172343

# City of Phoenix

## Minutes

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

## City Council Formal Meeting

**Wednesday, March 7, 2018** **2:30 PM** **phoenix.gov**

### CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, March 7, 2018 at 2:42 p.m. in the Council Chambers.

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

Councilman Valenzuela entered the Chambers and joined the voting body during Citizen Comments held at the beginning of the meeting. Mayor Stanton temporarily left the voting body during Citizen Comments and returned to swear in Boards & Commissions members. Mayor Stanton and Councilman DiCiccio left the voting body during discussion on Items 73 and 74.

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

### CITIZEN COMMENTS

Pat Vint thanked City of Phoenix Detective Vanzant for getting him a tape of a conversation he had a few months ago. He took issue with the parking meters near City Hall as he was not allowed to park longer than an hour and he wanted someone to look into it.

John Rusinek talked about Mr. Vint's property and the recommendation that he dust-proof his land. He discussed the cost of dust-proofing of his land, and recommended that the City look into those policies. He mentioned the speaker after him also had to dust-proof his driveway, and requested a meeting with staff

to look over pictures he has of the property.

Note: Councilman Valenzuela joined the voting body.

Brian Stanley submitted a citizen petition that requested the City observe their committments to Los Olivos Park and refrain from converting the land to public non-recreational use.

Leonard Clark expressed to the Council that there was a person missing and asked the public to contact their family. He commented on a State bill that would take tax dollars from the City and urged the Council to talk to those in the State legislature.

David Lammon mentioned he was part of an online group that discussed what was going on in Sunnyslope. He listed the positive events that were going on in the community and also the negative events that focused on homelessness. He was concerned about the homeless population at a Circle K near his home because it was where children walked home from school. He also wanted to find out why those committing crimes in the neighborhood were not arrested.

Diane Barker invited the public to join her for Walk Phoenix Wednesday which started at Hance Park. She talked about staff walking downtown at City Hall, as well as at Sky Harbor Airport.

Note: Mayor Stanton temporarily left the voting body. Vice Mayor Pastor assumed the Chair.

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6423 through G-6438, S-44262 and S-44296 through S-44332, and Resolutions 21615 through 21617 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 items that were attached to the agenda.

## BOARDS AND COMMISSIONS

**1 City Council Appointments to Boards and Commissions**

**Summary**

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

The following individuals were recommended for appointment by the City Council:

Laveen Village Planning Committee

Appoint Cinthia Estela, for a term to expire on November 19, 2019, as recommended by Councilman Nowakowski.

Maryvale Village Planning Committee

Appoint Viri Hernandez, for a term to expire on November 19, 2019, as recommended by Councilman Nowakowski.

Note: Mayor Stanton returned to the voting body and resumed as Chair.

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

| | | |
|---|---|---|
| **Yes:** | 9 - | Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton |
| **No:** | 0 | |

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

Cinthia Estela, Laveen Village Planning Committee

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

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

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

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

Thuy Nguyen - Applicant, Item 4
Kyle Jones - Applicant, Item 5
Kurt Gross - Applicant, Item 7
Mark Leeder - Applicant, Item 8
Erin Morgan - Applicant, Item 9
Thomas Aguilera - Applicant, Item 10
Lucas Anable - Applicant, Item 13
Daniel Levie - Applicant, Item 16
Cory Mingo - Applicant, Item 17

**A motion was made by Vice Mayor Pastor, seconded by Councilwoman Gallego, that Items 2-18 be recommended for approval, and noting that Item 19 is withdrawn. The motion carried by voice vote:**

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

**No:** 0

**2 Liquor License - Special Event - Phoenix Harley Owners Group Charities, Inc.**

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

**Summary**

Applicant
Frank Stubbs

Location
13850 N. Cave Creek Road
Council District: 3

Function

Community Event

Date(s) - Time(s) / Expected Attendance
April 13, 2018 - 3 p.m. to 7:30 p.m. / 500 attendees
April 14, 2018 - Noon to 8 p.m. / 4,000 attendees

Staff Recommendation
Staff recommends approval of this application.

**This item was recommended for approval.**

**3 Liquor License - Special Event - USA Homeownership Foundation Inc**

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

**Summary**

Applicant
George Varrato Jr.

Location
4530 E. Gold Dust Ave.
Council District: 3

Function
Dinner

Date(s) - Time(s) / Expected Attendance
April 19, 2018 - 5:30 p.m. to 9:30 p.m. / 180 attendees

Staff Recommendation
Staff recommends approval of this application.

**This item was recommended for approval.**

**4 Liquor License - Cre Asian Bar and Grill**

Request for a liquor license. Arizona State License 1207B278.

**Summary**

Applicant

Thuy Nguyen, Agent

License Type
Series 12 - Restaurant

Location
13216 N. 7th St., Ste. B2
Zoning Classification: PSC
Council District: 3

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

The 60-day limit for processing this application is March 9, 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:
“As a mother, business owner and law abiding citizen, it is my responsibility to provide a safe and positive dining experience without jeopardizing the public safety in which our children and loved ones reside. I hold high standards for myself and my staff and will be properly trained in the necessary alcohol training courses.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“The previous owners who held a liquor license in this establishment did well, stating that their patrons often requested alcohol and enjoyed it responsibly. It did well for the business and surrounding businesses as well as generating more tax revenue for the city.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Cre Asian Bar and Grill
Liquor License Map - Cre Asian Bar and Grill

**This item was recommended for approval.**

**5 Liquor License - Special Event - Cancer Support Community - Arizona**

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

**Summary**

Applicant
Darci Haydukovich

Location

360 E. Palm Lane
Council District: 4

Function
Dinner/Trivia Event

Date(s) - Time(s) / Expected Attendance
April 7, 2018 - 5:30 p.m. to 10 p.m. / 225 attendees

Staff Recommendation
Staff recommends approval of this application.

**This item was recommended for approval.**

**6 Liquor License - Special Event - Cancer Support Community - Arizona**

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

**Summary**

Applicant
Darci Haydukovich

Location
360 E. Palm Lane
Council District: 4

Function
Dinner

Date(s) - Time(s) / Expected Attendance
April 21, 2018 - 5:30 p.m. to 10:30 p.m. / 350 attendees

Staff Recommendation
Staff recommends approval of this application.

**This item was recommended for approval.**

**7 Liquor License - Special Event - Phoenix Frontrunners, Inc.**

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

**Summary**

Applicant
Daniel Shabra

Location
1625 N. Central Ave.
Council District: 4

Function
Sporting Event

Date(s) - Time(s) / Expected Attendance
March 24, 2018 - 6 a.m. to Noon / 400 attendees

Staff Recommendation
Staff recommends approval of this application.

**This item was recommended for approval.**

**8 Liquor License - Special Event - Phoenix Pride Incorporated**

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

**Summary**

Applicant
Mark Leeper

Location
300 E. Indian School Road
Council District: 4

Function
Festival

Date(s) - Time(s) / Expected Attendance
April 7, 2018 - 11:30 a.m. to 9 p.m. / 15,000 attendees
April 8, 2018 - 11:30 a.m. to 9 p.m. / 10,000 attendees

Staff Recommendation
Staff recommends approval of this application.

**This item was recommended for approval.**

**9 Liquor License - Special Event - Fallen Heroes Wreath Program Inc.**

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

**Summary**

Applicant
Erin Morgan

Location
906 E. Camelback Road
Council District: 6

Function
Cultural Celebration

Date(s) - Time(s) / Expected Attendance
March 17, 2018 - 8 a.m. to 2 a.m. / 1,000 attendees

Staff Recommendation
Staff recommends approval of this application.

**This item was recommended for approval.**

## 10 Liquor License - IHOP

Request for a liquor license. Arizona State License 1207B294.

**Summary**

Applicant
Thomas Aguilera, Agent

License Type
Series 12 - Restaurant

Location
1743 E. Camelback Road
Zoning Classification: PSC CEPCSP
Council District: 6

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow alcohol sales. A Use Permit Hearing has been scheduled. This business is currently being remodeled with plans to open in May 2018.

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

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

Other Active Liquor License Interest in Arizona

This 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 serve as Agent on numerous liquor licenses in Arizona. I have been fingerprinted and background checked. I have Title IV liquor training and have practiced as a Liquor Law attorney for over 20 years. I have completed all paperwork and have submitted same to the Arizona Department of Liquor Licenses and Control."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"IHOP Restaurants are family oriented, serving breakfast, lunch and dinner seven days a week. We are leasing space in a well traveled, busy corridor with easy access for our guests. We boast great service and great food in a clean and safe atmosphere. The community, both business and residential, is in need of a family friendly full service dining option. IHOP is the perfect fit to meet and serve the best interest of the community."

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

Attachments
Liquor License Data - IHOP
Liquor License Map - IHOP

**This item was recommended for approval.**

**11 Liquor License - Special Event - St. Patrick's Day Parade and Irish Society of Arizona, Inc.**

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

**Summary**

Applicant
Mary Moriarty

Location
1106 N. Central Ave.
Council District: 7

Function
Festival

Date(s) - Time(s) / Expected Attendance
March 17, 2018 - 10 a.m. to 5:30 p.m. / 4,500 attendees

Staff Recommendation
Staff recommends approval of this application.

**This item was recommended for approval.**

**12 Liquor License - Food City #132**

Request for a liquor license. Arizona State License 09070117.

**Summary**

Applicant
Michael Basha, Agent

License Type
Series 9 - Liquor Store

Location
2709 W. Van Buren St.
Zoning Classification: C-3
Council District: 7

This request is for a location transfer of a liquor license for a grocery store. This location is currently licensed for liquor sales with a Series 10 - Beer and Wine Store, liquor license.

The 60-day limit for processing this application is March 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 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:

"Bashas Inc currently has over 100 liquor licenses throughout Arizona and we have received very few citations. We are constantly training and retraining our store personnel and keeping everyone informed of any new laws and changes."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "We are in the process of transferring in a series 9 license to accommodate the need of the store. The series 9 will be a convenience for customers living in the area that would like to purchase beverages as they make other purchases."

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 - Food City #132
Liquor License Map - Food City #132

**This item was recommended for approval.**

**13 Liquor License - The Natural Wine Co**

Request for a liquor license. Arizona State License 04077113.

**Summary**

Applicant
Lucas Anable, Agent

License Type
Series 4 - Wholesaler

Location
2440 W. Lincoln St. #170-N1
Zoning Classification: A-2
Council District: 7

This request is for an acquisition of control of an existing liquor license

for a wholesaler. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is March 17, 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:
"I have worked in many aspects of the Arizona food and beverage community, including as a wine buyer and educator in four Tucson bars and restaurants in the past 8 years. I have also worked as an industry consultant, Front of House Manager and Inventory Manager. Most recently I worked as a wine salesperson and have been successful in that role. I have traveled throughout Europe visiting vineyards and meeting winemakers. Both my AZ Title 4 Basic and Manager certifications are up to date. For these reasons, I know that I am capable, reliable and qualified to hold a wholesale liquor license."

Staff Recommendation
Staff recommends approval of this application.

**This item was recommended for approval.**

**14 Liquor License - Special Event - Alwun House Foundation**

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

**Summary**

Applicant
Dana Johnson

Location
1204 E. Roosevelt St.
Council District: 8

Function
Art Show

Date(s) - Time(s) / Expected Attendance
March 17, 2018 - 7 p.m. to 1 a.m. / 250 attendees

Staff Recommendation
Staff recommends approval of this application.

**This item was recommended for approval.**

**15 Liquor License - Break Room Bar & Grill**

Request for a liquor license. Arizona State License 06070264.

**Summary**

Applicant
Amy Nations, Agent

License Type
Series 6 - Bar

Location
4729 E. McDowell Road
Zoning Classification: C-2
Council District: 8

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

The 60-day limit for processing this application is March 11, 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

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

Broadway Liquors (Series 9)
405 E. Broadway Road, Mesa
Calls for police service: N/A - not in Phoenix
Liquor license violations: In July 2017, a fine of $750 was paid for failure to request ID from an underage buyer and for selling, giving or furnishing an underage person with alcohol.

Max Mart (Series 9)
735 E. McKellips Road, Mesa
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"The owner has operated 2 other liquor establishments for several year with only one citation issued while he was not at the location. His employees will go through liquor law training to ensure all laws will be followed."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This location has been at it's location for many years with a liquor license. They have many regular customers from the neighborhood. They hold pool & dart tournaments and employ 12 to 13 people. They are part of the neighborhood and would like to continue offering a great place to visit for their clients."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Break Room Bar & Grill
Liquor License Map - Break Room Bar & Grill

**This item was recommended for approval.**

**16 Liquor License - The Lunchbox**

Request for a liquor license. Arizona State License 07070071.

**Summary**

Applicant
Daniel Levie, Agent

License Type
Series 7 - Beer and Wine Bar

Location
4132 E. McDowell Road, Ste. 7
Zoning Classification: C-2
Council District: 8

This request is for a new liquor license for a bar. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow live entertainment.

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

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

Other Active Liquor License Interest in Arizona
This 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 along with my handpicked team have together over 20 years of experience in the industry. Together, we will create a safe and fun environment for local patrons to watch live music while drinking responsibly. As a business owner and with my former work history, my familiarity with fast-paced and high stress environments and managerial skills makes me an optimal candidate to hold 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:
“The local community will benefit economically by granting this liquor license. Because the Lunchbox hosts a wide variety of national and local artists, it will bring a diverse demographic to the area. Granting the license will add overall value to the local community and serve a safe and fun environment for music lovers all over the city.”

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

Attachments
Liquor License Data - The Lunchbox
Liquor License Map - The Lunchbox

**This item was recommended for approval.**

**17 Liquor License - Mingo's Louisiana Kitchen**

Request for a liquor license. Arizona State License 1207B281.

**Summary**

Applicant
Cory Mingo, Agent

License Type
Series 12 - Restaurant

Location
3424 W. Southern Ave., Ste. 180
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 the sale of alcohol and outdoor alcohol consumption.

The 60-day limit for processing this application is March 11, 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 the capability to hold a liquor license because of my more than 15 years in restaurant managment as a leader in the kitchen and front of the house. I understand the importance establishing rules and guidelines to keep the patrons and my employees safe. Consistently applying these rules will ensure our community can rely on us to provide a fun and safe experience. I will complete the required training/certification and ensure my employees fully understand their role and the processes we setup.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“We aim to be a community hot spot for lunch and dinner, where patrons can socialize with neighbors and enjoy authentic New Orleans fare. With this liquor license we will add to that experience by offering traditional New Orleans beverages and spirits.”

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 - Mingo's Louisiana Kitchen
Liquor License Map - Mingo's Louisiana Kitchen

**This item was recommended for approval.**

**18 Liquor License - Prime Now**

Request for a liquor license. Arizona State License 09073627.

**Summary**

Applicant
Nicholas Guttilla, Agent

License Type

Series 9 - Liquor Store

Location
500 S. 48th St.
Zoning Classification: A-2
Council District: 8

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

The 60-day limit for processing this application is March 12, 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:
“The Applicant is a retailer that operates throughout the United States. Its employees will be trained in Arizona liquor laws and the same standards that are exercised in other states will be followed at this location. The Applicant has communicated with the Director of Arizona Department of Liquor to ensure all concerns are addressed.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“The Applicant is devoted to providing exceptional service, value and variety to its customers. There will be a walk-in service area at this location, and customers can also use the Applicant's delivery service. The liquor license will allow the Applicant to provide a comprehensive shopping experience to its customers which has been successful in other locations.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Prime Now
Liquor License Map - Prime Now

**This item was recommended for approval.**

**19 Liquor License - CJ's Talley's Pub**

Request for a liquor license. Arizona State License 06070586.

**Summary**

Applicant
Christopher Nave, Agent

License Type
Series 6 - Bar

Location
1219 E. Glendale Ave., Ste. 12, 14, 16
Zoning Classification: C-1

Council District: 6

This request is for an ownership and location transfer of a liquor license for a bar. This location is currently licensed for liquor sales with a Series 12 - Restaurant, liquor license. A bar is currently not permitted in this zoning district.

The 60-day limit for processing this application is March 19, 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
The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

CJ's Talley's Pub (Series 12)
1219 E. Glendale Ave., Ste. 12, 14, 16, Phoenix
Calls for police service: 11
Liquor license violations: None

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I currently hold a 12 license at this location & previously had a 6 license at a different location, this is my life & enjoy providing a place for friends, family & new faces enjoy a neighborhood establshment."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I Christopher Nave, as an owner operator look forward to providing a fun family environment for our local & visiting patrons to a comfortable, affordable establishment. A place where friends & neighbors gather."

