of Washington Street west of State Route 143. To ensure the safety of the public who use the multi-use path, railroad signals and track modifications are necessary. The total cost of the railroad improvements is $306,530. In addition, a one-time fee of $34,600 is payable to the Railroad for the grant of rights to use the crossing area. There will also be an annual signal maintenance fee of $6,800 payable to the Railroad. Salt River Project currently has an agreement with Union Pacific Railroad for a vehicle maintenance crossing at the proposed pedestrian crossing, so the City's agreement will be with both Union Pacific Railroad and Salt River Project.

Further request the City Council to grant an exception pursuant to Phoenix City Code section 42-20 to authorize indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code section 42-18.

Contract Term

The contract shall continue in full force and effect as long as the pedestrian crossing remains on the Union Pacific Railroad property.

Financial Impact

The cost of the construction improvements and the fee for rights to use the crossing total $341,130, and will be funded from a Federal Transportation Investment Generating Economic Recovery (TIGER) grant. Funding for the signal maintenance fee of $6,800 is available through the Street Transportation Department's Capital Improvement program budget.

Public Outreach

Citizen notification was completed as part of the design and construction process.

Location
Grand Canal, south of Washington Street west of State Route 143.
Council District: 8

This item was adopted.

77 Amend Ordinance to Extend Dates for Intergovernmental Agreements with Eagle College Preparatory, Creighton School District, and Laveen School District to Allocate Safe Routes to School Grant Funds (Ordinance S-45261)

Request to authorize the City Manager, or his designee, to amend the Intergovernmental Agreements (IGAs) with Eagle College Preparatory Schools, Creighton School District, and the Laveen School District to allocate funds awarded by the Federal Highway Administration (FHWA) through the Safe Routes to School Grant Program to May 22, 2019.

Summary
On Aug. 30, 2017, the City entered into an agreement with the Eagle College Preparatory Schools, Creighton School District, and the Laveen School District to allocate funds awarded by the Federal Highway Administration (FHWA) through the Safe Routes to School Grant Program. The Maricopa Association of Governments (MAG) sent a formal call for Safe Route to School grant applications to all school districts and charter schools in Maricopa County. Street Transportation Department staff worked with the schools that expressed interest in applying for the grant funds to complete the applications. Applications were then submitted by the City to MAG on behalf of the schools and school districts.

The initial agreement required the grant funds to be spent by Dec. 31, 2018. Currently, the school districts have remaining funds and are seeking an extension through May 22, 2019, to spend the remaining balance.

Financial Impact
This action has no financial impact to the City of Phoenix.

Concurrence/Previous Council Action
The City Council previously adopted Ordinance S-43849 on Aug. 30,

2017.

Location

Eagle College Preparatory Schools
South Mountain School, 2450 W. South Mountain Ave.
Harmony School, 2435 E. Pecan Road
Maryvale School, 3950 N. 53rd Ave.

Creighton School District
Creighton Elementary School, 2802 E. McDowell Road
Biltmore Preparatory Academy, 4601 N. 34th St.

Laveen School District
Vista Del Sur Elementary School, 3908 W. South Mountain Ave.

Council Districts: 5, 6, 7 and 8

This item was adopted.

78 Arcadis U.S., Inc. Software Maintenance and Support Services (Ordinance S-45235)

Request to authorize the City Manager, or his designee, to add $120,000 to the Arcadis U.S., Inc. Contract 134763 for annual licensure and software maintenance and support services, effective through Oct. 31, 2019. The additional funds for licensure and software maintenance and support will allow sufficient time to complete a new multi-year Request for Agreement (RFA) to replace the current contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Arcadis U.S., Inc. (Arcadis) provides software maintenance and support services for the Water Services Department's Drinking Water Regulations Database (eDWaRD) and the Environmental Permit Compliance Database (EPCD) applications. Arcadis also provides consulting services to support integration of the Laboratory Information Management System (LIMS) with the eDWaRD and EPCD systems. EPCD, eDWaRD, and LIMS track and display data used to monitor and ensure drinking water, wastewater system, and air quality permitting compliance. These systems produce compliance reports for submission

to regulatory agencies.

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

Contract Term
The software agreement is effective through Oct. 31, 2019.

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo citing that there is only one source for the requested services.

Financial Impact
The total cost will not exceed $120,000, including applicable taxes. Funds are available in the Water Services Department's operating budget.

Concurrence/Previous Council Action
Contract 134763 was approved by City Council on June 13, 2012.

This item was adopted.

79 Equipment Radiation Leak Testing Services Contract (Ordinance S-45237)

Request to authorize the City Manager, or his designee, to enter into a contract with Radiation Safety Engineering, Inc. to provide equipment radiation leak testing services for the Water Services Department. Expenditures are not to exceed $15,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The Water Services Department (WSD) laboratories use gas chromatograph instruments equipped with electron capture detectors (ECDs) to analyze for potential pesticides and disinfection byproducts in wastewater and drinking water. These ECDs detect contaminants at extremely low part-per-billion levels. The Arizona Department of Health Services Bureau of Radiation Control and the United States Nuclear

Regulatory Commission require testing every six months. This contract will provide the test kits to ensure State and Federal regulatory compliance.