Staff Recommendation

Staff recommends disapproval of this application based on a Street Transportation Department recommendation for disapproval. The Street Transportation Department disapproval is pursuant to A.R.S Section 4-207 that restricts liquor licenses within 300 feet of churches and schools. The proposed liquor license location is within 300 feet of a church named Our Saviour's Lutheran Church.

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 - CJ's Talley's Pub
Liquor License Map - CJ's Talley's Pub

**This item was withdrawn.**

## ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

Note: Speaker comment cards were submitted in favor of the following items, but the person did not wish to speak:

Stephen Earl - Applicant, Items 84 and 88

**A motion was made by Vice Mayor Pastor, seconded by Councilwoman Gallego, that Items 20-97 be approved and/or adopted, except Items 31, 36-38, 51-53, 65, and 73-74; and continuing Item 36 to March 21, 2018, and Items 58 and 96 are withdrawn. The motion carried by the following vote:**

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

**No:** 0

Items 20-35, Ordinance S-44296, were requests to authorize the City Controller to disburse funds up to amounts indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code Section 42-13.

**20 Rollins Inc., doing business as Orkin, LLC**

For $90,000.00 in additional payment authority for Contract 133924 for integrated pest control management services for the Aviation Department to continue to provide pest control services through the contract end date of July 31, 2018.

**This item was adopted.**

**21 Vaisala, Inc.**

For $30,000.00 in additional payment authority to extend Contract 137127 through June 30, 2019, to provide maintenance and support of the Lightning Detection System (LDS) for the Aviation Department. The

LDS is critical to Phoenix Sky Harbor International Airport, Deer Valley Airport, and Goodyear Airport as the system provides real-time data of cloud-to-ground lightning strikes within a 15-mile radius of the airports. The LDS disseminates alerts to ensure airport operation and airline staff have the ability to make life safety decisions regarding airport operations when lightning strikes.

**This item was adopted.**

**22 Aviall Services, Inc.**

For $10,000.00 in additional payment authority for Contract 135538 for the supply of aircraft parts, supplies and accessories for the Police Department. Payment authority is being requested to extend the current contract through April 30, 2018 to provide more time to create the new solicitation.

**This item was adopted.**

**23 DAK MAK Billiards, LLC, doing business as DAK MAK Billiards**

For $50,000.00 in payment authority for a new contract, entered on or about March 15, 2018 for a term of three years for game table repairs, on an as-needed basis, for the Parks and Recreation Department. Repair services for various types of tables are needed to allow City residents continual use of equipment at various recreational centers. This contract will be using Recreation Fund dollars; no General Fund dollars will be used.

**This item was adopted.**

**24 Adorama, Inc.**

For $24,000.00 in payment authority to purchase Canon PowerShot SX420 IS Point & Shoot cameras for the Police Department. The Forensic Imaging Unit’s first responders use the cameras to document evidence and injuries in the field. Officers are trained and certified in the use of these cameras.

**This item was adopted.**

**25 Employment Learning Innovations, Inc.**

For $50,000.00 in additional payment authority to provide Civil Treatment training to employees and managers. Civil Treatment is a trademarked training program designed to help organizations prevent, detect, and

correct inappropriate behavior and build productive, inclusive cultures within the workplace. Additional payment authority will allow for completion of a new Request for Qualifications process.

**This item was adopted.**

**26 L.N. Curtis and Sons**

For $20,000.00 in additional payment authority to extend Contract 131190 through June 30, 2018 for the purchase of fire hose equipment for the Fire Department. The fire hoses are used when responding to interior and exterior fire calls. This equipment is critical in support of the Fire Department's efforts to provide life safety services to the public.

**This item was adopted.**

**27 Anritsu Company**

For $11,500.00 in payment authority to purchase an Anritsu antenna tester for the Fire Department to quality check emergency dispatch equipment. The Anritsu antenna tester is necessary to maintain optimal performance for life safety alerting and dispatching equipment. The addition of this antenna tester will decrease fire apparatus downtime, and increase technician efficiency by providing insight into the integrity of the antenna and cabling systems required for all fire stations and fire mobile computers to receive dispatch information.

**This item was adopted.**

**28 Various Vendors for Rental and Servicing of Portable Toilets**

For $100,000.00 in additional payment authority for rental and servicing of portable toilets for Citywide Departments. Contractors provide rental of standard, event, trailer-mounted and ADA-compliant portable restrooms, and hand washing stations at various City sites.

Waste Technologies, LLC, doing business as Right Away Disposal, Contract 137504
United Site Services of Arizona, Inc., Contract 137505

**This item was adopted.**

**29 Russell E. Kurz, doing business as Performance Electric**

For $100,000.00 in additional payment authority for Contract 138480 for Light Emitting Diode (LED) upgrade for the Public Works Department on

behalf of the Library Department. The service is necessary to complete the remaining upgrades at Burton Barr Central Library, providing 100 percent LED lighting in the library when it reopens in June 2018.

**This item was adopted.**

**30 Diversified Flooring Services-Phoenix, LLC**

For $71,000.00 in additional payment authority for Contract 138007 for flooring replacement projects by the Public Works Department on behalf of the Office of Arts & Culture and Library Department. These services are for the following locations: Phoenix Art Museum, Cholla Library, Desert Broom Library, Desert Sage Library, and the Ironwood Library.

**This item was adopted.**

**32 Helping Phoenix Neighborhoods**

For $60,000.00 in payment authority to sponsor the Neighborhood Services Department's Neighborhood Leadership Studio program over a three-year period. The department collaborates with various City departments, such as Public Works, to conduct various training modules for neighborhood organizations to help improve their community by implementing sustainable neighborhood projects. Solid Waste Enterprise Funds will be utilized to sponsor Neighborhood College Class #4 for the Royal Palm, Washington Park, Myanmar Christian Church, Arcadia Camelback Mountain, Villa Green, Homestead Block Watch, Brunson-Lee, and Central Park neighborhood associations. Funds are administered by Helping Hands Phoenix Neighborhoods and will be utilized during fiscal year 2017-2018 through fiscal year 2020-2021.

**This item was adopted.**

**33 Starkweather Roofing, Inc.**

For $222,000.00 in additional payment authority for various roof repair and replacement services for Contract 143940 for the Public Works Department. The additional funds will allow Public Works to complete immediate roofing repairs at various Police properties.

**This item was adopted.**

**34 Simpson Walker Contracting Corporation**

For $9,400.00 in additional payment authority for Contract 145065 for Change Order 1 (Project ND30140006-1, Central City Addiction

Recovery Center Interior Renovations), for additional services to properly prepare the existing concrete slab by removing the unforeseen and unacceptable underlayment and grind hot spots to provide an acceptable surface for installation of the specified new flooring work to support the Central City Addiction Recovery Center Interior Renovations Project, for Street Transportation and Neighborhood Services departments. This work was not included as part of the original bid and is covered under the initial Community Development Block Grant award.

**This item was adopted.**

**35 Itron, Inc.**

For $57,100.00 in additional payment authority for Contract 113362 for advanced metering infrastructure (AMI) hardware and software maintenance for the Water Services Department. The Itron contract provides support for meter reading hand held devices, meter retrofit equipment, and automated reading software for over 400,000 water and wastewater accounts. Hardware and software maintenance services are needed beyond the 12-month factory warranty period to ensure that the devices remain in good working order.

**This item was adopted.**

**39 Amend Ordinance For Acquisition of Real Property for Roadway Improvements at 7th Avenue and 7th Street Roadway Near the I-17 Interchange (Ordinance S-44299)**

Request the City Council amend Ordinance S-44092 for authorization to include additional parcels needed for roadway improvements at 7th Avenue and 7th Street near the I-17 interchange.

**Summary**

The additional parcels, listed in Attachment A, are necessary to accommodate project construction and were identified during the design phase. The list of properties in the original request were not attached to Ordinance S-44092 and are also included in Attachment A. All of the conditions and stipulations previously stated in the above referenced ordinance will remain the same.

**Financial Impact**

Transportation 2050 funding is available in the Public Transit Capital Improvement Program budget, approved as part of the South Central Light Rail project.

**Location**
Along 7th Avenue from Mohave Street to Gibson Lane and along 7th Street from Mohave Street to Watkins Street.
Council District: 8

**Concurrence/Previous Council Action**
Ordinance S-44092 was adopted by City Council on Nov. 29, 2017.

**This item was adopted.**

**40 Cold Mix Asphalt and Various Paving Materials - Requirements Contract - IFB 18-127 (Ordinance S-44300)**

Request to authorize the City Manager, or his designee, to enter into separate contracts with Brewer Cote of Arizona Inc., and Superior Supply, Inc., to purchase various paving materials for the Aviation Department in an amount not to exceed $5 million for the five-year term of the contracts. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**
The Aviation Department will use the paving products for maintenance and repair of the asphalt and concrete on runways, taxiways, aprons, and roadways for three airports: Phoenix Sky Harbor International Airport, Phoenix Goodyear Airport, and Phoenix Deer Valley Airport.

**Procurement Information**
IFB 18-127 was conducted in accordance with Administrative Regulation 3.10. There were two offers received by the Procurement Division on Jan. 5, 2018. Bids for cold mix asphalt products were rejected and will be re-solicited. The following companies are the recommended offerors based on the lowest bid prices for individual paving material products:

Brewer Cote of Arizona Inc.: $787,730.

Superior Supply, Inc.: $46,200.

The Deputy Finance Director recommends that the offers from Brewer Cote of Arizona Inc., and Superior Supply, Inc., be accepted as the lowest-priced, responsive and responsible offers.

**Contract Term**
The terms of the contracts will be five years and will begin on or about March 15, 2018.

**Financial Impact**
The aggregate contract value will not exceed $5 million, with an estimated annual expenditure of $1 million. Funds are available in the Aviation Department's budget.

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

**This item was adopted.**

**41 High School Equivalency Testing Services - State of Arizona - ADED14-065017 (Ordinance S-44301)**

Request to authorize the City Manager, or his designee, to access State of Arizona Cooperative Contract ADED14-065017 with GED Testing Services, LLC. Further request authorization for the City Controller to disburse all funds related to this item. Expenditures against this contract shall not exceed $50,000 (including applicable taxes) with estimated annual expenditures of $10,000. No General Funds are required.

**Summary**
The City of Phoenix receives Workforce Innovation and Opportunity Act (WIOA) funding through the State of Arizona (State), partners with the State to provide services to eligible populations and is required to adhere to the State's WIOA requirements as well as federal requirements. This

contract will provide high school equivalency testing for ARIZONA@WORK City of Phoenix customers in the following areas: English Language Arts (ELA) Reading, ELA Writing, Mathematics, Science, and Social Studies. An additional assessment component consisting of an already developed 100-question, multiple choice civics test will be integrated into the testing in order to meet the Arizona Department of Education requirements for achieving the Arizona high school equivalency diploma.

**Procurement Information**
In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded through a competitive process consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43. The State of Arizona contract was awarded on Feb. 5, 2014.

**Contract Term**
The five-year contract term shall begin on or about March 7, 2018.

**Financial Impact**
Expenditures against this contract shall not exceed $50,000 (including applicable taxes) with estimated annual expenditures of $10,000. No General Funds are required. Funding is provided by WIOA Grant Funds.

**This item was adopted.**

**42 Savox Search Cameras with Kits and Accessories - Requirements Contract-IFB 18-105 (Ordinance S-44303)**

Request to authorize the City Manager, or his designee, to enter into a contract with L.N. Curtis & Sons to purchase Savox Search Cameras with Kits and Accessories for the Fire Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $160,000.

**Summary**
The Fire Department, Arizona Task Force One (AZ-TFI), must maintain

standardized equipment for deployment to national incidents at the request of the Federal Emergency Management Agency (FEMA). The Savox Search Cameras are waterproof with light emitting diode (LED) lighting that helps locate victims trapped in collapsed environments and underwater inspections. The equipment aids in providing immediate medical treatment to survivors, hazardous materials monitoring and stabilization of emergency situations.

**Procurement Information**
Invitation for Bid (IFB) 18-105 was conducted in accordance with Administrative Regulation 3.10. There were three offers received by the Procurement Division on Dec. 22, 2017. Following are the three offers received:

L.N. Curtis & Sons: $31,625
All Safe Industries: $32,142.81
Lee R. Bays Concrete & Cooldecking, Inc. DBA, Lee Bays Supply: $35,240

The Deputy Finance Director recommends that the offer from L.N. Curtis & Sons be accepted as the lowest priced, responsive and responsible offer.

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

**Financial Impact**
The aggregate contract value will not exceed $160,000. Funds are available in the Fire Department's budget.

**This item was adopted.**

**43 Acceptance and Dedication of Right-of-Way Abandoned by Arizona Department of Transportation (ADOT) Resolutions 2018-01-A-002 and 2018-01-A-004 (Ordinance S-44305)**

Request for the City Council to accept and dedicate to public use right-of-way abandoned by ADOT Resolutions 2018-01-A-002 and

2018-01-A-004.

**Summary**

The right-of-way is no longer needed by ADOT for state transportation purposes, and the City of Phoenix will accept jurisdiction, ownership and maintenance responsibilities, subject to appurtenant, existing access control, which shall remain intact and under ADOT control. Costs of the additional maintenance are not significant.

Resolution 2018-01-A-002 includes approximately 0.87 acres improved with 64th Street roadway, south of Pima Freeway. Resolution 2018-01-A-004 includes approximately 1.95 acres improved with 44th Street roadway, north and south of Red Mountain Freeway. Maps depicting the right-of-way can be found in Attachment A. The ADOT resolutions will be recorded with Maricopa County Recorder.

**Location**

64th Street, south of Pima Freeway.
Council District: 2

and

44th Street, north and south of Red Mountain Freeway.
Council District: 8

**This item was adopted.**

**44 Integrated Pest Control, Wildlife Relocation and Bird/Bat Management (Ordinance S-44306)**

Request to authorize the City Manager, or his designee, to enter into a contract with City Wide Pest Control, Inc. and Southwest Avian Solutions LLC to provide integrated pest management, wildlife relocation and management of birds and bat services in the amount not to exceed $2,000,000. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

Contractors will provide integrated pest management, general pest control treatment, german cockroach treatment, mosquito treatment, rodent control, bed bug inspection and treatment, bee, wasp, and hornet removal, termite inspection and control, pocket gopher and ground squirrel control, and bird and bat management. The primary departments using these contracts are the Housing, Parks and Recreation, Public Works, Water Services, Library, Fire, and Phoenix Convention Center departments. Locations are throughout the City. City departments will use a combination of methods to keep pests at an acceptable level for the health of staff and citizens. The requested products and services are critical to citywide facility operations.

**Procurement Information**

IFB 18-003 Integrated Pest Control, Wildlife Relocation and Bird/Bat Management was conducted in accordance with Administrative Regulation 3.10. The solicitation was emailed to 103 contractors and was posted on the City's website. Two offers were received by the Procurement Division on Dec. 15, 2017.

City Wide Pest Control, Inc.
Southwest Avian Solutions, LLC.

The Deputy Finance Director recommends the offer from City Wide Pest Control, Inc. Groups 1, 2, and 3; and Southwest Avian Solutions, LLC Group 4 be accepted as the responsive and responsible offers.

**Contract Term**

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

**Financial Impact**

The aggregate contract value through April 30, 2023 shall not exceed $2,000,000. Funds are available in all City of Phoenix department budgets.

**This item was adopted.**

**45 Amend Ordinance for Authorization to Grant Temporary**

**Construction Easements on City-owned Property Located at 17010 S. 40th St. (Ordinance S-44307)**

Request City Council to amend Ordinance S-43797 to authorize the City Manager, or designee, to grant an additional temporary construction easement (TCE) on City-owned property to Arizona Department of Transportation (ADOT) to include an additional 2,500 square foot TCE. Further request authorization for the City Treasurer to accept all funds related to this item. Further ordering the ordinance recorded.

**Summary**
The Council-adopted Ordinance S-43797 originally granted a 13,593 square foot of TCEs to ADOT for the South Mountain Freeway in various locations at the 40th Street and Pecos Road Park-and-Ride. Design changes have since been made to accommodate construction activities relating to the closure of an existing driveway, which requires an additional 2,500 square feet TCE. The TCEs totaling approximately 16,093 square feet will be granted to ADOT by a separate conveyance instrument.