Procurement Information
Solicitation RFQ-1819-WES-136 was conducted in accordance with Administrative Regulation 3.10. WSD received two bids which were determined to be responsive to the solicitation requirements:

Radiation Safety Engineering, Inc.: $1,560
TestAmerica Laboratories, Inc.: $5,330

Contract Term
The contract term will be for five years effective Jan. 1, 2019, through Dec. 31, 2023.

Financial Impact
Expenditures are not to exceed $15,000 over the life of the contract. Funding for the contract is available in the Water Services Department's operating budget.

This item was adopted.

80 Calcium Hypochlorite Water Disinfectant Contract (Ordinance S-45238)

Request to authorize the City Manager, or his designee, to enter into a new contract with Chemrite, Inc. to provide calcium hypochlorite for the Water Services Department. The total requested amount for approval is $50,500. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The City is seeking a five-year contract to supply the water disinfectant calcium hypochlorite on an as-needed basis. The chemical is used to safely disinfect the drinking water distribution system and water reuse applications.

Procurement Information
Solicitation RFQ-1819-WPP-155 was conducted in accordance with Administrative Regulation 3.10. Quotes were received from Chemrite,

Inc. and Hill Brothers Chemical Company. The quotes were evaluated on price only. The final prices below are based on each Bidder's proposed aggregate price, using Water Service Department's estimated annual usage. The Bidders' prices are as follows:

Chemrite, Inc.: $50,500
Hill Brothers Chemical Company: $63,000

The Water Services Department recommends contract award of the Chemrite, Inc. offer as the best value to the City.

Contract Term
The five-year contract shall begin on or about Jan. 1, 2019, and terminate on Dec. 31, 2023.

Financial Impact
The total cost will not exceed $50,500 (including applicable taxes). Funds are available in the Water Services Department's operating budget.

This item was adopted.

81 Final Plat - Cabana on Washington - 180104 - East of State Route 202 and North of Washington Street

Plat:180104
Project: 18-583
Name of Plat: Cabana on Washington
Owner(s): Cabana Washington, LLC
Engineer(s): Survey Innovation Group, Inc.
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Nov. 15, 2018
Final Plat requires Formal Action Only

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

Location
Generally located east of State Route 202 and north of Washington Street.

Council District: 6

This item was approved.

82 Final Plat - South 7th Village - 180117 - 724 E. Southern Ave.

Plat: 180117
Project: 17-3593
Name of Plat: South 7th Village
Owner(s): UMOM Housing V, LLC
Engineer(s): Superior Surveying Services, Inc.
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Nov.15, 2018
Final Plat requires Formal Action Only

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

Location
Generally located at 724 E. Southern Ave.
Council District: 8

This item was approved.

83 ***REQUEST TO CONTINUE (SEE ATTACHED MEMO)* Abandonment of Right-of-Way - V180020A - 5102 East Roma Avenue (Resolution 21697)**

Abandonment: V180020A
Project: 18-1347
Applicant: Shawn Brown
Request: To abandon 16-foot alley right-of-way, located between the parcels addressed 5105 and 5115 E. Lafayette Blvd., 5102 E. Roma Ave., and 4141 N. 51st Place; APN's 172-39-024, 172-39-001, 172-39-002, and 172-39-003.
Date of Decision/Hearing: May 15, 2018

Location
5102 E. Roma Ave.

Council District: 6

Financial Impact

A fee was also collected as part of this abandonment in the amount of $1,004.37.

This item was continued to the Jan. 9, 2019, City Council Formal Meeting.

84 Abandonment of Right of Way - V180001A - 830 N. 3rd Ave. (Resolution 21699)

Abandonment: V180001A
Project: 18-65
Applicant: Tim Sprague
Request: To abandon the portion of right-of-way dedicated per Ordinance S-18038, Maricopa County Recorder 88-508549, from the parcel addressed 830 N. 3rd Ave., APN 111-39-087A; Lots 16 and 18 of Block K, Bennett Place.
Date of Hearing: Feb. 27, 2018

Location

830 N. 3rd Ave.
Council District: 7

Financial Impact

A fee was also collected as part of this abandonment in the amount of $9,000.

This item was adopted.

85 Abandonment of Right-of-Way - V180028A - 755 E. Willetta St. (Resolution 21698)

Abandonment: V180028A
Project: 18-808
Applicant(s): Banner Health; Steve Eiss
Request: To abandon the Willetta Street right-of-way, located between the parcels addressed 755 E. Willetta St. (APN 116-30-150) and 1111 E. McDowell Road (APN 116-30-156), and a triangular portion adjacent to the north-east line of the parcel addressed 1331 N. 7th St. (116-30-152).
Date of Decision/Hearing: June 12, 2018

Location

755 E. Willetta St.
Council District: 8

Financial Impact
A fee was also collected as part of this abandonment in the amount of $19,668.

This item was adopted.