**Location**
17010 S. 40th St., identified by assessor parcel number 306-02-853.
Council District: 6

**Concurrence/Previous Council Action**
Ordinance S-43797 was adopted by City Council on July 6, 2017.

**This item was adopted.**

**46 Authorization to Enter Into Access Agreements with Maricopa County for Air Quality Monitors at Phoenix Water Well Sites 70 and 94 (Ordinance S-44308)**

Request to authorize the City Manager, or his designee, to enter into access agreements with Maricopa County, a political subdivision of the State of Arizona (County), for air quality monitors located at Phoenix Water Well Sites 70 and 94 for one five-year term, with two additional

five-year options to extend. Further request City Council to grant an exception pursuant to Phoenix City Code 42-20 to include indemnification and assumption of liability provisions in the transaction documents that are otherwise prohibited by Phoenix City Code 42-18.

**Summary**
The County has existing air quality monitors placed at Well Site 70 under City Contract 100916 and Well Site 94 under City Contract 100915. The existing contracts will be replaced with new agreements for a five-year term through Oct. 27, 2022, with two additional five-year options. The access agreements are for placement of air quality monitors, shelters, and wind monitors to measure and monitor ambient levels of air pollution in the vicinity. The County is responsible for all costs related to the monitors, including utility service.

**Contract Term**
The term of the agreement will be five years through Oct. 27, 2022, with two additional five-year options to extend. The contract may be terminated by either party upon receipt of a 30-day written notice.

**Concurrence/Previous Council Action**
City Contracts 100915 and 100916 were authorized by City Council on Jan. 30, 2002.

**Location**
3847 W. Earll Drive (Well Site 70) and 8351 N. 6th St. (Well Site 94)
Council Districts: 4 and 6

**This item was adopted.**

**47 Authorization to Amend Lease with BWC, LLC to Extend Term (Ordinance S-44310)**

Request to authorize the City Manager, or his designee, to amend Contract 135009 with BWC, LLC to extend the lease term for a one-year period with four additional one-year options. Further request authorization for the City Treasurer to accept all funds related to this item. Rent during the initial one-year extension will be $12,720.48 per year, plus applicable

taxes.

BWC LLC leases approximately 1,300 square feet of interior space located at 1945 W. Dunlap Ave., Suite 8. The current contract term expires March 31, 2018. The contract will be amended to extend the term for a one-year period plus four one-year options to extend. Base rent during the initial one-year extension is $1,060.04 per month, plus applicable taxes, which is a three percent increase in the current rent and is within the range of market rents as determined by the Real Estate Division. Each option period will be exercised upon mutual agreement of the City and tenant, with annual base rent adjustments of three percent at the beginning of each option period. BWC is a long-term tenant in good standing.

**Financial Impact**
Revenue during the initial one-year extension will be $12,720.48 per year, plus applicable taxes.

**Concurrence/Previous Council Action**
This contract was authorized by Ordinance S-39268, adopted Oct. 17, 2012.

**Location**
1945 W. Dunlap Ave.
Council District: 5

**This item was adopted.**

**48 Acceptance of Easements for Public Utility Purposes (Ordinance S-44316)**

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

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

Easement (a)
Applicant: Roben S. Johnson, its successor and assigns
Purpose: Public Utilities
Location: 11007 N. 15th Ave.
File: FN170133
Council District: 3

Easement (b)
Applicant: The Reserve At Cloud Nine, LLC, its successor and assigns
Purpose: Public Utilities
Location: 11007 N. 15th Ave.
File: FN170133
Council District: 3

Easement (c)
Applicant: Roben S. Johnson, its successor and assigns
Purpose: Public Utilities
Location: 11007 N. 15th Ave.
File: FN170132
Council District: 3

Easement (d)
Applicant: The Reserve At Cloud Nine, LLC, its successor and assigns
Purpose: Public Utilities
Location: 11007 N. 15th Ave.
File: FN170132
Council District: 3

**This item was adopted.**

**49 Acceptance and Dedication of Deeds and Easements for Roadway and Sidewalk Purposes (Ordinance S-44317)**

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

**Summary**

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

Easement (a)
Applicant: GRHH PHX Storage, LLC, its successor and assigns
Purpose: Sidewalk
Location: 3325 N. 16th St.
File: FN170128
Council District: 4

Easement (b)
Applicant: MRH PHX Storage, LLC, its successor and assigns
Purpose: Sidewalk
Location: 3325 N. 16th St.
File: FN170128
Council District: 4

Easement (c)
Applicant: JASD SSI, LLC, its successor and assigns
Purpose: Sidewalk
Location: 3325 N. 16th St.
File: FN170128
Council District: 4

Deed (d)
Applicant: GRHH PHX Storage, LLC, its successor and assigns
Purpose: Roadway
Location: 3325 N. 16th St.
File: FN170128
Council District: 4

Deed (e)
Applicant: MRH PHX Storage, LLC, its successor and assigns
Purpose: Roadway
Location: 3325 N. 16th St.
File: FN170128

Council District: 4

Deed (f)
Applicant: JASD SSI, LLC, its successor and assigns
Purpose: Roadway
Location: 3325 N. 16th St.
File: FN170128
Council District: 4

Easement (g)
Applicant: McDonald's Corporation, its successor and assigns
Purpose: Sidewalk
Location: 3501 W. Van Buren St.
File: FN170131
Council District: 7

Easement (h)
Applicant: Schneider Resource, Inc., its successor and assigns
Purpose: Sidewalk
Location: 3150 S. 39th Ave.
File: FN170107
Council District: 7

**This item was adopted.**

**50 Lawnmower, Landscape and Agriculture Equipment Parts (Ordinance S-44329)**

Request to authorize the City Manager, or his designee, to extend Contracts 135787 with Simpson Norton Corporation, 135791 with Construction Tool, 135794 with A & G Turf Equipment, 135793 with A to Z Equipment Rentals & Sales, 135792 with Bingham Equipment Company, 135790 with Horizon, Inc., 135789 with Jacobsen West, 135788 with Quality Equipment & Spray, 136721 with R&R Products, Inc., and 136722 with Stotz Equipment for up to six months through Sept. 30, 2018 until the procurement process for a new solicitation is complete. Further request authorization for the City Controller to disburse all funds in an amount not to exceed $300,000 related to this item.

**Summary**
Contractors will continue to provide a broad range of landscaping, agricultural parts and equipment, all on an as-needed basis for various City of Phoenix departments. The primary departments that use this contract are Fire, Parks, Water, Street Transportation, and Public Works.

**Financial Impact**
The estimated expenditure for the six-month extension will not exceed $300,000. Funds are available in various departments' budgets.

**Concurrence/Previous Council Action**
These contracts are a result of IFB 13-025, awarded by Formal Council Action on April 1, 2013.

**Responsible Department**
This item is submitted by City Manager Ed Zuercher and the Finance Department.

**This item was adopted.**

**54 Amendment to Contract with FSL Real Estate Services for Redevelopment of Residential Properties in South Phoenix Village Neighborhood Initiative Area (Ordinance S-44320)**

Request to authorize the City Manager, or his designee, to amend Ordinance No. S-41709 to fund the construction and total development related costs for the South Phoenix Village (SPV) single-family detached infill housing using available Neighborhood Stabilization Program (NSP) program income, with the gross funding not to exceed $28.5 million and the final net subsidy not to exceed the original approved budget of $5,368,222. Further request authorization for the City Controller to disburse all funds related to this item and City Treasurer to accept funds received as program income.

**Summary**
In May 2015, Phoenix City Council unanimously approved Neighborhood Services Department’s (NSD) request to enter into contract with FSL Real Estate Services (FSL RES), Ordinance S-41709 for completion of

121 homes in an amount not to exceed $5,368,222. This dollar amount was to cover the gap between total development costs and the revenue generated from the sale to a new homeowner. The project is funded entirely by the U.S. Department of Housing and Urban Development (HUD) Neighborhood Stabilization Program (NSP) funds and is open to eligible homebuyers at 120 percent or below the area median income. As part of its proposal submitted in Sept. 2014, FSL RES estimated that the SPV Project would require a gap outlay of $5,368,222.

The City's NSP Program has available NSP funds from program income generated from other projects as well as from the sales of the new SPV homes. These available funds can, and according to HUD regulations should, be used to continue funding the SPV Project. If the City funds the remaining construction costs with the available and projected NSP funds, the City will save an estimated $640,000 of unnecessary finance costs to complete the SPV Project. These funds could then be used to redevelop more NSD owned properties.

Staff is requesting to amend Ordinance No. S-41709 to provide FSL RES continued funding for the SPV Project construction and total development related costs in a gross amount not to exceed $28.5 million so long as the net amount expended, as offset by program income generated by the sales to new home owners, does not exceed the original subsidy of $5,368,222. By calculating the contract ceiling using net expenditures, the City can avoid paying financing costs as required by HUD regulations and use the available funds on future infill housing projects that benefit low-moderate-medium income buyers.

**Contract Term**

The contract term remains unchanged and is for a three-year period, effective Feb. 10, 2016 with two one-year options to extend.

**Financial Impact**

There is no impact to the General Fund; this project is funded by U.S. Department of Housing and Urban Development (HUD) Neighborhood Stabilization Program (NSP) funds.

**Concurrence/Previous Council Action**

This item was recommended for approval by the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee at the Feb. 20, 2018 meeting by a vote of 3-0.

**Location**
The infill project boundaries are from Broadway to Roeser roads, between 24th and 32nd streets.
Council District: 8

**This item was adopted.**

**55 Arizona Commission on the Arts FY 2018-19 Community Investment Level VI Grant Application (Ordinance S-44313)**

Request authorization for the City Manager, or his designee, to apply for, accept, and if awarded, enter into an agreement for Arizona Commission on the Arts (ACA) Community Investment Level VI matching grant funds in an amount up to $60,000 for fiscal year 2018-19. Further authorize the City Treasurer to accept and the City Controller to disburse the funds for purposes of this ordinance. The grant funds would be used by the Phoenix Office of Arts and Culture in FY 2018-19 to support initiatives identified through the Office's planning process with the local cultural community.

**Summary**
The ACA Community Investment Level VI Grant is a flexible funding category developed to recognize and assist the cultural programming and achievements of Arizona's local arts agencies. Funds may be used to support agency operations and special projects. The Phoenix Office of Arts and Culture has applied for and received annual grant funds from the Arizona Commission on the Arts since 1994.

If awarded, the grant funds will support development and distribution of informational materials regarding the arts and cultural community; provision of management and technical assistance services to artists and cultural organizations; development of educational public outreach programs that promote an appreciation of arts and culture; and support for special community arts and culture initiatives.

**Financial Impact**

The ACA Community Investment Level VI Grant requires a one-to-one match by applicants. The Phoenix Office of Arts and Culture FY 2018-19 General Fund appropriation will be used to match the FY 2018-19 grant award.

**Concurrence/Previous Council Action**

The Phoenix Arts and Culture Commission reviewed this item at its Feb. 16, 2018, meeting and recommended approval.

**This item was adopted.**

**56 Grant Request to Participate in International Research Project (Ordinance S-44331)**

This report requests the City Council to authorize the City Manager, or designee, to apply for, accept, and enter into any related agreements for a grant from the National Science Foundation. The grant will cover City-related costs incurred as part of an international research project to study the food-water-energy nexus. Request to further authorize the City Treasurer to accept and the City Controller to disburse any funds related to this item.

**Summary**

Many cities across the globe experiment with innovative solutions to challenges in food, water and energy systems. However, issues of food, water and energy are often tightly connected with each other, both locally and globally. This is known as the Food-Water-Energy (FWE) nexus. As a result, for example, an effective solution to a local water problem may cause new local problems with food or energy, or cause new water problems at the global level. For local actors, it is very difficult to anticipate whether solutions to one issue in the FWE nexus are sustainable across food, water and energy systems, both at the local and the global scale. In response, the GLOCULL (Globally and Locally-sustainable Food-Water-Energy Innovation in Urban Living Labs) project aims to develop a novel approach to produce innovative solutions to FWE challenges that are both locally and globally sustainable, through experiments in Urban Living Labs in seven countries (Austria, Brazil,

Germany, Netherlands, South-Africa, Sweden and the United States).

The seven-country consortium includes reputed research partners as well as local public and private sector partners committed to implementation of FWE innovation experiments. The consortium brings together a wealth of knowledge and expertise on living labs and other transformative transdisciplinary approaches in sustainable urban development, as well as extensive research experience in governance and management of food, water and energy issues from the local to the global level, including multi-level interactions. Urban Living Lab FWE innovation experiments are already identified in each of the seven participating countries.

The project lead, Maastricht University in the Netherlands, has received 1.8 million Euro to conduct this research, and has invited Phoenix and Tempe to be pilot U.S. cities with Arizona State University (ASU) as the local research partner--offering $50,000 to each participating city to host workshops and gather local data over the three-year research period. The funding offered to Phoenix is intended to offset costs incurred in conducting the research.

**Financial Impact**

The funding from Maastricht University will be delivered through the National Science Foundation for all U.S. participants. There is not a requirement for matching funding. The funds will be used over the three-year research period.

**Concurrence/Previous Action**

This item was approved by the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee meeting on Feb. 20, 2018, by a vote of 3-0.

**This item was adopted.**

**57 Authorization to Enter into Development Agreement with HPPC, LLC (Ordinance S-44321)**

Request to authorize the City Manager, or his designee, to negotiate and enter into a development agreement (DA), and any other agreements as necessary, with HPPC, LLC, or its City-approved designee, (Developer),

for the installation of enhanced public infrastructure improvements and the dedication of a Public Access Easement. Further request authorization for City Controller to disburse funds. This agreement will not impact the General Fund.

**Summary**

The Developer recently purchased the Park Central Mall property located at 3110 N. Central Ave. (Site) and is currently investing in upgrading the property. To facilitate pedestrian connectivity and activity at and through the Site, the Developer will make several public infrastructure improvements to Earll Drive and create a new publicly accessible pedestrian plaza and dedicate a non-vehicular public access easement (Project).

Subject to City Council approval, the following major business terms have been negotiated with Developer and would be implemented through a DA:

Developer will install a dedicated bike lane on Earll Drive from Central Avenue to the Site.

Developer will install a dedicated bike lane on Earll Drive from 3rd Avenue to the Site.

Developer will install enhanced pedestrian improvements along Earll Drive between Central Avenue and 3rd Avenue, which will include new landscaping, enhanced shading, decorative paving, new community gathering spaces and a water feature, which are above what is required by City Code.

Developer will install additional landscaping along its Central Avenue frontage.

Developer will install other improvements as may be required by any City codes, plans or ordinances, or as agreed upon by both parties.

Developer will dedicate a Public Access Easement to connect the improvements from 3rd Avenue to Central Avenue.

City will reimburse Developer up to $2 million over a period of 10 years ($200,000 annually), for the enhanced public infrastructure and the dedication of the Public Access Easement.

The Public Access Easement may be relocated, subject to City approval, if the Public Access Easement is relocated, Developer will either provide the same type and kind of enhanced public infrastructure

improvements or reimburse the City $2 million.
Developer must comply with Title 34 of the Arizona Revised Statutes.
The DA will include other terms and conditions as needed.

**Financial Impact**
This action will not impact the General Fund. The $2 million is available in the Strategic Economic Development Fund and will paid in $200,000 increments over a period of 10 years.

**Concurrence/Previous Council Action**
This item was recommended for approval by the Downtown, Aviation, Economy and Innovation Subcommittee at the Feb. 7, 2018 meeting by a vote of 4-0.

**Location**
3110 N. Central Ave.
Council District: 4

**This item was adopted.**

**58 Youth Internship Program Case Management Services Contract (Ordinance S-44322)**

Request to authorize the City Manager, or his designee, to enter into a contract with DK Advocates, Inc., to provide case management services for the 2018 Phoenix summer youth program and for a community college student internship program, which will focus on matching Phoenix residents enrolled as freshman or sophomores at community colleges located in Phoenix with internships during the fall and spring semesters. The contract amount will not exceed $250,000 per year. Further request to authorize the City Controller to disburse all funds related to this item.

**Summary**
This contract will provide case management services, which will ensure each youth receives an orientation, a skill assessment, as well as ongoing support, counseling, and basic work skills training. Youth will also be provided with information to increase their familiarity with the Maricopa County labor market and enhance their job search knowledge and skills.

Based on the skill assessments, the provider will identify work experience sites that best match the participating youth's interests and allow them to acquire sound work habits. The Youth Internship Program Case Management Services is anticipated to provide employment for up to 110 youth this summer and 17 youth during the community college student internship phase of the program.

**Procurement Information**

The Youth Internship Program Case Management Services Request for Proposals (RFP) was conducted in accordance with Administrative Regulation 3.10. All three offers received by the proposal deadline, Dec. 20, 2017, were responsive and scored by an evaluation panel based on the following criteria:
Proposer's Qualifications and Experience (0-325 points).
Assigned Staff's Qualifications and Experience (0-275 points).
Approach to Scope of Work (0-225 points).
Proposed Budget (0-175 points).