86 ***REQUEST TO ADD-ON (SEE ATTACHED MEMO)* Final Plat - Paxton at South Mountain - 180039 - Northeast Corner of 16th Street and Dobbins Road**

Plat: 180039
Project: 14-1526
Name of Plat: Paxton at South Mountain
Owner(s): Kris Rigsby
Engineer(s): Terramark Land Surveying
Request: A 6 Lot Residential Plat
Reviewed by Staff: Dec. 7, 2018
Final Plat requires Formal Action Only

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

Location
Generally located at the northeast corner of 16th Street and Dobbins Road.
Council District: 8

This item was approved.

29 City-Owned Downtown Arena Renovation (Ordinance S-45266)

Request to authorize the City Manager, or designee, to amend, and/or enter into related agreements with Phoenix Arena Development Limited Partnership, Suns Legacy Partners, LLC (Phoenix Suns) and/or their affiliates or City-approved designees, to facilitate the renovation and extend the useful life of the City-owned downtown arena. The source of funds is the Sports Facilities Fund, which comes from earmarked excise taxes on tourism-related activities. Further requesting authorization for the

City Controller to disburse, and for the City Treasurer to accept, funds related to this item pursuant to the agreements, and to authorize a procurement process for an owner's representative to oversee the City investment in the renovation.

Summary

In 1989, the City executed a development agreement, operating agreement, assurance agreement and related contracts with Phoenix Arena Development Limited Partnership (PADLP) and the Phoenix Suns, of which PADLP is an affiliate. The contracts outlined how the City and PADLP would partner to construct a new downtown arena, how it would be operated, and requiring the Suns to play their home games at the facility, which opened in 1992 as America West Arena (the "Arena").

Now known as Talking Stick Resort Arena, the multipurpose facility hosts concerts, family shows, conventions and professional sports events that occur every three days on average. The City-owned facility is among the smallest and is now the oldest NBA arena that is not in the process of being replaced or significantly refurbished. The nearly 30-year-old facility's infrastructure is experiencing deterioration, and systems and components are reaching end of life cycle. The operating agreement, whereby PADLP pays 100 percent of the Arena's operating, maintenance and event expenses and pays operating fees (rent) to the City, along with the contract requiring the Suns to play their home games at the facility, could expire as soon as 2022. The Suns can invoke an obsolescence clause as soon as July 1, 2019, to initiate arbitration that determines the binding commitments the City must make to render the Arena not obsolete.

In order to repair the infrastructure issues, remain competitive to attract major events to Phoenix, leverage private investment, and provide certainty for businesses, residents and investors that this cornerstone of downtown will remain viable long-term, the following business terms (**Attachment A**) are proposed:

1. The Arena will undergo a $230 million renovation between 2019 and 2021. The City's Sports Facilities Fund will contribute $150 million and the Suns will fund $80 million. Any costs over $230 million will be funded by the Suns, not the City. The renovation will include significant repair and

replacement of mechanical, electrical and plumbing infrastructure.

2. The term of the agreements will be extended to 2037 (15 years beyond the current term), with an additional five-year option at PADLP's discretion.

3. The Suns will build a practice facility off-site (estimated at $25 to $50 million), in Phoenix, to free up space in the Arena for other necessary program components. All development, operating and other expenses associated with the practice facility will be paid by the Suns, with no City contribution or liability.

4. Financial formulas that determine fees (rent) paid to the City will be amended to produce additional City General Fund revenue. This currently represents approximately $1.5 million per year to the General Fund. After the renovation is completed, this is anticipated to grow to an estimated $4 million annually, resulting in approximately $60 million in fees/rent from the Suns to the City over the term.

5. Commencing one year after the completion of the renovation, the Suns and the City will each contribute to a Renewal and Replacement Account to help ensure the Arena's infrastructure remains reliable and the Arena remains competitive throughout the term. The City will contribute $2 million annually from the Sports Facilities Fund, up to a maximum of $25 million. The Suns will contribute $1 million annually, up to a maximum of $12.5 million.

6. As in the current agreement, PADLP will continue to pay 100 percent of all operations, event and maintenance expenses for the Arena.

7. PADLP and the Suns will waive all previously accrued fees associated with the Arena, forever discharging the City from any unpaid monies pursuant to the Arena operating and related agreements.

8. The City will procure an independent expert ("owner's representative") to facilitate the City's oversight of the renovation and to monitor the expenditure of City funds. The project budget will reimburse the City up to $500,000 toward the cost of the owner's representative.

9. The Suns agree to amend the current assurance agreement to pay the City up to $200 million in liquidated damages should the team relocate prior to the term expiration.

10. The amended agreements may contain other terms and conditions necessary to conform to the intent of the term sheet.

Additional information on this item may be found in the corresponding back-up report
(**Attachment B**) and a related action item regarding financing (Item 30 of the 12/12/2018 agenda).

Contract Term
New contract expiration will be June 30, 2037, with an additional five-year extension at PADLP's discretion.

Financial Impact
All City financial obligations pursuant to the authorization will be paid from the Sports Facilities Fund.

Location
201 E. Jefferson Street
Council District: 7

Discussion
Note: A motion was made by Councilwoman Stark, seconded by Councilwoman Mendoza, to move Items 29 and 30 to the Jan. 23, 2019, City Council Formal Meeting.