The scoring results were as follows:
DK Advocates, Inc.: 865 points.
Arizona Center for Youth Resources: 756 points.
Valley of the Sun YMCA: 660 points.

**Contract Term**

The contract term will be one year with four one-year renewal options.

**Financial Impact**

The contract amount will not exceed $250,000 per year. Funds are available in the Community and Economic Development Department operating budget.

**Responsible Department**

This item is recommended by Deputy City Manager Deanna Jonovich and the Community and Economic Development Department.

**This item was withdrawn.**

**59 Issuance of Student Housing Revenue and Refunding Revenue Bonds (Downtown Phoenix Student Housing, LLC - Arizona State**

**University Project) (Resolution 21617)**

Request City Council approval for the issuance of Student Housing Revenue and Refunding Revenue Bonds (Downtown Phoenix Student Housing, LLC - Arizona State University Project), Series 2018, to be issued in one or more tax-exempt and/or taxable series in an aggregate principal amount not to exceed $130,000,000.

**Summary**
Request City Council adoption of a resolution granting approval of the proceedings under which The Industrial Development Authority of the City of Phoenix, AZ., (the "Phoenix IDA") has previously resolved to issue up to $130,000,000 of Student Housing Revenue and Refunding Revenue Bonds (the "Revenue Bonds") for use by Downtown Phoenix Student Housing, LLC (the "Borrower"), an Arizona nonprofit corporation, to:

a) refinance a portion of the acquisition, construction, furnishing, and equipping of an approximately 1,284-bed student housing facility and related facilities (known as Taylor Place) located on the Downtown Phoenix campus of Arizona State University, and
b) pay certain costs related to the issuance of the Revenue Bonds.

**Concurrence/Previous Council Action**
The Phoenix IDA Board has previously resolved to issue the Revenue Bonds at its meeting held on Feb. 15, 2018.

**Location**
The Project is located at 120 E. Taylor St.
Council District: 7

**This item was adopted.**

**60 Enter into Memorandum of Understanding with Federal Bureau of Investigation - Counterterrorism**

Request authorization for the City Manager, or his designee, to enter into

a Memorandum of Understanding (MOU) with the Federal Bureau of Investigation (FBI) whereby the Phoenix Fire Department (PFD) will participate in a Joint Terrorism Task Force (JTTF) that is led by the FBI. The PFD and the FBI will coordinate and share information and resources regarding counterrorism efforts.

**Summary**

The FBI is creating JTTFs to leverage the collective resources of the member agencies for the prevention, preemption, deterrence and investigation of terrorist acts that affect United States interests, and to disrupt and prevent terrorist acts and apprehend individuals who may commit or plan to commit such acts. The JTTF shall serve as a means to facilitate information sharing among JTTF members. The MOU will formalize the relationship between the Phoenix Fire Department and the FBI in order to maximize cooperation and to create a cohesive unit capable of addressing terrorism investigations.

**Contract Term**

The term of the MOU is indefinite. The MOU may be terminated at will by either Party by providing written notice of not less than 60 days.

**Financial Impact**

This MOU does not include any exchange of monies between the FBI and the Fire Department.

**This item was approved.**

**61 Temporary Fire Station 55 Firefighter Staffing (Ordinance S-44304)**

Request retroactive authorization to enter into an agreement with North Central Group dba: Marriott Residence Inn, North Phoenix, Happy Valley (Apple Nine Hospitality Management, Inc), for a two-room studio to be used for a four-person fire engine crew, seven days per week, 9 a.m. to 9 p.m. for fire and emergency medical response to the North Valley area, specifically including the "Norterra" area. Further request authorization for the City Controller to disburse all related funds.

**Summary**

In Summer 2017, the Phoenix Fire Department (PFD) identified extended response times in the Norterra area and other areas in north Phoenix distant from the city core. Nationally, response times are a critical driving force in the planning and provision of fire and emergency medical services in the community. As a result, PFD began discussions with the Norterra community, the City Council, and the City Manager's Office in an effort to address the response times concern. After numerous discussions and considerations of response time data, it was determined that the most effective, efficient way to alleviate the immediate response times concern was to position a fire engine crew at an extended-stay hotel in the vicinity. This innovative solution will be utilized during the construction of a permanent Fire Station 55.

Firefighters began operations from "temporary" Fire Station 55, at the Marriott Residence Inn, on Jan. 8, 2018.

**Procurement Information**
In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved emergency determination memo citing the urgent need to provide fire and emergency medical services to the Norterra area.

**Contract Term**
The term of the contract is a maximum of two years. The duration of the contract may be shortened, depending on the construction timeline of Fire Station 55.

**Financial Impact**
The aggregate, two-year contract value will not exceed $180,000 over the life of the contract. Funds are available in the Fire Department's operating budget.

**Location**
Council District: 1

**This item was adopted.**

**62 Intergovermental Agreement with Maricopa County for Emergency**

**Management Software (Ordinance S-44328)**

Request approval from the City Council on the Regional Disaster and Emergency Management Services Agreement for an annual assessment of $10,000. Maricopa County will provide, maintain and issue access to the comprehensive emergency management software tool to expedite the emergency operations center process.

**Summary**

There is an existing possibility of the occurrence of disasters of unprecedented size and destructiveness resulting from natural, technological, national security or other causes. The emergency management software will allow agencies on the local, county, and state level to coordinate the preparation and execution of emergency management programs and plans for the preservation of life and property when disasters occur.

Maricopa County will provide and maintain, and issue access to the comprehensive emergency management software tool to expedite the emergency operations center processess. Maricopa County will provide all technical support and training needed to support emergency operations and planned events where the emergency management software tool is used.

**Contract Term**

The Intergovernmental Agreement will be up for renewal each fiscal year. The term of this initial agreement shall commence on the effective date and continue until June 30, 2018.

**Financial Impact**

The City shall pay to the County an annual assessment of $10,000. Because the intial agreement will be midway through the 2017-2018 fiscal year, the assessment to be paid will be pro-rated from the effective date. Funds are available in the Office of Homeland Security and Emergency Management budget.

**This item was adopted.**

**63 Authorization to Apply for, Accept, and Enter Into Agreements for 2019 Governor's Office of Highway Safety Grants (Ordinance S-44318)**

Request authorization for the City Manager, or his designee, to authorize the City Prosecutor's Office and the Street Transportation, Police and Fire departments to apply for $1,935,000 in grants through Fiscal Year 2018 funding administered by the Arizona Governor's Office of Highway Safety (GOHS), which includes funding from the DUI Abatement Council. If grants are awarded, request authorization to accept the funds and enter into grant agreements. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item.

**Summary**
GOHS announced the availability of funding on Jan. 22, 2018. Grant proposals were due by March 2, 2018. These funds will be used to support new traffic safety programs and enhance existing programs in the City Prosecutor's Office, Street Transportation, and the Fire and Police departments. The total citywide request for funding is $1,935,000.

**City Prosecutor's Office - Total Funding Request $235,000**
Awarded grant funds will be used to pay the salary, expenses, supplies and/or travel for an existing Traffic Safety Resource Prosecutor (TSRP), Attorney IV. Half of the funding ($117,500) will be sought from the Oversight Council on Driving or Operating Under the Influence Abatement Council. The other half of the funding ($117,500) will be requested through this GOHS grant.

The TSRP program will continue its four primary objectives:
- Provide training for prosecutors and law enforcement officers in the prosecution of traffic safety related crimes.
- Act as a resource for questions about traffic laws and trial advocacy.
- Improve communication between prosecutors, law enforcement officers, and members of the judiciary.
- Act as a liaison for individuals and agencies committed to the

enforcement and prosecution of traffic safety related crimes.

The GOHS has funded the TSRP program since its inception in 2007. Though the grant project is administered by Phoenix, it benefits citizens, law enforcement and prosecutors across Arizona. The TSRP is a resource to both small and large jurisdictions for legal issues related to the enforcement of DUI and traffic laws. During the latest grant period, the TSRP provided training to approximately 6,000 prosecutors, law enforcement officers, crime lab personnel, interns and community groups.

Additionally, Arizona's TSRP is a state and nationwide resource as demonstrated by the more than 1,500 requests for assistance from prosecutors, law enforcement officers and crime lab personnel that were received. It is anticipated that a portion of TSRP expenses may need to be covered by City general funds.

**Street Transportation Department - Total Funding Request $270,000**

Roadway Safety/Education Programs: This request will help develop and enhance engineering, educational campaigns and employee tools for roadway, school, bicycle, pedestrian and motorcycle safety. Requests for roadway safety ($80,000) to include funding for: fatal and serious collision reduction plan, traffic and pedestrian safety materials and distracted driving safety education. Requests for pedestrian and bicycle safety ($130,000) to include funding for: pedestrian crossing and pedestrian signal treatment studies, pedestrian/bicycle safety educational materials, bicycle helmets, reflective gear, safety promotional items and LED flashing STOP paddles. Requests for motorcycle safety ($60,000) to include funds for a community outreach and education safety campaign.

**Fire Department - Total Funding Request $330,000**

Impaired Driving Program: This request is for overtime and related fringe benefits, materials, and equipment related to high school education campaigns including dramatic mock crashes and classroom education ($40,000). The program informs young drivers of the danger of distracted driving, alcohol, and other drug impairment with the goal of

decreasing preventable injuries and fatalities associated with impaired and distracted driving.

Occupant Protection and Child Car Seat Program: This request is for training, overtime, related fringe benefits, materials, public education and equipment related to child safety seats and seat belt usage ($250,000). This funding will maintain current occupant protection efforts and increase the frequency for conducting child passenger safety technician certification and recertification classes, increase the opportunities to educate residents at car seat check events, increase the number of locations of designated car seat check fitting stations to enhance geographical outreach, and to enhance outreach for occupant protection public education in K-12 schools.

Pedestrian and Bicycle Safety Program: This request is for overtime, related fringe benefits, materials, and equipment related to education campaigns to increase safety awareness, traffic awareness and skills necessary for young pedestrians and bicyclists ($40,000). This program provides bike rodeos for young cyclists, bike and pedestrian school safety assemblies and public education opportunities at community safety fairs and events.

**Police Department - Total Funding Request $1,100,000**

DUI Enforcement Program: This request, through the Traffic Bureau, is for training, overtime, related fringe benefits and equipment to support and enhance DUI enforcement within the City of Phoenix and joint enforcement efforts throughout the valley ($300,000).

Occupant Protection Program: This request, through the Traffic Education Safety Unit, is for training, materials, supplies, overtime and related fringe benefits associated with Click It or Ticket enforcement activities, child passenger safety technician certification classes, car seat events, Buckle Up Baby Hotline and various seat belt enforcement campaigns ($100,000).

Pedestrian and Bicycle Safety Program: This request, through the Traffic Education Safety Unit, is for training, materials, supplies, overtime and related fringe benefits associated with education and enforcement

campaigns designed to increase safety awareness, traffic law knowledge and skills among pedestrians and bicyclists ($200,000).

Traffic Services Program: This request, through the Traffic Education Safety Unit, is for training, materials, supplies, equipment (radar/laser speed detection devices), overtime and related fringe benefits associated with education and enforcement campaigns such as: traffic impact programs, school zone enforcement, construction zone enforcement, traffic complaint hotline enforcement and selective traffic enforcement programs ($200,000).

Motorcycle Safety Program: This request, through the Traffic Education Safety Unit, is for training, materials, supplies, overtime and related fringe benefits associated with an education and enforcement campaign designed to increase safety awareness, traffic law knowledge and specific enforcement of motorcycle traffic law violations ($100,000).

The Traffic Bureau will seek funding from the DUI Abatement Council for overtime and related fringe benefits associated with DUI enforcement and innovative Know Your Limit programs ($200,000).

**Contract Term**
One year beginning Oct. 1, 2018 through Sept. 30, 2019.

**Financial Impact**
Total funding request is $1,935,000. Cost to the City is personnel expenses and in-kind resources only.

**Concurrence/Previous Council Action**
This item was unanimously approved by the Public Safety and Veterans Subcommittee on Feb. 14, 2018.

**This item was adopted.**

**64 Authorization to Enter into Agreement with Arizona Peace Officer Standards and Training Board for Reimbursement of Basic Training Costs (Ordinance S-44319)**

Request authorization for the City Manager, or his designee, to authorize the Police Department to enter into an agreement with the Arizona Peace Officer Standards and Training Board (AZPOST) to accept funds for the reimbursement of basic training costs in an amount not to exceed $200,000. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

**Summary**

The purpose of this agreement is to provide continuity of basic training during the transition from the former Arizona Law Enforcement Academy (ALEA) to other, yet to be determined agreements throughout the state.

**Contract Term**

This agreement is effective when ratified by all signatories, and terminates on June 30, 2018, at which time all unspent or unencumbered funds must be returned to the Police Officer Training Fund.

**Financial Impact**

AZPOST shall allocate $75,000 for equipment, capital improvement and other expenditures and $125,000 to the Phoenix Police Department to reimburse the cost of training police recruits at the training academy.

**Concurrence/Previous Council Action**

This item was unanimously approved by the Public Safety and Veterans Subcommittee at its Feb. 14, 2018 meeting.

**This item was adopted.**

**66 Request Authorization for the Sale of Canine "Franken" for $1.00 (Ordinance S-44330)**

Request authorization for the City Manager, or his designee, to authorize the sale of canine "Franken" to Officer Ken McCarthy for $1.00. Officer McCarthy is assigned to the Tactical Support Bureau's Canine Unit and has requested to retire and purchase his assigned canine "Franken" in accordance with A.R. 4.2.1.

**Summary**

Canine "Franken" has served the Tactical Support Bureau for more than four years. The Canine Unit dogs are normally retired and replaced after eight to 10 years based on health, workability and performance. Due to well-documented behavioral issues, canine "Franken" has been deemed unsuitable to continue to function in his capacity as a police service dog. His behavioral issues have the potential to lead to unnecessary injury to the handler, other officers or the canine. Unit trainers have attempted a variety of techniques and behavior modifications, however, their efforts have not been successful in bringing canine "Franken's" performance in compliance with unit standards.

This request is for the authorization of the sale of canine "Franken" for $1.00. The purchase of canine "Franken" is being made by Officer Ken McCarthy. Officer McCarthy agrees to accept full responsibility and liability for canine "Franken" until his death.

**This item was adopted.**

**67 Corporate Aircraft Storage Hangar Lease with Salt River Project Agricultural Improvement and Power District (Ordinance S-44324)**

Request to authorize the City Manager, or his designee, to enter into a corporate aircraft storage hangar lease with Salt River Project Agricultural Improvement and Power District (SRP) for a hangar located at 2601 E. Air Lane at Phoenix Sky Harbor International Airport. Anticipated revenue to the Aviation Department is $858,756 over the seven-year term, if all options are exercised.

**Summary**

SRP currently leases a corporate aircraft storage hangar, comprised of approximately 14,484 square feet, located at 2601 E. Air Lane. The hangar lease (Ordinance S-37661) will expire on April 30, 2018, and SRP desires to continue to lease the hangar. The lease may contain other terms and conditions deemed necessary or appropriate by the Aviation Director or his designee.

**Contract Term**

The term of the lease will be two years, with five one-year options to

extend the term, which may be exercised at the sole discretion of the Aviation Director. The City may terminate the lease if the leased premises are needed for airport expansion purposes.

**Financial Impact**
The initial rental rate will be $8.47 per square foot per year, plus applicable taxes. The rental rate will be adjusted annually according to the Consumer Price Index throughout the term of the lease. Anticipated revenue to the Aviation Department is $858,756 over the seven-year term, if all options are exercised.

**Concurrence/Previous Council Action**
Ordinance S-37661 was adopted by City Council on Feb. 23, 2011.

**Location**
2601 E. Air Lane
Council District: 8

**This item was adopted.**

**68 Terminal 2 Contract Extension (Ordinance S-44326)**

Request to authorize the City Manager, or his designee, to enter into amendments to the Terminal 2 retail and food and beverage concession leases to extend the terms on a month-to-month basis. The Terminal 2 concession operators are currently paying percentage rent only.

**Summary**
The Terminal 3 Modernization project will result in closing Terminal 2 and relocating all Terminal 2 airlines into Terminal 3. To accommodate the passengers in Terminal 2 until the anticipated closure, providing food and beverage and retail accommodations is necessary.

The construction schedule for the Terminal 3 Modernization project has now progressed to a point where the impacts on the Terminal 2 concession operators are clear. Therefore, the retail and food and beverage leases are currently in a month-to-month holdover status until the design and construction activities for the Terminal 3 Modernization

project are completed. The leases will be amended to include a 90-day notice of closure or early termination provision, which will afford the Aviation Department the greatest flexibility in accommodating the anticipated construction schedule and any potential variations. All other terms and conditions of the leases will remain in effect during the month-to-month extension of the terms.

**Contract Term**
The Terminal 2 leases that will be extended on a month-to-month basis and amended are listed in Attachment A. The month-to-month extensions are expected throught the Terminal 3 Modernization project with an anticipated end date of early 2020.

**Financial Impact**
The Terminal 2 concession operators are currently paying percentage rent only. In 2017, the seven leases generated $1,778,828 in revenue to the City.

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

**This item was adopted.**

**69 Purchase of New Mobitrac Tool and Replacement Parts - Requirements Contract Recommendation (Ordinance S-44302)**

Request to authorize the City Manager, or his designee, to enter into a contract with Mobitrac, USA, LLC, for purchase of a new Mobitrac amphibious machine and purchase of parts and specialized training for use and maintenance of the equipment. This contract will have an initial $127,691 estimated expenditure, with a total aggregate amount not to exceed $200,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**
The Public Works Department will purchase a Mobitrac Amphibious Tool

Carrier on behalf of the Water Services Department. This single-operator, self-propelled powered floating track vehicle will be used to maintain the Tres Rios Wetlands, located adjacent to the 91st Avenue Wastewater Treatment Plant. The vehicle's wide array of quick-connect attachment tools allows it to cut and collect vegetation, excavate, dig, or dredge. It will enable staff to open up waterways, reduce mosquito breeding areas, control sediment, and dredge pond bottoms in areas that are currently inaccessible.

**Procurement Information**
In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Special Circumstances Determination Memo citing that there is only one source for this essential equipment.

**Contract Term**
This contract will begin on or about March 15, 2018, for a seven-year contract term. The unusual nature and origination of the machine from the manufacturer requires a longer than normal contract term for the repair of the unit.

**Financial Impact**
This contract will have an initial $127,691 estimated expenditure, with a total aggregate amount not to exceed $200,000 over the life of the contract. Funds are available in the Water Services Department's budget.

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

**This item was adopted.**

**70 SR85 Landfill Tarp Contract Recommendation (Ordinance S-44309)**

Request to authorize the City Manager, or his designee, to enter into a contract with Better Built Products dba AAA Tarps, to purchase tarps for

the State Route 85 (SR85) Landfill in an amount not to exceed $200,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**
The SR85 Landfill is the City of Phoenix's primary waste disposal landfill, located in Buckeye, Arizona. It operates under a Master Facility Plan approved by the Arizona Department of Environmental Quality (ADEQ) and uses tarps for alternative daily cover at the landfill as approved by ADEQ. Tarps are the preferred alternative daily cover because they save airspace, which in turn, maximizes efficient use of the excavated cell and increases the useful life of the landfill. Periodically, these tarps must be replaced due to normal wear and tear, and degradation by light and heat.

**Procurement Information**
An Invitation for Bid solicitation was conducted in accordance with Administrative Regulation 3.10. Two offers were received by the City on Jan. 17, 2018. The offers were evaluated based on responsiveness to all specifications, terms and conditions, and lowest bid. The offers for SR85 Landfill Tarp Purchase are as follows based on annual estimated quantity.

Better Built Products dba AAA Tarps: $34,880
CON-WAL, Inc.: $35,444

**Contract Term**
The initial one-year contract term will begin on or about May 1, 2018, and end on April 30, 2019. Provisions of the contract may include an option to extend the term up to four years, in one-year increments, which may be exercised by the City Manager or designee.

**Financial Impact**
The aggregate contract value will not exceed $200,000, with an estimated annual expenditure of $40,000. Funds are available in the Public Works Department's budget.

**Location**
The SR85 Landfill is located at 28633 W. Patterson Road, Buckeye, Ariz.

**This item was adopted.**

**71 Miscellaneous Building Repairs - Requirements Contract Recommendation - IFB 18-FMD-038 (Ordinance S-44311)**

Request to authorize the City Manager, or his designee, to enter into contracts with Skyline Builders & Restoration, Inc., Simpson Walker Contracting Corporation, Bio Janitorial Service, Inc., BWC Enterprises, Inc., dba Woodruff Construction, Loberg Construction, LLC, Koo Design Build, Diamond Ridge Development Corporation, Hernandez Companies, Inc., and SWABS-AZ, Inc., for incidental building repairs to be used on an as-needed basis in an amount not to exceed $250,000 over the life of the contracts. Further request the City Controller to disburse all funds related to this item.

**Summary**

These contracts will be used for commercial maintenance, incidental building repairs and tenant improvement services for over 600 City-owned facilities maintained by the Public Works Department. The services will be used as needed to provide the Facilities Management Division additional support with increased building repairs and tenant improvements for various customer departments, including but not limited to, Fire, Police, Parks and Recreation, Library, Human Services, Street Transportation, Neighborhood Services, and the Office of Arts and Culture.

**Procurement Information**

An Invitation for Bid for miscellaneous building repairs was conducted in accordance to Administrative Regulation 3.10. There were twelve offers received by the Public Works Procurement Division on Jan. 17, 2018. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and the responsibility to provide the required goods and/or services. The offers submitted by Skyline Builders & Restoration, Inc., Simpson Walker Contracting Corporation, Bio Janitorial Service, Inc., BWC Enterprises, Inc., dba Woodruff Construction, Loberg Construction, LLC, Koo Design Build, Diamond Ridge Development Corporation, Hernandez Companies, Inc., and

SWABS-AZ, Inc., are deemed to be fair and reasonable based on the market and previous contract.

**Contract Term**
The initial two-year contract term shall begin on or about May 1, 2018, and end on April 30, 2020. Provisions of the contract include an option to extend the term up to three years, in one-year increments, which may be exercised by the City Manager or his designee.

**Financial Impact**
The aggregate contract value including all option years will not exceed $250,000 (including applicable taxes), with an estimated annual expenditure of $50,000. Funds are available in the Public Works Department's budget.

**This item was adopted.**

**72 HVAC Maintenance and Repair Services - Requirements Contract Recommendation - IFB 18-FMD-060 (Ordinance S-44312)**

Request to authorize the City Manager, or his designee, to enter into contracts with Adobe Energy Management, United Technologies, Inc., dba Uni-Tech, Artic Air Heating and Cooling, Inc., Service Pros Plumbing Heating and Cooling, Inc., Patriot Mechanical, LLC, Pueblo Mechanical and Controls, Inc., HACI Services, LLC, Chiller Services, Inc., Sysko Services, Inc., and Trane U.S., Inc., to provide Heating, Ventilating, and Air-conditioning (HVAC) maintenance and repair services on an as-needed basis in an amount not to exceed $4,525,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**
These contracts will be used for equipment diagnostics, repairs, installation and preventative maintenance services to over 600 City facilities maintained by the Public Works Department. The services will be used as needed and are necessary to maintain functional operation and longevity of existing HVAC systems for various customer departments, including but not limited to Fire, Police, Parks and

Recreation, Library, Water Services, Human Services, and Information Technology Services.

**Procurement Results**
An Invitation for Bid was conducted in accordance with Administrative Regulation 3.10. There were 13 offers received by the Public Works Procurement Division on Jan. 24, 2018. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required goods and/or services. The offers submitted by Adobe Energy Management, United Technologies, Inc., dba Uni-Tech, Artic Air Heating and Cooling, Inc., Service Pros Plumbing Heating and Cooling, Inc., Patriot Mechanical, LLC, Pueblo Mechanical and Controls, Inc., HACI Services, LLC, Chiller Services, Inc., Sysko Services, Inc., and Trane U.S., Inc., are deemed to be fair and reasonable based on the market and previous contract pricing.

**Contract Term**
The initial contract term is one year and shall begin on or about July 1, 2018, and end on June 30, 2019. Provisions of the contract include an option to extend the term up to four years, in one-year increments, which may be exercised by the City Manager or his designee.

**Financial Impact**
The aggregate value of the contracts will not exceed $4,525,000 (including applicable taxes), with an estimated annual expenditure of $905,000. Funds are available in the Public Works Department's budget.

**This item was adopted.**

**75 Small Diameter Sanitary Sewer Rehabilitation Program - Construction Administration and Inspection Services - WS90500118 (Ordinance S-44298)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Dibble Associates Consulting Engineers, Inc., to provide construction administration and inspection (CA&I) services for the Small Diameter Sanitary Sewer Rehabilitation Program. The fee for services will

not exceed $5,400,000. Further request authorization to execute amendments to the contract as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item.

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

**Summary**

The Small Diameter Sanitary Sewer Rehabilitation Program rehabilitates deteriorated and older sanitary sewers 15-inches in diameter or less in the City of Phoenix wastewater collection system. Rehabilitation primarily includes installation of structural cured-in-place-pipe (CIPP) in existing sewers. Small diameter sewers are normally vitrified clay pipe eight to 15 inches in diameter and make up more than 4,200 of the 5,000 miles of sewers in the City of Phoenix wastewater collection system. The oldest sewers in the system are more than 100 years old. The rehabilitation program work includes multiple locations within the City of Phoenix rights-of-way and easements.

Dibble Associates Consulting Engineers, Inc.'s CA&I services include, but are not limited to: providing oversight of project construction activities, inspecting sites through various stages of construction, reviewing contractor work submittals, and performing field inspections where required for completed repairs.

**Procurement Information**

Dibble Associates Consulting Engineers, Inc., was chosen for this project using a qualifications-based selection process according to Section 34-603 of the Arizona Revised Statutes (A.R.S.). Pursuant to

A.R.S. Title 34, the City is not to release the scoring of proposers until a contract has been awarded. Four firms submitted proposals. The top three rankings follow:

Dibble Associates Consulting Engineers, Inc.: Ranked 1
Project Engineering Consultants: Ranked 2
Consultant Engineering, Inc.: Ranked 3

**Contract Term**
The term of the contract is for three years, with one two-year option to extend the contract. Contract work scope identified and incorporated into the contract prior to the end of the contract term may be agreed to by both parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

**Financial Impact**
The total fee for contract services will not exceed $5,400,000, including all subconsultant and reimbursable costs. Staff will execute the initial contract for CA&I services for a fee not to exceed $3,720,000, including all subconsultant and reimbursable costs. Contract amendments may be executed for CA&I services or other contract services totaling an amount not to exceed the remaining $1,680,000, and will be reviewed and approved separately by the Budget and Research Department.

Funding is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

**This item was adopted.**

**76 Aeration Membrane Diffuser Testing (Ordinance S-44327)**

Request to authorize the City Manager, or his designee, to enter into a contract with Redmon Engineering Company to provide aeration membrane diffuser testing services for the Water Services Department. Expenditures are not to exceed $100,000 over the life of the contract.

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

**Summary**

Aeration membrane diffusers facilitate oxygen transfer during the aeration process at the wastewater treatment plants located at 23rd Avenue and at 91st Avenue. Testing services document the performance of existing aeration membrane diffusers. These tests are used by treatment plant staff to make aeration membrane diffuser replacement decisions and to minimize energy usage during the aeration process. Regular aeration membrane diffuser testing confirms that the correct amounts of dissolved oxygen are transferred during the aeration process to ensure permitting compliance.

**Procurement Information**

Solicitation RFP-1718-WWT-88 was conducted in accordance with Administrative Regulation 3.10. Three offers were received; one of which was determined non-responsive to the solicitation requirements. The two responsive offers, listed below, were evaluated by a four-member evaluation panel based on each firm’s company history, qualifications, experience and method of approach to the testing, as well as the pricing schedule. The evaluations had a maximum possible score of 1,000 points. The Offeror's final scores are as follows:

Redmon Engineering Company: 820 points
Environmental Dynamics International: 516 points

The Water Services Department Director recommends that the offer from Redmon Engineering Company be accepted as the best value, the most responsive and responsible Offeror, and most advantageous to the City.

**Contract Term**

The contract term shall begin on or about March 1, 2018, for a five-year term, with an end date of Feb. 28, 2023.

**Financial Impact**

Expenditures are not to exceed $100,000 over the life of the contract.

Funds are available in the Water Services Department's operating budget.

**This item was adopted.**

**77 Salt River Valley Water Users' Association and Salt River Project Agricultural Improvement and Power District Well Capacity Agreement (Ordinance S-44332)**

Request authorization for the City Manager, or his designee, to enter into an agreement with the Salt River Valley Water Users' Association and the Salt River Project Agricultural Improvement and Power District (SRP) for use of SRP groundwater wells for a total not to exceed $12,300,000. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The Water Services Department (WSD) continues to undertake efforts to ensure reliable water deliveries during extreme drought and shortage conditions on the Colorado River. WSD will secure the rights to use SRP groundwater wells to recover long-term storage credits that Phoenix has stored within the SRP system. During the term of the agreement SRP shall provide Phoenix up to a maximum of 20,000 acre-feet of water per year pumped from SRP's wells located within the Salt River Reservoir District. The legal nature of the pumped water shall be long-term storage credits owned by Phoenix created from storage of water within the Salt River Reservoir District. Phoenix shall be entitled to use such water anywhere within its water service area. Phoenix shall pay SRP a one-time fee of $12,300,000 for reservation of pumping capacity in SRP's wells. In addition, Phoenix shall pay SRP $55.82 for each acre-foot up to 100,000 acre-feet and $151.17 for each acre-foot above 100,000 acre-feet pumped by SRP for Phoenix during the term of the agreement. Such prices shall be adjusted annually for inflation.

**Contract Term**

The term of this agreement shall begin on July 1, 2018, and shall be for 40 years.

**Financial Impact**

The initial cost to the City of Phoenix to fund this agreement is $12,300,000. Funding is available in the Water Services Capital Improvement Program budget. Payments may be made up to the agreement limits for all rendered services, which may extend past the agreement termination. Additional spending authority will be sought in the future to cover per-acre-foot pumping charges during years in which WSD intends to employ SRP's pumping capacity under this agreement.

**This item was adopted.**

**78 Final Plat - Lots 7, 8, 84 and 140 and Tracts Z and AA - 170083 - West of 19th Avenue and North of Happy Valley Road**

Plat: 170083
Project: 15-3108
Name of Plat: Lots 7, 8, 84 and 140 and Tracts Z and AA
Owner(s): US Relp Norterra East 1, LLC
Engineer(s): Wood, Patel & Associates, Inc.
Request: A 4 Lot 2 Tract Single Family Residential Plat
Reviewed by Staff: Feb. 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. This plat needs to record concurrently with Abandonment V170068A.

**Location**

Generally located west of 19th Avenue and north of Happy Valley Road.
Council District: 1

**This item was adopted.**

**79 Final Plat - Kingston Place - 170094 - East of 41st Avenue and South of Rose Garden Lane**

Plat: 170094
Project: 16-3188
Name of Plat: Kingston Place

Owner(s): Cal Atlantic Homes of Arizona, Inc.
Engineer(s): Hubbard Engineering
Request: A 47 Lot Residential Subdivision Plat
Reviewed by Staff: Feb. 2, 2017
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 41st Avenue, south of Rose Garden Lane.
Council District: 1

**This item was adopted.**

**80 Abandonment of Easement - V170068A - 20th Drive and Andalusian Trail (Resolution 21616)**

Abandonment: V170068A
Project: 15-3108
Applicant: AWH Construction, Inc.
Request: To abandon the 1-foot Vehicular Non-access Easements adjacent to Tract Z and Tract AA on Lots 83, 84, 140, and 141 as dedicated in the plat "Norterra PUD Phase 1" in Book 1334, Page 40 with the Maricopa County Recorder; along with the west 1-foot of the Drainage Easements on Tract Z and Tract AA of the same plat.
Date of Decision: Nov. 20, 2017

**Summary**

The resolution of the abandonment and the subdivision plat "Lots 7, 8, 84 and 140 and Tracts Z and AA", Plat 170083, are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

**Location**

20th Drive and Andalusian Trail
Council District: 1

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

**This item was adopted.**

**81 Abandonment of Right-of-Way - V160053A - 17th Street and Indian School Road (Resolution 21615)**

Abandonment: V160053A
Project: 03-2641
Applicant: Katsenes Enterprises, Limited Liability Company
Request: To abandon the 17th Street right-of-way located between the parcels addressed 1655 and 1701 E. Indian School Road (APN 119-29-001A and 119-29-022B.)
Date of Hearing: Nov. 9, 2016

**Location**
17th Street and Indian School Road
Council District: 4

**Financial Impact**
A fee was also collected as part of this abandonment in the amount of $3,000.

**This item was adopted.**

**82 Amend City Code - Ordinance Adoption - Rezoning Application Z-73-17-3 - Approximately 180 Feet North of the Northwest Corner of 22nd Avenue and Carolina Drive (Ordinance G-6434)**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-73-17-3 and rezone the site from to RE-35 to R1-6 to allow for Single-Family Residential.