Councilman Nowakowski made a friendly amendment requesting there be an increase from two public meetings to five meetings to ensure that residents in the southwest, southeast, northwest, northeast, and downtown can have an input in the matter.

Mayor Williams confirmed there is no problem with increasing the number of meetings from two to five.

Greta Rogers stated that it is too late to be calling a continuance on Items

29 and 30 when people have come to the meeting to speak on the Items. She expressed that the City is in the business of governing a large city for all who reside in it and the City is not in the business of funding private enterprise. She spoke about Robert Sarver and his professional sports team and urged the Council to be more transparent in their dealings with the private sector.

Reverend Martha Seaman introduced herself as president of the Valley Interfaith Project board. She stated they would have opposed the substance of Items 29 and 30 and the continuance of the Items was warranted.

Councilman DiCiccio thanked the Valley Interfaith Project for their work and reminisced about when former Mayor Gordon and himself worked with the Valley Interfaith Project to create the first after-school program in the City of Phoenix.

Leonard Clark stated he liked the idea Councilman Nowakowski suggested about increasing the number of public meetings to five and expressed his support for the continuance.

Mark Goldstein introduced himself as a representative from Sustainability Partners and expressed his interest in having a conversation with the City Manager's office about what his firm can offer.

Matthew Conti stated his support for the continuance of the Items. He explained that citizens are missing financial information and stated that it is not in the best interest of the citizens to fund the project.

Eric Johnson introduced himself as a die-hard Suns fan and that he runs the Suns fan page. He stated his support for the continuance as it will allow for more conversations related to the Item and about a financial plan.

Councilman Nowakowski asked for any documents relating to the structure or funding to be posted online so that people can attend the meetings prepared and with a clear understanding. He explained that he believed false information was being passed around and a solution could

be found once more information is available to the community. He stated he wants to ensure there will be meetings held for the individuals that have businesses downtown that will be affected.

Vice Mayor Waring recalled that he announced he wouldn't be voting for a new stadium when the issue was first brought up in 2016, but explained how Mr. Sarver has been nothing but gracious and professional in their dealings. He added that he does not believe the City should be in the professional sports business but expressed his appreciation for Councilman Nowakowski and Councilwoman Stark who worked on the memo for adding public meetings. He stated the importance of deciding the future of the property, the need to get more public input, and his support for the continuance.

Councilman DiCiccio agreed that his dealings with Mr. Sarver have been nothing but exemplary. He stated that the project had not been communicated to the public properly and that he supports the continuance.

Councilwoman Guevara stated her support for the continuance and the importance of having public input. She clarified that she is there to listen to her constituents when they tell her what is best for their communities.

Councilman Nowakowski wanted it on the record that there are going to be five meetings, one in the southwest, southeast, northwest, northeast, and downtown area. He then inquired about the possibility of having the documents related to the structure and funding of the agreement posted online for the public to view.

City Manager Ed Zuercher informed the Mayor and Council that the communication office is already working on uploading the information to a special place on the City website and it will be announced when it is complete.

Prior to Mayor Williams vote, she remarked that Mr. Sarver had been very pleasant to work with. She explained that information was never meant to be withheld from the public and that she is a believer in sharing information. She said she had shared the information with constituents

from her District after it became public knowledge. She stated her eagerness to hold public meetings and her support for the continuance.

A motion was made by Councilwoman Stark, seconded by Councilwoman Mendoza, that this item be continued to the Jan. 23, 2019, City Council Formal Meeting. The motion carried by the following vote:

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

No: 0

30 An Ordinance Authorizing the Issuance of Obligations for City-Owned Arena Renovations (Ordinance S-45265)

An ordinance authorizing the City Manager, or his designee, to cause the City to issue obligations of or by a municipal property corporation, including authorization, execution and delivery of one or more ground leases, leases, purchase agreements, any official statements and bond purchase agreements and certificates necessary or appropriate for the financing and associated financing costs, authorizing the City Manager to take any and all other actions in connection with such bonds including taking any and all actions necessary or appropriate to finance or reimburse a principal amount not exceeding $150,000,000 of costs for repairing, renovating and updating a previously constructed City-owned multi-purpose arena for the City of Phoenix plus related financing costs; authorizing a pledge, if deemed appropriate, of excise taxes or other lawfully available funds; and authorizing the City Controller to expend all necessary funds.

Summary

This ordinance provides authorization to issue obligations to fund the Arena renovations. The expenditures and indebtedness authorized do not require voter approval under Chapter XXVII of the City Charter.

Financial Impact

This ordinance provides authorization to issue obligations up to $150,000,000 principal amount plus related financing costs to fund the Arena renovations. The City will pledge excise taxes or other lawfully

available funds to the repayment of the obligations.The Sports Facilities Fund will be the source of funds for the payments.

Location
The address of the Arena is 201 E. Jefferson St., located in City Council District 7.

A motion was made by Councilwoman Stark, seconded by Councilwoman Mendoza, that this item be continued to the Jan. 23, 2019, City Council Formal Meeting. The motion carried by the following vote:

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

No: 0

32 Designation of Voting Centers for March 2019 Special Election (Ordinance S-45248)

Request City Council to designate voting centers for the City of Phoenix Special Election to be held on March 12, 2019, and establish the days and hours for voting.