**Summary**
Current Zoning: RE-35
Proposed Zoning: R1-6
Acreage: 2.37 acres
Proposed Use: Single-Family Residential

Owner: Aijaz Ansari and Srinivas Nemani
Applicant: Lou Turner, Hillstone Homes
Representative: David Maguire, Land Solutions, Inc.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Deer Valley Village Planning Committee heard this case on Jan. 18, 2018, and recommended approval per staff's recommendation by a 7-0 vote.
PC Action: The Planning Commission heard this case on Feb. 1, 2018, and recommended approval as recommended by the Deer Valley Village Planning Committee, with an additional stipulation as read into the record, with a 6-0 vote.

**Location**
Approximately 180 feet north of the northwest corner of 22nd Avenue and Carolina Drive
Council District: 3
Parcel Address: 15638 N. 22nd Ave.

**This item was adopted.**

**83 Amend City Code - Ordinance Adoption - Rezoning Application Z-74-17-3 - Southeast Corner of 22nd Avenue and Waltann Lane (Ordinance G-6435)**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-74-17-3 and rezone the site from to RE-35 to R1-6 to allow for Single-Family Residential.

**Summary**
Current Zoning: RE-35
Proposed Zoning: R1-6
Acreage: 2.54 acres
Proposed Use: Single-Family Residential

Owner: International Church Foursquare Gospel
Applicant: Lou Turner, Hillstone Homes
Representative: David Maguire, Land Solutions, Inc.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Deer Valley Village Planning Committee heard this case on Jan. 18, 2018, and recommended approval per staff's recommendation by a 7-0 vote.
PC Action: The Planning Commission heard this case on Feb. 1, 2018, and recommended approval as recommended by the Deer Valley Village Planning Committee, with an additional stipulation as read into the record by a 6-0 vote.

**Location**
Southeast corner of 22nd Avenue and Waltann Lane
Council District: 3
Parcel Address: 15441 N. 22nd Ave.

**This item was adopted.**

**84 Amend City Code - Ordinance Adoption - Rezoning Application Z-80-17-4 - Northwest Corner of 43rd Avenue and I-10 Freeway (Ordinance G-6425)**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-80-17-4 and rezone the site from C-2 to

C-2 HGT/WVR to allow a health fitness center with a height waiver up to 40 feet.

**Summary**
Current Zoning: C-2
Proposed Zoning: C-2 HGT/WVR
Acreage: 2.57 acres
Proposed Use: Health fitness center with a height waiver up to 40 feet
Owner: Southwest Regional Council of Carpenters
Applicant: Kevin Kelly - Planet Fitness
Representative: Stephen C. Earl - Earl, Curley & Lagarde

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Maryvale Village Planning Committee heard the request on Jan. 10, 2018 and recommended approval, per staff's recommendation by a 10-0 vote.
PC Action: The Planning Commission heard the request on Feb. 1, 2018 and recommended approval, per the Maryvale Village Planning Committee recommendation, with an additional stipulation as read into the record by a 6-0 vote.

**Location**
Northwest corner of 43rd Avenue and I-10 freeway
Council District: 4
Parcel Address: 1350 N. 43rd Ave.

**This item was adopted.**

**85 Amend City Code - Ordinance Adoption - Rezoning Application Z-83-17-4 - Approximately 500 Feet North of the Northeast Corner of 19th Avenue and Camelback Road (Ordinance G-6424)**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-83-17-4 and rezone the site from C-2 TOD-1 to WU Code T5:5 SL to allow multifamily housing.

**Summary**

Current Zoning: C-2 TOD-1
Proposed Zoning: WU Code T5:5 SL
Acreage: 0.99 acres
Proposed Use: Multifamily housing
Owner: Newport Southwest, LLC
Applicant: Doug McCord, Architectural Resource Team
Representative: Jong Limb

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Alhambra Village Planning Committee heard the request on Jan. 23, 2018 and recommended approval, per the staff's recommendation by a 9-1 vote.
PC Action: The Planning Commission heard the request on Feb. 1, 2018 and recommended approval, per the Alhambra Village Planning Committee recommendation by a 6-0 vote.

**Location**
Approximately 500 feet north of the northeast corner of 19th Avenue and Camelback Road
Council District: 4
Parcel Addresses: 5039, 5041, 5043, and 5045 N. 19th Ave.

**This item was adopted.**

**86 Amend City Code - Ordinance Adoption - Rezoning Application Z-90-17-4 - Southeast Corner of 19th Avenue and Colter Street (Ordinance G-6423)**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-90-17-4 and rezone the site from C-2 TOD-1 to WU Code T5:5 SL to allow multifamily housing and commercial.

**Summary**
Current Zoning: C-2 TOD-1
Proposed Zoning: WU Code T5:5 SL
Acreage: 4.97 acres

Proposed Use: Multifamily housing and commercial
Owner/Applicant: Steve Capobres, Housing for Hope Inc.
Representative: Doug McCord, Architectural Resource Team

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Alhambra Village Planning Committee heard this case on Jan. 23, 2018 and recommended approval, per the staff recommendation by a 9-1 vote.
PC Action: The Planning Commission heard the case on Feb. 1, 2018 and recommended approval, per the Alhambra Village Planning Committee recommendation by a 6-0 vote.

**Location**
Southeast corner of 19th Avenue and Colter Street
Council District: 4
Parcel Addresses: 5103, 5107, 5119, 5151 N. 19th Ave.; and 1823 W. Colter St.

**This item was adopted.**

87 **Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-14-17-6 - Approximately 350 Feet North of the Northwest Corner of 7th Street and Bethany Home Road (Ordinance G-6426)**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-14-17-6 and rezone the site from C-2 to C-2 SP to allow a self-storage and all underlying C-2 uses.

**Summary**
Current Zoning: C-2
Proposed Zoning: C-2 SP
Acreage: 1.29 acres
Proposed Use: Self-storage and all underlying C-2 uses

Owner: PGS Property Managers, LLC, et al.
Applicant: Wentworth Property Company
Representative: George Pasquel, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Alhambra Village Planning Committee heard this case on Jan. 23, 2018, and recommended approval per staff's recommendation by an 11-0 vote.
PC Action: The Planning Commission heard this case on Feb. 1, 2018, and recommended approval as recommended by the Alhambra Village Planning Committee with an additional stipulation as read into the record by a 6-0 vote.

**Location**
Approximately 350 feet north of the northwest corner of 7th Street and Bethany Home Road
Council District: 6
Parcel Address: 6040 N. 7th St.

**This item was adopted.**

88 **Amend City Code - Ordinance Adoption - Rezoning Application Z-68-17-7- Approximately 1,180 Feet East of the Southeast Corner of 59th Avenue and Roosevelt Street(Ordinance G-6433)**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-68-17-7 and rezone the site from R-3A to A-2 to allow the expansion of A-2 zoning to the east to develop industrial or commerce park uses.

**Summary**
Current Zoning: R-3A
Proposed Zoning: A-2
Acreage: 1.40
Proposed Use: Expansion of A-2 zoning to the east to develop industrial or commerce park uses.

Owner: Tom Tait, Southern Cross, LLC
Applicant: Stephen Earl, Earl, Curley & Lagarde, PC
Representative: Stephen Earl, Earl Curley & Lagarde, PC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Estrella Village Planning Committee heard this case on Jan. 16, 2018, and recommended approval per staff's recommendation, with a 7-0 vote.
PC Action: The Planning Commission heard this case on Feb. 1, 2018, and recommended approval as recommended by the Estrella Village Planning Committee, with a 6-0 vote.

**Location**
Approximately 1,180 feet east of the southeast corner of 59th Avenue and Roosevelt Street
Council District: 7
Parcel Address: N/A

**This item was adopted.**

**89 Amend City Code - Ordinance Adoption - Rezoning Application Z-70-17-7- Northeast Corner of 99th Avenue and Jones Avenue (Ordinance G-6436)**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-70-17-7 and rezone the site from S-1 to R1-6 to allow for single-family development.

**Summary**
Current Zoning: S-1
Proposed Zoning: R1-6
Acreage: 79.37
Proposed Use: Single-family residential

Owner: Jaquelynn Accomazzo, Trustee
Applicant: Westwood Professional Services
Representative: Richard Jellies, The Lead Group, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Estrella Village Planning Committee heard this case on Jan. 16, 2018, and recommended approval per staff's recommendation

by a 7-0 vote.
PC Action: The Planning Commission heard this case on Feb. 1, 2018, and recommended approval as recommended by the Estrella Village Planning Committee by a 6-0 vote.

**Location**
Northeast corner of 99th Avenue and Jones Avenue
Council District: 7
Parcel Address: 3825 S. 99th Ave.

**This item was adopted.**

**90 Amend City Code - Ordinance Adoption - Rezoning Application Z-77-17-7 - Approximately 275 Feet West of the Southwest Corner of 20th Avenue and Jefferson Street (Ordinance G-6437)**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-77-17-7 and rezone the site from R-3 CMOD to R-3 CMOD HP to allow Historic Preservation (HP) zoning overlay for St. Claire-Ames House at 2021 W. Jefferson St.

**Summary**
Current Zoning: R-3 CMOD
Proposed Zoning: R-3 CMOD HP
Acreage: 0.23 acres
Proposed Use: Historic Preservation (HP) zoning overlay for St. Claire-Ames House at 2021 W. Jefferson St.

Owner: JP Maintenance & Landscaping, LLC
Applicant: City of Phoenix, Historic Preservation Commission
Representative: Kevin Weight, City of Phoenix, Historic Preservation

Staff Recommendation: Approval
VPC Action: The Central City Village Planning Committee did not make a recommendation due to a lack of quorum.
Historic Preservation Commission Action: The Historic Preservation Commission heard the case on Dec. 18, 2017 and recommended

approval by an 8-0 vote.
PC Action: The Planning Commission heard the case on Feb. 1, 2018 and recommended approval as recommended by the Historic Preservation Commission by a 6-0 vote.

**Location**
Approximately 275 feet west of the southwest corner of 20th Avenue and Jefferson Street
Council District: 7
Parcel Addresses: 2017, 2019 and 2021 W. Jefferson St.

**This item was adopted.**

**91 Amend City Code - Ordinance Adoption - Rezoning Application Z-82-17-7 - Southeast Corner of Central Avenue and Sunland Avenue (Ordinance G-6430)**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-82-17-7 and rezone the site from C-2 SPVTABDO to PUD SPVTABDO to allow a Planned Unit Development for multifamily senior housing.

**Summary**
Application: Z-82-17-7
Current Zoning: C-2 SPVTABDO
Proposed Zoning: PUD SPVTABDO
Acreage: 2.56 acres
Proposal: Planned Unit Development to allow multifamily senior housing

Owner: Mazahr & Shahinda Siddiqui
Applicant: Bethel Development, Inc.
Representative: Ben Graff, Aday Graff, PC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The South Mountain Village Planning Committee heard this case on Jan. 9, 2018, and recommended approval per staff's recommendation by a 14-0 vote.

PC Action: The Planning Commission heard this case on Feb. 1, 2018, and recommended approval as recommended by the South Mountain Village Planning Committee by a 6-0 vote.

**Location**
Southeast corner of Central Avenue and Sunland Avenue
Council District: 7
Parcel Addresses: 5609 S. Central Ave.

**This item was adopted.**

92 **Amend City Code - Ordinance Adoption - Rezoning Application Z-69-17-8 - Approximately 240 Feet South of the Southwest Corner of 16th Street and Wier Avenue (Ordinance G-6427)**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-69-17-8 and rezone the site from R-5 SPVTABDO and C-1 SPVTABDO to C-2 SPVTABDO and A-2 SPVTABDO to allow C-2 commercial uses and to allow existing A-2 uses.

**Summary**
Application: Z-69-17-8
Current Zoning: R-5 SPVTABDO and C-1 SPVTABDO
Proposed Zoning: C-2 SPVTABDO and A-2 SPVTABDO
Acreage: 1.06 acres
Proposal: C-2 commercial uses and to allow existing A-2 uses

Owner: ISL Services, LLC/INTERTCHOB, LLC
Applicant: ISL Services, LLC/INTERTCHOB, LLC
Representative: Rick Mcgee, Urban Rebuild Inc.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The South Mountain Village Planning Committee heard this case on Jan. 9, 2018, and recommended approval per staff's recommendation by a 9-5 vote.
PC Action: The Planning Commission heard this case on Feb. 1, 2018,

and recommended approval as recommended by the South Mountain Village Planning Committee by a 6-0 vote.

**Location**
Approximately 240 feet south of the southwest corner of 16th Street and Wier Avenue
Council District: 8
Parcel Addresses: 4816, 4820, and 4828 S. 16th St.

**This item was adopted.**

**93 Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-12-17-8 - Approximately 240 Feet South of the Southwest Corner of 16th Street and Wier Avenue (Ordinance G-6429)**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-12-17-8 and rezone the site from R-5 SPVTABDO (Pending C-2 SPVTABDO) and C-1 SPVTABDO (Pending C-2 SPVTABDO) to C-2 SP SPVTABDO to allow a Special Permit for automobile retail sales and all underlying C-2 uses.

**Summary**
Application: Z-SP-12-17-8
Current Zoning: R-5 SPVTABDO (Pending C-2 SPVTABDO) and C-1 SPVTABDO (Pending C-2 SPVTABDO)
Proposed Zoning: C-2 SP SPVTABDO
Acreage: 0.80
Proposal: Special Permit to allow automobile retail sales and all underlying C-2 uses

Owner: ISL Services, LLC
Applicant: ISL Services, LLC
Representative: Rick Mcgee, Urban Rebuild Inc.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The South Mountain Village Planning Committee heard this

case on Jan. 9, 2018, and recommended approval per staff's recommendation by a 10-4 vote.
PC Action: The Planning Commission heard this case on Feb. 1, 2018, and recommended approval as recommended by the South Mountain Village Planning Committee by a 6-0 vote.

**Location**
Approximately 240 feet south of the southwest corner of 16th Street and Wier Avenue
Council District: 8
Parcel Addresses: 4816 and 4820 S. 16th St.

**This item was adopted.**

**94 Amend City Code - Ordinance Adoption - Rezoning Application Z-79-17-8 - Southeast Corner of 28th Place and Thomas Road (Ordinance G-6428)**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-79-17-8 and rezone the site from C-1 and C-2 to C-2 HGT/WVR to allow commercial uses with a height waiver for up to 3 stories and 30 feet.

**Summary**
Current Zoning: C-1 and C-2
Proposed Zoning: C-2 HGT/WVR
Acreage: 1.86 acres
Proposed Use: Commercial uses with a height waiver for up to 3 stories and 30 feet

Owner: EJG Investments, LLC
Applicant: Rincon Partners, LLC
Representative: Manjula M. Vaz, Gammage & Burnham

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard this case on Jan. 9, 2018, and did not provide a recommendation.

PC Action: The Planning Commission heard this case on Feb. 1, 2018, and recommended approval, as recommended by the Addendum B Staff Report, with a 6-0 vote.

**Location**
Southeast corner of 28th Place and Thomas Road
Council District: 8
Parcel Address: 2829 E. Thomas Road

**This item was adopted.**

**95 Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-13-17-8 - Southeast Corner of 28th Place and Thomas Road (Ordinance G-6432)**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-13-17-8 and rezone the site from C-1 (Pending C-2 HGT/WVR) and C-2 (Pending C-2 HGT/WVR) to C-2 HGT/WVR SP to allow self-storage and all underlying C-2 uses with a height waiver for up to 3 stories and 30 feet.

**Summary**
Current Zoning: C-1 (Pending C-2 HGT/WVR) and C-2 (Pending C-2 HGT/WVR)
Proposed Zoning: C-2 HGT/WVR SP
Acreage: 1.86 acres
Proposed Use: Self-storage and all underlying C-2 uses with a height waiver for up to 3 stories and 30 feet

Owner: EJG Investments, LLC
Applicant: Rincon Partners, LLC
Representative: Manjula M. Vaz, Gammage & Burnham

Staff Recommendation: Denial as filed, approval for self-storage only, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard this case on Jan. 9, 2018, and recommended denial, with a 10-5 vote.

PC Action: The Planning Commission heard this case on Feb. 1, 2018, and recommended denial as filed, as recommended by the Addendum B Staff Report, with a 6-0 vote.

**Location**
Southeast corner of 28th Place and Thomas Road
Council District: 8
Parcel Address: 2829 E. Thomas Road

**This item was adopted.**

***96 Amend City Code - Ordinance Adoption - Rezoning Application Z-78-17-8 - Southwest Corner of 13th Street and Roosevelt Street (Ordinance G-6438)**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-78-17-8 and rezone the site from R-5 ACSBO HP to R-5 ACSBO to allow removal of Historic Preservation (HP) overlay for Bobo House/Craftsman Bungalow at 1241 East Roosevelt Street.

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

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

Staff Recommendation: Approval
VPC Action: The Central City Village Planning Committee did not make a recommendation due to a lack of quorum.
Historic Preservation Commission Action: The Historic Preservation

Commission heard the case on Dec. 18, 2017 and recommended approval by an 8-0 vote.
PC Action: The Planning Commission heard the case on Feb. 1, 2018 and recommended approval as recommended by the Historic Preservation Commission by a 6-0 vote.

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

**This item was withdrawn.**

**97 Amend City Code - Ordinance Adoption - Rezoning Application Z-85-17-8 - Northeast Corner of 7th Street and Southern Avenue (Ordinance G-6431)**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-85-17-8 and rezone the site from C-2 SPVTABDO to C-2 HGT/WVR DNS/WVR SPVTABDO to allow multifamily senior housing with a height waiver for up to 3 stories and 38 feet, and a density waiver for up to the R-3A zoning district standards.

**Summary**
Application: Z-85-17-8
Current Zoning: C-2 SPVTABDO
Proposed Zoning: C-2 HGT/WVR DNS/WVR SPVTABDO
Acreage: 5.01 acres
Proposal: Multifamily senior housing with a height waiver for up to 3 stories and 38 feet, and a density waiver for up to the R-3A zoning district standards.

Owner: United Group LLC
Applicant: Ben Graff, Aday Graff, PC
Representative: Ben Graff, Aday Graff, PC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The South Mountain Village Planning Committee heard this case on Jan. 9, 2018, and recommended approval per staff's recommendation, with a 13-1 vote.
PC Action: The Planning Commission heard this case on Feb. 1, 2018, and recommended approval as recommended by the South Mountain Village Planning Committee, with a 6-0 vote.

**Location**
Northeast corner of 7th Street and Southern Avenue
Council District: 8
Parcel Addresses: 706 and 724 E. Southern Ave.

**This item was adopted.**

Item 31, Ordinance S-44296, was a request to authorize the City Controller to disburse funds up to amounts indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code Section 42-13.

**31 Maricopa Association of Governments**

For $191,438.00 in payment authority for annual membership dues and assessments for FY 2017-18 for the Office of Government Relations and Public Works, Water Services, and Human Services departments.

**Discussion**
Councilman Waring asked if the City did not pay dues to the Maricopa Association of Governments, that the city would not receive federal money for infrastructure projects.

City Manager Ed Zuercher responded that it was a fair way to answer that.

Councilman Waring noted that he was normally against dues if they did not do anything, but in this case they did do something.

Councilwoman Stark mentioned that she pulled the item out of the omnibus motion and that she would be voting no for other reasons.

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

| | | |
|---|---|---|
| **Yes:** | 8 - | Councilman DiCiccio, Councilman Nowakowski, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton |
| **No:** | 1 - | Councilwoman Stark |

Discussion
Mayor Stanton acknowledged Dennis Smith, the Executive Director of MAG. He announced that after 41 years of leading MAG, Mr. Smith would be retiring. Mayor Stanton thanked him for his service and for leading a very effective organization.

***36 (CONTINUED FROM FEB. 21, 2018) - General Police Towing Services - Requirements Contract - RFP 17-182 (Ordinance S-44262)**

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

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

The costs associated with this contract will be passed on to the citizens

of the City of Phoenix, and the revenue portion allows the Police Department the ability to fund the towing program.

**Procurement Information**
RFP 17-182, General Police Towing Services was conducted in accordance with Administrative Regulation 3.10. The solicitation was emailed to 68 vendors and was posted on the City's website. Four offers were received by the Procurement Division on July 7, 2017. The proposals were scored by an evaluation panel based on the following criteria:

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

Following is a summary of the highest scored offers:

**Zone A**
DV Towing, LLC 929 Points

**Zone B**
DV Towing, LLC 940 Points

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

**Zone D**
Western Towing of Phoenix, Inc. 901 Points

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

under RFP 17-182 to DV Towing, LLC and Western Towing of Phoenix, Inc.

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

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

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

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

**Discussion**
Note: The following individuals submitted comment cards in favor of the continuance, but did not wish to speak:

Paul Gilbert
Wesley Graff
Ronald McClure
Randy Shipley
Elaine Hall

Councilman DiCiccio remarked that he believed the item should be settled today, but he went along with the continuance. He pointed out a

letter was sent to one of the councilmembers that attacked them, and that it completely changed his position on the issue.

**A motion was made by Vice Mayor Pastor, seconded by Councilman Valenzuela, that this item be continued to the March 21, 2018 City Council Formal Meeting. The motion carried by the following vote:**

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

**No:** 0

**37 Eight-Hour Rule Request Seeking Council Authorization to Research Potential City Charter Amendment Regarding Election Funding Disclosure to be Referred to Voters at November 2018 General Election**

Request City Council approval for staff from the City Clerk and Law departments and other City departments to spend in excess of eight hours of staff time, per City Council Rule 12, to provide research to the City Council on a potential City Charter Amendment regarding election funding disclosure that could be referred to voters at the November 2018 General Election.

**Summary**

On Feb. 15, 2018, Councilwoman Kate Gallego along with Mayor Greg Stanton and Councilwoman Debra Stark delivered a letter to the City Manager requesting an item be placed on the next available Formal Agenda to develop language to refer to the voters an amendment to the City Charter at the November 2018 General Election **(Attachment A)**. This conforms to City Council Rule 2b regarding placement of items on an agenda. The potential proposed amendment would seek to create a requirement for the disclosure of original and intermediary sources of major campaign contributors, and would further seek to require the City Council to adopt by ordinance all the necessary regulations for the establishment of and compliance with these disclosure requirements. For staff to conduct thorough research and develop draft options for Council

review will require more than eight hours of staff time.

**Discussion**

Leonard Clark spoke in favor of the election system being more democratic. He made the point that it would not eliminate the issue completely, but thought it was a good idea. He questioned how this would affect state law, but emphasized that more disclosure in political campaigns was a good idea.

Morgan Dick spoke in favor of the item on behalf of the Arizona Advocacy Network. She thanked Mayor Stanton and Councilwoman Gallego for moving the issue forward. She stated Arizona had seen an increase in dark money spending over the last few election cycles, and that Phoenix would follow other cities with this rule. She gave an example about campaign television ads, and that an independent expenditure group would have to disclose their identities to the public. She said this rule aimed for more transparency of those groups, which allowed voters to make informed decisions.

Councilwoman Gallego established that she helped bring the issue forward along with Councilwoman Stark and Mayor Stanton. She said that over $20 million in anonymous contributions were made in the state elections. and she noted that individuals who contribute to campaigns disclose their contributions and thought it should be the same with corporations and groups because it was good for democracy. She mentioned a piece in the Arizona Republic that was multi-partisan and talked about the value of open and fair elections. She stated the public process provided a great opportunity to come up with a fair way to have disclosure.

Councilwoman Stark wanted to echo the comments made by Councilwoman Gallego. She agreed with the point about public disclosure and making sure the public has all the information. She hoped that it would make people think twice about the information they were sharing by putting out an indepedent expenditure. She also thought this would help with civil discourse as well.

Councilman DiCiccio said that he opposed this item. He said that he had

been a victim of government unions spending $1.1 million opposing him in the last two elections. He emphasized because he knew what it felt like to have large government unions oppose him, at the same time, he believed it was their right. He clarified donors had the right to be anonymous if they want to be and it was their constitutional right to free speech. He could not support this item because it went against freedom of speech, even if that speech was anonymous.

Mayor Stanton conveyed this was a great opportunity to show leadership for the City, as it tried to end the flood of dark money into campaigns anonymously. He mentioned that Tempe was a step ahead of Phoenix on the issue and Phoenix, as the largest city in Arizona, needed to step up and show leadership. He respectfully disagreed with Councilman DiCiccio and said people had the right to participate in elections and give their opinion, but they did not have the right to do so anonymously. He reiterated this was an important way for Phoenix as a city to say no to dark money campaigns.

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

| | | |
|---|---|---|
| **Yes:** | 6 - | Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego and Mayor Stanton |
| **No:** | 3 - | Councilman DiCiccio, Councilman Waring and Vice Mayor Pastor |

**38 Eight-Hour Rule Request Seeking Council Authorization to Research Land Located Along South Central Avenue and the Rio Salado**

Request City Council approval for staff from the Community and Economic Development Department and other City departments to spend in excess of eight hours of staff time, per City Council Rule 12, to research land located along south Central Avenue and the banks of the Rio Salado.

**Summary**

On Feb. 20, 2018, Councilman Michael Nowakowski along with Councilwoman Debra Stark and Councilwoman Kate Gallego delivered a letter to the City Manager requesting an item be placed on the next available Formal Agenda to research land located along south Central Avenue and the banks of the Rio Salado **(Attachment A)**. This conforms to City Council Rule 2b regarding placement of items on an agenda. This request will focus on opportunities for light rail development property along Central Avenue and the banks of the Rio Salado. For staff to conduct thorough research and develop draft options for Council review will require more than eight hours of staff time.

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

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

## 51 Amend Pay Ordinance S-42689 in Accordance with Human Resources Committee 601 Recommendation (Ordinance S-44325)

In accordance with the recommendation of Human Resources Committee 601, the Human Resources Department is requesting to change the pay grade for Lifeguard, Job Code 41010, Salary Plan 017, Pay Grade S02, from $10.30 to $11.35 per hour to $10.30 to $15.97 per hour, effective March 12, 2018.

**Summary**

In 2016, the State of Arizona passed Proposition 206 which increased the minimum wage, beginning in January 2017, and set a schedule for annual increases. With the Jan. 1, 2018, minimum wage increase, the first step of the Lifeguard pay range is now below the minimum wage of $10.50 per hour. The minimum wage is set to increase to $11.00 in January 2019 and to $12.00 in January 2020, and by a formula each year thereafter. In order to ensure the Lifeguard pay range is in compliance

with the State-mandated minimum wage, and to have appropriate differentiation in pay between the pay steps, it is recommended that seven pay steps at five percent intervals be added to the Lifeguard pay grade, which is similar to other pay grades.

**Financial Impact**
Lifeguards are part-time employees who work during the summer season in the Parks and Recreation Department. The estimated cost of this action for a summer season is $121,623.

**Concurrence/Previous Council Action**
In compliance with Personnel Rule 5, this action was reviewed and recommended for approval by Human Resources Committee 601 on Feb. 6, 2018.

**Discussion**
Leonard Clark said he was neutral on the item. He commented that lifguards should benefit from Proposition 206, even if the bill was dead, because they deserved a pay raise.

Councilman Waring asked staff if this item was based on the passed initiative.

City Manager Ed Zuercher answered it was directly related to Proposition 206.

Parks and Recreation Director Inger Erickson pointed out this was because of Propositon 206. She said they were currently at $10.30 and had to get to the $10.50 level.

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

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

**No:** 0

**53 Options for Conducting City Elections**

This item requests direction from the City Council about consolidating City Elections with the State Primary and General Elections conducted by Maricopa County in the fall of even-numbered years.

**Summary**

In January 2018, in response to a citizen petition, the City Council directed staff to research options for possible consolidation of City Elections and return in March. The following information presents the research and options.

**Background**

Since incorporation in 1881, Phoenix non-partisan elections have been separate from Federal, State and County elections. City elections were originally held in the spring, but have been held in the fall of odd-numbered years since 1949. The City Charter contains several provisions governing City elections, and Chapter 12 of the City Code contains extensive provisions establishing procedures for City elections. The City Charter provides that City elections shall be held in the fall of odd-numbered years, with the terms of the mayor and council members beginning on the first business day in January following the election.

In 1996, State legislation was adopted limiting political subdivisions to holding elections on four dates each year - March, May, September (now August) and November. The Legislature declared the provision to be a matter of statewide concern, preempting City Charter provisions, and the State courts upheld preemption of election dates in a challenge by the City of Tucson. As a result, since 1997, Phoenix has been required to hold its elections on the permitted dates in the fall of odd years.

Over the years, the City has continually looked for ways to make voting more efficient and has been a leader in the State in innovation. In 1996, the City became the first jurisdiction in the state to create a Permanent Early Voting List (PEVL), a list of voters who wanted to automatically receive an early ballot request postcard for each City election, making it easier for voters to cast ballots using the vote-by-mail method. The

voters on this list were sent request cards for the first time to request early ballots by mail for the election in September 1997. Beginning with that election, the number of voters who were casting early ballots by mail began to increase dramatically.

In 2007, a new State law creating a statewide Permanent Early Voting List was adopted. Voters on this PEVL would automatically be mailed a ballot unless they declined a ballot. The voters on the City list were automatically added to the County list for the May 2008 Election. This created another increase in the percentage of voters casting early ballots by mail. For City elections from 2008-2017, on average nearly 95% of ballots cast each election were mail ballots.

As the popularity of voting by mail continued to grow, the City sought to make voting at the polls more efficient and convenient. In 2011, a new voting center method replaced the more restrictive traditional polling place method. Voters were now able to vote at any one of the approximately 27 voting center locations of their choosing over a three-day period instead of being assigned a specific polling place open for only one day. Phoenix was the first jurisdiction in the state to use the voting center method and the first to have voting centers open for more than one day. Other jurisdictions in the state have switched to voting centers because of the convenience for voters and cost efficiency.

**Voter Turnout**

Staff researched voter turnout percentages since 2011 for City elections in fall of odd-numbered years and turnout by Phoenix voters in the State Primary and General Elections conducted by Maricopa County in fall of even-numbered years. For State General Elections in November of even years when the Governor is elected, turnout is about 20% higher than for City elections, and about 45% higher in Presidential Elections (**Attachment A**). However, since City candidate elections are non-partisan, the City uses a general/runoff election system rather than the primary/general system used by the State, which reduces the number of City elections in November. Over the last 20 years, only 30% of City candidate races went to a runoff election in November. The City's general elections are in August, when the majority (70%) of City candidate races are decided, and propositions also appear on that ballot.

For elections in August, the turnout in the partisan State Primary Elections in even years has been about the same as the City elections in odd years, or up to 3% higher (**Attachment B**).

Another factor to consider for potential consolidation of non-partisan City elections on the State partisan primary ballot in even-numbered years is the impact on Phoenix voters who are registered without a party designation (Independent) (**Attachment C**). For City elections in odd years, ballots are mailed to all voters on the PEVL regardless of party designation (**Attachment D**). For the open state partisan primary election, about 150,000 Phoenix Independent voters would not automatically receive a ballot by mail, which would also have the City offices and measures, unless they notify the County (either by returning a postcard, online, or by phone) which ballot to send - a specific party ballot, or a city/non-partisan ballot. In 2016 and 2014, over 80% of these voters did not respond to designate a type of ballot and did not receive a ballot by mail.

**Cost of Elections**

Staff prepared a cost comparison for City elections over the last 20 years. The comparison was based on the current approximate costs for the City or County to conduct a citywide election. A City election, using early voting and voting centers, costs about $1 million. The cost for the City to place candidate races and propositions on a County Primary or General Election ballot in the fall of even years is about $500,000. The lower cost is because all jurisdictions on the ballot share the cost. However, the cost for the County to conduct an election for the City on a date other than the fall of even years is about $2 million.

Over the 20-year period, staff found that the total cost for elections would have been slightly higher if Maricopa County had conducted the elections ($22.69 million) on a consolidated schedule instead of the City conducting the elections on its current election schedule ($22.6 million). Beginning in 2020, Maricopa County has advised that the cost for elections conducted by the County on dates other than August and November in even-numbered years will increase between 5-10% (**Attachment E**).

Although the cost of a consolidated election with the State elections in even years is about half the cost for the City to conduct the election, the cost for the City to conduct elections was still less because of the number of special elections during the period. In the last 20 years, there were 30 city elections - 18 regular candidate elections and 12 special elections. The cost for the County to conduct a special election for the City other than with a Primary or General election is about $2 million, while the cost for the City to conduct a special election is about $1 million. One citywide special election conducted by the County offsets the savings from four citywide consolidated regular candidate elections. Accordingly, for the City to realize an overall reduction in election costs from consolidation, the number of special elections would have to be reduced. Currently, voter approved provisions in the Phoenix Charter require special elections for Council vacancies and for initiative petitions.