Summary
For the proposed voting centers, 25 of the 28 sites are the most recently used locations in City conducted elections. Three of the usual locations were not available for use for this election, and replacement sites were secured. The new locations are Northminster Presbyterian Church, 13001 N. 35th Ave., and located one mile from Our Lady of Czestochowa Church, which it is replacing; Scottsdale Worship Center, 6508 E. Cactus Road, and located 3.5 miles from the Hampton Inn, which it is replacing; and First Institutional Baptist Church, 1141 E. Jefferson St., and located three blocks from Pilgrim Rest Baptist Church, which it is replacing.

The voting centers will be open from 10 a.m. to 4 p.m. on Saturday, March 9, 2019; 9 a.m. to 6 p.m. on Monday, March 11, 2019; and 6 a.m. to 7 p.m. on Election Day, Tuesday, March 12, 2019. Registered voters in the City of Phoenix can go to any of the voting center locations to cast

a ballot.

Public Outreach
Households with one or more registered voters will receive a Sample Ballot Pamphlet (SBP) in early February containing a list and map showing the voting center locations and the days and hours the voting centers will be open. The SBP also will contain election information. Information also will be available at phoenix.gov/elections. All election information will be disseminated in English and Spanish.

An interactive voting center locator will be available at phoenix.gov/elections that will allow a voter to enter an address or use their current location on a mobile device to identify the nearest voting centers. The application also will indicate the level of voting activity at each location so voters can identify sites that are less busy.

Location
A map of the proposed voting center locations is attached (**Attachment A**).

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

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

Note: Mayor Williams asked for a five-minute recess before Item 41.

41 Public Hearing - Proposed Water Service Rate Increase

Request to hold a public hearing to receive comments on proposed amendments to section 37-63 and section 37-133 of the Phoenix City Code to provide for an increase in rates for water service. This hearing is held in accordance with Arizona Revised Statute 9-511.01.

Public Outreach
Information detailing the proposed water rate revenue increase of 6.0

percent in February 2019 and 6.0 percent in February 2020 is available to the public in the City Clerk Department of the City of Phoenix located at 200 W. Washington St., 15th Floor. Information is also available on the City of Phoenix website: https://www.phoenix.gov/waterservices.

Additionally, during the week of Nov. 26, 2018, information on the proposed rate increase was mailed to all water account holders. Over 50 community outreach meetings and open houses also were held **(Attachment A)** to present information and obtain feedback.

Discussion

Deputy City Manager Karen Peters introduced Kathryn Sorensen, Water Services Department Director, and Troy Hayes, Assistant Water Services Director, prior to their staff report. Ms. Sorensen began the staff report by stating she wanted to give Council information regarding the public outreach that had been performed since last October. She explained that the Water Services Department sent postcards to every water account holder in the system, held five open houses, attended approximately 50 community meetings, had multiple media appearances, and provided information on social media as well. She further explained the City of Phoenix water rates are among the lowest in the country in the desert. She added that they heard feedback from the community about wanting to learn more about water conversation.

Lesa Antone informed the Council about the protest in France against an overreaching government. She discussed the 12 percent tax increase on water bills and stated it was an outrageous hike and the highest tax increase in the City of Phoenix history.

Jennifer Harrison stated her opposition to the water tax increase and expressed her concern about the way the City Council spends citizen money.

Dan Trozzi stated he was in favor of the rate increase and he gave credit to Mr. Zuercher and Ms. Sorensen for being proactive and thinking of the future. He shared information on operational analysis that he conducted for the water distribution system several years ago.

Mike Huckins spoke in support of the water rate increase on the behalf of

the Greater Phoenix Chamber. He stated that after careful consideration the Chamber recognizes the need for improved water infrastructure.

Claude Mattox introduced himself as the Chairman of the Phoenix Water Rate Advisory Committee that is made up of citizens appointed by the Council to evaluate and review the need for rate increases. He explained that after spending a year reviewing information, conducting research, and attending meetings, the committee was unanimous in their recommendation for the water rate increase. He added that the increase is necessary because of the aging infrastructure that needs replacement and the potential of a water shortage on the Colorado River. He asked Council to please support the water rate increase.

Mike Perunov expressed his opposition to the water rate increase by stating that Phoenix is not France and there is no valid reason to anger the citizens of Phoenix.

Shawn Severud expressed that he is in favor of the water rate increase by stating that citizens do not have a problem paying for things they need.

Stacey Champion stated her frustration is that the City continually makes plans and then never looks at them again but that she does not have a problem paying more for water. She encouraged the Council to read the 2011 drought plan.

Richard Rea expressed his support for the water rate increase and discussed how he has been involved in this process for 10 years and has monitored it. He explained that many of the individuals who were involved with the original plans have now left.

Leonard Clark informed Council that he is in support of the water rate increase and explained there are many cities that have failing infrastructure.

Wesley Harris stated his support for his colleagues, Claude Mattox and Richard Rea and expressed that he has sympathy for the people who are in opposition to the water rate increase because that was him 10 years ago. He explained the need for the increase and the improvements that

are necessary so the City may continue providing water to the community.

Mayor Williams stated there were more comment cards for Items 41 and 42 and requested they be entered into the record for the following people:

Alisa Lyons - Valley Partnership, In Favor
Larry Herrera, In Favor
Damon Williams, In Favor
Trish Hart - Arizona Food Marketing Alliance, Opposed

Karen Peters recognized the Water Rate Advisory Committee for the enormous amount of work they had done. She added that staff is very grateful for the time and effort the Committee put into the recommendation.

This hearing was held.

42 Amend City Code - Proposed Water Service Rate Increase (Ordinance G-6541)

Request the City Council amend sections 37-63 and 37-133 of the Phoenix City Code to adjust water service rates to increase rate revenue by 6.0 percent effective the first bill-day of February 2019, followed by an additional increase of 6.0 percent effective the first bill-day of February 2020.

Summary

The Finance Department, in conjunction with the Water Services Department, develops a Water Financial Plan to determine the revenue requirements that support the capital infrastructure replacement, rehabilitation, and development needs, the operating budget, and the debt service requirements of the water utility. The proposed changes to the water rates planned for February 2019 and February 2020 are estimated to produce $24.1 million of additional revenue in the first full year and an additional $25.0 million in the second full year.

The proposed water rate changes for February 2019 will be applied to the fixed monthly service charge, seasonal volume charges, and the environmental charge. On average, customer bills for water will increase 6.0 percent. Depending on the actual water consumption, some

customers may pay more or less than this average.

The proposed water rate changes for February 2020 will be applied to fixed monthly service charge, seasonal volume charges, and the environmental charge. On average, customer bills for water will increase 6.0 percent. Depending on the actual water consumption, some customers may pay more or less than this average.

An independent rate consultant has reviewed and evaluated the Water Financial Plan and determined that the financial plan information supports rate adjustments that are reasonable and consistent with rating agency standards **(Attachment A).**

There is no increase to wastewater rates in either 2019 or 2020.

Concurrence/Previous Council Action

The citizens' Water/Wastewater Rate Advisory Committee unanimously recommended that the City Council approve the water rate increases at its Aug. 16, 2018, meeting. The City Council Water, Wastewater, Infrastructure, and Sustainability Subcommittee heard information on water resources, infrastructure, and financial plans at its Sept. 5, 2018, meeting. The City Council heard a report on water resources, infrastructure, and financial plans at the Oct. 9, 2018, Policy Session **(Attachment B)**. The Notice of Intention to consider an increase in water rates and/or rate components and to set a public hearing date to consider the proposed increase was passed unanimously at the Oct. 9, 2018, Policy Session. The public hearing to consider this amendment is on this same agenda.

Public Outreach

In accordance with Arizona Revised Statute 9-511.01, the City Council will conduct a public hearing on Dec. 12, 2018, to receive comments on the proposed increase in water rates. Additional information regarding public outreach efforts is detailed in the Council Report for the public hearing agenda item.

Discussion

Councilwoman Stark commented on the importance of delivering infrastructure to residents and businesses. She also addressed the

importance of water conservation and reflected on her former role as Planning Director. She mentioned that the City amended building codes to ensure protection of water and asked Ms. Sorensen to elaborate.

Ms. Sorensen stated it was her understanding that building codes had been amended. She added that the market is going towards promoting water conservation and provided an example about the new fixtures sold at stores and explained they are now more efficient than ever before.

Alan Stephenson informed Council that there were a number of items related to efficient water usage when they did the latest building code update.

Councilwoman Stark recalled that the City has been proactive over the years and talked about a time when an employee from the Water Department fixed her shower head to help her conserve water.

Mayor Williams stated this is one of the most important decisions that Council will make and commented on her involvement with the Water Department and the Arizona Municipal Water User Association board. She stated the two main issues include the need for good infrastructure in the southern part of Phoenix and the lack of a structure that is able to pump water to the northern part of Phoenix. She talked about the need to tackle the water problem because of the importance it has on the future of Phoenix, economic development, and the quality of life.

Councilwoman Pastor thanked the staff for their work and asked how they came up with the 12 percent increase.

Ms. Sorensen asked Denise Olsen, Chief Financial Officer to approach Council. She added that they aimed at finding a percentage that would provide sufficient coverage to support the needed $1.5 billion over the next five years that they anticipate to spend on initiatives.

Ms. Olsen explained to Council that there are financial indicators that must be met to keep a AAA rating. They concluded that two 6 percent rate increases were needed.

Councilwoman Pastor asked when was the last time Council voted for a rate increase.

Ms. Sorensen responded that would have been in January of 2016, with a rate increase in March of 2016 and March of 2017.

Councilwoman Pastor asked what percentage the rate increases were.

Ms. Sorensen answered it was 3 percent in March of 2016 and 2 percent in March of 2017.

Councilwoman Pastor recalled that when she voted for that rate increase she was told it was for infrastructure. She asked Ms. Olsen how much is really going to be needed for infrastructure and added that when she voted for the rate increase in 2016 she told staff to make sure the percentage was where it needed to be because she was only going to vote one time on the increase.

Ms. Sorensen apologized if there was any miscommunication and stated that the conditions have certainly changed since the last rate increase. She explained that the Capital Improvement Program changes continually as well as the conditions of infrastructure and the Colarado River.

Councilwoman Guevara thanked Ms. Sorensen and her team for their amazing public engagement throughout the process.

Councilman DiCiccio stated that he clearly remembers the meeting in 2016 that Councilwoman Pastor was referring to. He added that a $1.5 billion difference does not occur overnight and that he will be voting no.

Councilwoman Mendoza thanked staff for their community outreach in District 8 and asked about the changes and infrastructure in District 8.

Ms. Sorensen responded that the City's ability to deliver safe, clean, and reliable water is directly dependent on the health of the infrastructure and the City's pipelines. She explained that Phoenix water services have been in operation for 111 years and the pipelines are aging.

Councilwoman Mendoza asked if the majority of the older pipelines are in District 8.

Ms. Sorensen answered yes, most of the City's older pipelines are in central and south Phoenix.

Councilwoman Mendoza asked if she could explain which districts need water, which districts need infrastrucre, and what the plan is to address those needs.

Ms. Sorensen informed Council that about $500 million will go towards efforts, including large transmission mains, pump stations, and wells, to ensure water supply to north Phoenix during times of shortage on the Colorado River; about $525 million is for aging pipelines, mainly in central and south Phoenix; and approximately $500 million will go towards water treatment plants, reservoirs, and remote facilities.

Prior to her vote, Mayor Williams stated that she was going to vote no so that it can be brought back for reconsideration. She stated that the rate increase was too important to the City and the matter cannot be ignored.

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

Yes:	3 -	Councilwoman Guevara, Councilwoman Mendoza and Councilwoman Stark
No:	5 -	Councilman DiCiccio, Councilman Nowakowski, Councilwoman Pastor, Vice Mayor Waring and Mayor Williams

43 Public Comment on Proposed Changes to Memoranda of Understanding Submitted by Authorized Employee Organizations

This item is to provide public comment on proposals submitted by employee organizations.

Summary

Under the terms of the Meet and Confer Ordinance, employee organizations are offered the opportunity to make a presentation to the City Council regarding proposed changes to the existing Memoranda of

Understanding (MOUs) on Dec. 5, 2018.

The Meet and Confer Ordinance provides that at the next City Council meeting following presentations by employee organizations, the public shall be afforded an opportunity to comment on the proposals. This item on the agenda provides that opportunity.

Discussion

Kate Tutaya stated her opposition to Item 43 and discussed the police contract that was presented last week. She talked about records of discipline for police officers and demanded no new funding for the Police Department.

Viri Hernandez talked about the police contract that is being proposed and talked about police violence. She demanded no more funding for the Police Department.

Note: Councilman DiCiccio left the voting body.

Michael Ingram spoke about the police contract and the Police Department. He stated that transparency is needed to build trust and that the Police Department needs to become more transparent.

Maria Sanchez stated that the contract is not going to allow for accountability and transparency from the police officers and that it is unacceptable to try to push this forward without talking to the community about it.

Luke Black submitted a summary of the proposal for each Council member to review. He encouraged Council to read the report and reject any new funding for the Police Department.

Public comments were heard.

48 Approval for 15-Year Contract with SRP for Solar Energy (Ordinance S-45262)

Request to authorize the City Manager, or his designee, to enter into a 15-year contract with Salt River Project (SRP) to provide up to 15 percent of the City's total SRP electricity use from a new solar farm as part of the SRP Sustainable Energy Offering.

Summary

SRP recently approached its largest customers to participate in the purchase of renewable energy at a fixed price of 2.7 cents per kilowatt hour (kWh) for 15 years as part of a proposed 100 megawatt (MW) solar farm being constructed in southern Arizona. The initial offering is for an allocation of 7 percent of the City of Phoenix's annual electricity load; however, that allocation may increase slightly assuming some customers will elect not to participate.

The offering is quite unique, in that, the volume contracted from SRP will be decoupled from current and future rates, and instead, be reflected as a separate line item on the SRP bill as a bill credit based on the difference between SRP rates at the time and a fixed contract price of 2.7 cents per kWh. Currently, SRP rates for the commodity portion of the bill average close to three cents per kWh, meaning in the first year the contract would result in credit of approximately $25,000. If commodity prices rise for renewable electricity over the next 15 years, then the credit would increase; however, if the price of renewable energy falls, the credit would decrease.

After consultation with SRP, staff report that the offering has a strong upside of an immediate credit on the annual SRP energy bill. Even if SRP rates were to fall below the 2.7 cent contract price, the total energy bill from SRP would still fall because the majority of the City's energy use would benefit from the lower price.

In addition to financial considerations, there are several other benefits of entering into the contract:

The renewable energy attributes purchased through this agreement would accrue to the City. The City could claim a percent increase in renewables in its portfolio once the project becomes active.

The offering supports and contributes to the Council-adopted goal to reduce carbon pollution from operations 40 percent by 2025.

SRP indicated that customer participation in this offering would encourage SRP to provide similar offerings in the future. Recently, SRP announced plans to grow this initial 100MW solar investment to 1,000MW of renewable solar by 2025.

Financial Impact

The initial impact of the contract, not to take effect until 2020, would be a likely be an annual bill reduction in the range of $25,000. Over the 15-year life of the contract, that annual credit may rise or fall depending on SRP rates in the future. Given the most likely scenario is an ongoing bill credit, staff recommend applying the credit specifically to General Fund electricity accounts.

Concurrence/Previous Council Action

This item was recommended for City Council approval by the Water, Wastewater, Infrastructure and Sustainability Subcommittee on Dec. 5, 2018 by a vote of 3-0.

Discussion

Leonard Clark stated his support for Item 48 and talked about solar power. He thanked the City for addressing global climate change.

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

Yes:	7 -	Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Waring and Mayor Williams
No:	0	
Absent:	1 -	Councilman DiCiccio

51 *****REVISED ITEM (SEE ATTACHED CORRECTION MEMO)*****
Reissuance of Education Facility Revenue and Refunding Bonds (KIPP Tech Valley Charter School Project), Series 2016 (Resolution 21701)

Requests City Council approval for the reissuance of Education Facility Revenue and Refunding Bonds (KIPP Tech Valley Charter School Project), Series 2016, previously issued in an aggregate principal amount of $12,000,000.

Summary

Request City Council adoption of a resolution granting approval of the proceedings under which The Industrial Development Authority of the City of Phoenix, (the “Phoenix IDA”) has previously resolved to reissue

$12,000,000 of Education Facility Revenue and Refunding Bonds (the "Revenue Bonds") used by KIPP Tech Valley Charter School (the "Borrower"), a New York nonprofit corporation, to:
a) refund certain bonds,
b) finance its education facilities located in the state of New York, and
c) pay certain costs related to the issuance of the Revenue Bonds.

Concurrence/Previous Council Action
The Phoenix IDA Board has previously resolved to reissue the Revenue Bonds at its meeting held on Nov. 20, 2018.

Location
The Project is located at 321 Northern Blvd., Albany, NY.

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

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

Yes:	7 -	Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Waring and Mayor Williams
No:	0	
Absent:	1 -	Councilman DiCiccio

56 Authorization to Issue Request for Pricing and Contract with Energy Firms

Request to authorize the City Manager, or his designee, to enter into a contract, or contracts, to procure electricity through qualified energy firm(s). This action is required to facilitate City of Phoenix participation in an energy program that allows large customers of regulated utilities to enter into the electric generation market and arrange for an alternative source of generation. There will be no cost to the City for these third party energy contracts, but the City will be able to procure electricity from APS

at reduced rates because of the contracts.

Summary

The Aviation Department has over 190 active electric accounts consuming more than 150 million kWh of power and expending more than $14 million annually for energy, which is provided by Arizona Public Service (APS). As part of an APS rate case settlement in August 2017, large customers can qualify for an energy program called Schedule AG-X: Buy-through Generation. As one of APS's largest customers, the Aviation Department was selected by lottery to take advantage of the opportunity offered by this rate settlement to procure electricity from qualified third party energy firms.

The Aviation Department will use an energy consultant under an existing contract to obtain price quotes from qualified firms using an industry standard competitive process. The Department will contract with the firm(s) that provides the best value to the City. The contracts with the third party energy firm(s) are required by APS as part of the program. The City will make no payments to the contracted energy firms. The Aviation Department will still pay APS for the electricity, but at reduced rates based on the contract rates for the alternative generation sources.

These activities will allow the City to test and identify opportunities to reduce energy expenses. Anticipated energy cost savings can range between five percent and 20 percent annually.

Contract Term

The contract term will last for the period that the energy program with APS is in effect, estimated to be approximately five years.

Location

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

Responsible Department

This item is submitted by Deputy City Manager Deanna Jonovich and the Aviation Department.

Discussion

Leonard Clark stated his support for Item 56.

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

Yes:	7 -	Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Waring and Mayor Williams
No:	0	
Absent:	1 -	Councilman DiCiccio

CITIZEN COMMENTS

Leonard Clark thanked the Council for doing their duty as elected officials and discussed how the City needs good leaders. He told them that he had seen positive things at the Council meeting.

Note: Councilman Nowakowski left the voting body.

Jennifer Harrison recalled the Dec. 5, 2018, Council meeting and stated that she hopes steps will be taken to get the room in order if the Council Chambers get chaotic again.

Lesa Antone thanked Councilwoman Pastor for the way she voted on the water rate increase, Item 42. She also talked about the Dec. 5, 2018 Council meeting and said that people were allowed to be lawless. She added she did not agree with that and there should be law and order.

Michael Pierce stated that he was pleased with the decision Council made about the Talking Stick Arena, Items 29 and 30. He discussed the importance of the voters to have an input into fundamental decisions and suggested letting the voters decide in the March election.

ADJOURN

There being no further business to come before the Council, Mayor Williams declared the meeting adjourned at 4:32 p.m.

MAYOR

ATTEST:

CITY CLERK

EH

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the formal session of the City Council of the City of Phoenix held on the 12th day of December, 2018. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 17th day of April, 2019.

CITY CLERK