**Charter Amendments Required for Consolidation**

To consolidate City candidate elections in the fall of even years, seven amendments to the City Charter would have to be approved by voters. These changes are interrelated and several could be combined into one measure. The first amendment would accomplish the following: 1) change regular City candidate elections to the fall of even years; 2) change the City Council terms to begin in January following the even-year elections and extend the terms of the existing Council by one year to coincide with the even-year elections; 3) repeal the provision prohibiting consolidation of City candidate elections with State elections; 4) change the date for the canvass of vote and declaration of results based on the longer time required by the County to complete tabulation for a State election; and 5) permit the County to designate polling places for the City election when elections are consolidated.

Two other Charter amendments would be required as separate measures. One would amend the unanimous vote requirement to refer Charter amendments to voters, allowing measures to fit on a State ballot. The second would change the terms of the citizen’s salary commission to align with even-year elections.

In addition to the required Charter changes, several other amendments would be necessary to reduce the number of special elections required by the Charter in order to realize cost savings from consolidation. These changes could be referred as three amendments as follows: 1) to

change when special elections are required to fill council vacancies; 2) to modify when a special election is required for initiative petitions; and 3) to implement verification of initiative and referendum petitions by random sample to match state law, rather than verification of every signature, to reduce costs.

**Alternate Expenditure Limitation (Home Rule)**

The Arizona Constitution imposes a spending limitation on cities, but allows for voters to approve an Alternate Expenditure Limitation (AEL), to override the limitation (Home Rule option). The Home Rule option for voters to decide the expenditure limit must be held at regularly scheduled candidate elections.

The last election where Phoenix voters approved the Home Rule option was in August 2015. That approved expenditure limit will expire at the end of FY 2019 and the Constitution does not provide for extending the voter-approved period. There appears to be no other established legal mechanism to extend the current approved AEL or to adopt an interim or special expenditure limitation.

When elections in non-Charter cities and towns were consolidated in 2012, several cities and towns encountered the issue of a gap in the AEL because of the change from odd- to even-year elections. In 2013, the legislature enacted a measure that extended the existing voter approved Home Rule options for one year to allow jurisdictions to reset their Home Rule elections to coincide with even-year elections. Legislative action to adopt a similar provision would be necessary to assist the City to make this transition without potential penalties.

**Other Considerations**

There are other factors to be considered for consolidating City elections. A summary of these considerations and differences in the way the County administers elections is attached (**Attachment F**). For example, the ability for voters to receive information through the media about City elections may be hampered due to the focus being placed on the State and Federal elections. Additionally, the location where City races and ballot measures will appear on the County ballot will be affected by the available space.

**Options for Conducting City Elections**

There are several options to be considered for conducting City elections. These include the City continuing to conduct elections in fall of odd years using voting centers or an all-mail election. City elections also could be consolidated to the fall of even years with the State Primary and General Elections conducted by Maricopa County.

A. Voting Center Election (Current Method)

The City could continue the current practice of conducting its own elections with regularly scheduled Mayor and Council elections in the fall of odd-numbered years. The PEVL would be used to mail early ballots to all voters on the list and voting centers would be used for voting at the polls. The cost for each Citywide election would be approximately $1 million.

B. All-Mail Election (Conducted by City)

The City could continue to conduct its own elections with regularly scheduled Mayor and Council elections being held in the fall of odd-numbered years, but changing to an all-mail election. Ballots would be mailed to all 700,000 registered City voters. Ballot replacement centers (two per council district) would be open for five days for voters to replace spoiled or damaged ballots, or to drop off voted ballots. Based on a return rate of 35% (the average return rate for PEVL voters) the cost for each Citywide election would be approximately $1.65 million. The cost for an all-mail election is higher for the City because of the efficiency of the current voting center model and increased printing and postage costs.

**Cost:** If the City continues to conduct elections using either option A or B, the current ballot tabulation system will need to be replaced in 2020. The current system was implemented in 1985 and will have been used for 25 years, far exceeding its intended life. This technology project has been approved by the Business Investment Board with high priority at an estimated cost of $800,000, contingent upon a City Council decision that the City will continue to conduct elections.

C1. Consolidated Election (Even Years)

In this option, regularly scheduled City candidate elections for Mayor and

Council, and any ballot propositions, would be consolidated with the Maricopa County Primary Election in August in even-numbered years, with a runoff election, if necessary, in November. Several changes to the City Charter would be required to implement this option, which would require voter approval. Maricopa County currently uses the traditional polling place method for these elections for voting at the polls.

The County also uses the PEVL to mail early ballots to voters in August and November. However, for the August Primary Elections, ballots are not mailed to voters who have not registered with a party designation (Independents), if they have not designated the type of ballot they want to receive (a party ballot or a city/non-partisan ballot). These Independent PEVL voters would need to return the notification postcard, go online, or call the County to designate the ballot type to be mailed. If Independent voters do not designate a ballot type, they will not receive a ballot by mail. In the last two Primary Elections, over 80% of these voters did not respond to designate a ballot type and did not receive a ballot by mail.

The cost for each Citywide election on the consolidated election dates would be approximately $500,000. The County has informed the City that any elections other than the fall of even-numbered years will be all-mail, with no exceptions. The cost for the County to conduct a Citywide special election on a date other than the fall of even-numbered years would be approximately $1.7 million. Beginning in 2020, this cost would increase to approximately $2 million, which may increase further because the County may begin charging for processing each returned ballot.

If City elections are consolidated with the County, the City would still be required to handle several aspects of election administration. This is consistent with what all other cities that have consolidated elections are required to do. The City responsibilities include the candidate process and verification of nomination petition signatures, campaign finance administration, production and mailing of publicity pamphlets when there are propositions on the ballot, and some legal advertising and notices.

The City Council also requested information on consolidating elections with the County in the fall of even years with the first candidate election in November and a Runoff Election, if necessary, in March

(November/March election cycle), or, if possible, with no Runoff Election (November only).

C2. Consolidated Election (November/March)

The City could consolidate regularly scheduled elections for Mayor and Council, and any ballot propositions, with the State General Election in November of even-numbered years. Any Runoff elections would then be held in March of the following year. There are currently no other jurisdictions in the state using a November/March election cycle, and state election law is structured for candidate elections to occur in a March/May or August/November cycle. For this option, the terms of office for the Council would have to be changed to begin after the March Runoff Election. This would prevent candidates who were elected in November from taking office until almost six months after the election, and the Council terms would change during the annual budget approval cycle. Several changes to the City Charter would also be required to implement this option.

Further, for the Runoff Election in March, the County would require the election to be conducted as an all-mail election. Ballots would automatically be mailed to all eligible Phoenix voters. The County also uses ballot replacement centers, but the number of locations is not pre-determined. The campaign for the Runoff election would last almost five months.

The cost for each citywide election conducted by the County in November of even-numbered years would be approximately $500,000. The March runoff election would be all-mail. The cost for each citywide all-mail election conducted by the County on the March date would be approximately $1.7 million. Beginning in 2020, the cost for each citywide all-mail election on the March date would increase to approximately $2 million.

C3. Consolidated Election (November Only)

The last option staff researched would be to consolidate the regular election for Mayor and Council in November of even years with the Maricopa County General Election, with the candidate receiving the highest number of votes for each office being elected in this election,

without a Runoff Election. State law does not permit this option. Candidates cannot be elected in the first, or primary, election in a cycle without receiving a majority of the votes cast. If no candidate receives a majority, a second, or runoff, election is required.

**Conclusion**

Staff seeks direction from the City Council on whether the City will continue to conduct City elections in the fall of odd years, or whether the City candidate elections will move to the fall of even years to consolidate with the State Primary and General Elections conducted by Maricopa County on either an August/November or a November/March election cycle. Amendments to the City Charter are required for either consolidation option. If the Council chooses to consolidate, staff will then draft the necessary Charter amendments and ordinances for Council consideration for referral to voters for consideration.

**Discussion**

Mayor Stanton acknowledged Maricopa County Recorder Adrian Fontes who was in attendance and available to speak on the item.

Acting Deputy City Manager Toni Maccarone introduced City Clerk Cris Meyer and said that he would provide a brief presentation and be available for questions.

Mr. Meyer announced he had information to report on the impact of different options for conducting city elections. He discussed the background of city elections, pointing out that Phoenix was the second largest election jurisdiction in the state and had been a leader in innovation in regards to elections. He mentioned some of the innovations such as the Permanent Early Voting List (PEVL) created in 1997, as well as the use of voting centers established in 2011. He compared the City of Phoenix elections with the state election, noting there were significant differences between them. He stated the City held elections in August, and the system the City used avoided or reduced the cost of having two elections. He followed up noting the state elections were held in November, after a primary in August. He discussed the turnout for elections, pointing out for a Presidential race the turnout was at the highest level.

Mr. Meyer discussed the estimated cost to the City for an election on any date was around $1 million using the current voting center model. He followed up noting a consolidated election with the county cost the City around $500,000; however, if the county conducted an election on another date using the polling place model the cost would be around $2 million. He emphasized there was not much of a difference for cost to the City in the last 20 years if elections were consolidated or not, but pointed out the savings from consolidated elections were offset by special elections. He talked further on the savings for the City, mentioning the City would save money if the number of special elections were reduced.

Mr. Meyer called attention to the issue of having the City's nonpartisan election with the August partisan primary in regards to independents on the PEVL. These individuals did not automatically receive a ballot by mail and had to notify the county which ballot they wanted. He said a majority of independents on the PEVL did not make a designation for which ballot they wanted, so they did not receive one automatically, and if they voted on the nonpartisan city ballot they would not be able to vote in the primary party election because they had already voted in the election. He cited statistics on the number of voters in the City, as well as those who requested ballots by mail in county elections, comparing that with those who automatically received City ballots on the PEVL regardless of party affiliation. He asserted a November-March election cycle was not used in any other jurisdiction in the state, and charter and state law were designed for elections in the spring and fall. Mr. Meyer added there would be a six-month delay before candidates would take office, compared to the current model which would be a shorter delay.

Mr. Meyer pointed out another issue that would arise with either election cycle, which was the alternate expenditure limitation. He said the next alternate expenditure limitation scheduled for vote was the Mayoral election in 2019. If the City consolidated their elections it would require a budget reduction of over $1 billion if there was not an alternate spending limit. He mentioned the state legislature had previously adopted a provision that extended existing home-rule options for an additional year to align with even-numbered elections when jurisdictions consolidated,

which would be the only solution the City had at that time. He advised the Council there would need to be three ballot measures that would encompass seven charter amendments to change the election cycle and extend current terms. He further identified additional potential ballot measures totaling ten. He discussed the cost of putting measures on the August 2018 state primary election ballot, and the amount of measures that could be put on that ballot. He said the cost for those measures would be $500,000, but the amount of measures would be limited further if they were put on the November 2018 ballot. He mentioned there were several options to consider for the City, and that he was available for questions.

Carol Bartholomeaux spoke in favor of consolidating elections, and stated she was representing the Citizens Business League, which represents more than 4,000 Phoenix business owners and executives. She said they strongly supported consolidating elections because they felt it was the best use of money and time.

Keith Broadwater spoke in favor of consolidating elections because it would save the City and citizens time, energy, and money. He mentioned that voter turnout in other local cities was much higher than the City of Phoenix, and by aligning elections with the state primary and general election would increase turnout and involvement in the election process.

Brian Lesinski spoke in favor of consolidating elections, and pointed out the City of Scottsdale saw an 85 percent turnout in their elections after consolidating. He added the League of Arizona Cities and Towns showed 60 percent of the population was in favor of consolidating elections.

Leonard Clark was neutral on the item because he wanted to hear his fellow citizens comments. He said he wanted to make sure he heard everyone, and that consolidated elections sounded like a good idea. He thanked Maricopa County Recorder Adrian Fontes for his work, and requested that future elections use paper ballots.

A speaker comment card was submitted by Marcus Huey who was in favor of consolidated elections, but did not speak.

Councilwoman Stark mentioned she had an election in November of an even year and there was a better turnout. She said it was not as good as a Presidential election, but it was better than an odd year election. She stated the City needed to have the best voter turnout. She explained the vote was not on the language, and made a motion to ask the City Clerk to draft charter amendment language that would change the election cycle for Mayoral and Council election to November in even years. She expressed this was because of her concern for independent voters. She added as part of her motion, she wanted the City Clerk to explore language related to special elections that are taken to voters for issues such as bonds, franchise agreements, referendum, and initiatives. She mentioned the City Clerk should have educational outreach and public input as part of the process to get the public involved.

Councilwoman Williams spoke in favor of the motion because it solved the problem with independent voters. She mentioned making the voting process simple and easy encouraged people to vote. She was concerned and wanted to make sure the City had an option for special elections if needed.

Vice Mayor Pastor asked about the motion and if it included the additional year to councilmembers.

Councilwoman Stark responded yes, noting it included review of how the Mayor and Councilmember terms were effected. She stated that would be in the language for the City Clerk and City Attorney to review it.

Mayor Stanton added this was on the length of terms, and said it was an issue that would need to be looked at legally.

Vice Mayor Pastor mentioned this was important to her. She stated people were talking about voter turnout, but there were other pieces to the language that affected Council in terms of transparency and not taking that out to the public to discuss it further. She asked for clarification on if that would increase councilmember terms by one year.

Mr. Meyer responded that the terms would have to be extended by one

year.

Mayor Stanton added it would be a little more than a year.

Councilwoman Stark concurred, that with a March runoff it would be a little more than a year.

Vice Mayor Pastor asked if it was possible to have voters vote on this and not extend the terms.

Mr. Meyer answered he did not look at other options, but it had happened in other jurisdictions and that shortening the terms could be an option.

Vice Mayor Pastor suggested shortening terms by three months was a possible option.

Mr. Meyer answered he was not sure shortening terms would work, but would look into it.

Mayor Stanton mentioned this had happened in the City of Peoria and asked Councilwoman Stark to clarify what happened in that jurisdiction as she was a former employee.

Councilwoman Stark said they had March and May elections, then moved to August and September elections, and by doing so the Mayor did not serve his full four years.

Mr. Meyer clarified the City of Peoria aligned their election dates with the state and went from spring to fall instead of spring to spring for their elections, so the elections were earlier, shortening the terms.

Vice Mayor Pastor inquired if an appointed councilmember would serve the full term if filling in for a full term.

Mr. Meyer answered the person who was appointed would serve the current remainder of the full term even with a change in terms through the measure. He further confirmed the term would be extended.

Mayor Stanton asked if vacancies on the Council would be affected if the ballot measure passed.

Mr. Meyer responded it would not affect those terms unless the measure took effect. He said under the current rules, if there was more than a year left on the term then a special election would take place to fill the term.

Vice Mayor Pastor confirmed with staff it depended on when the City put it on the ballot. She asked about the timeline if this was on the August ballot.

Mr. Meyer replied if the City put the measure on the August ballot and it passed to consolidate into November and March, it would apply to the next term of the council which would be 2020.

Councilman DiCiccio wanted to know how many cities and towns throughout the State of Arizona had already consolidated their elections.

Mr. Meyer responded there were nineteen charter cities not required to consolidate, and nine of those had not consolidated.

Councilman DiCiccio asked how many cities and towns in Arizona had consolidated.

Mr. Meyer responded there were about ninety cities and towns. In further response to questions by Councilman DiCiccio, Mr. Meyer said the nine cities and towns had made some modification to their elections. Moreover, three or four of those cities held elections in the fall of odd years and the rest of them were in the spring of even or odd years. He provided information on the other jurisdictions who had not consolidated with three holding elections in the spring of even years, two in the spring of odd years and four in the fall of odd years. He added that 82 cities and towns held consolidated elections in even years.

Councilman DiCiccio thought it was working well with other cities and wondered if a higher turnout would cost more money for the election.

Mr. Meyer affirmed generally anyone could estimate cost for an election,

but higher turnout means more ballots issued and mailed with more processing which would increase cost.

Councilman DiCiccio said he considered it a good problem to have because the City spent $125,000 trying to increase voter turnout anywhere between 20 percent and 40 percent if the election was held in November.

Mr. Meyer advised that was correct and added the cost did go up but with the cost per ballot if divided by the number of ballots cast, it would go down with higher turnout.

Councilman DiCiccio mentioned he did not mind spending money on this if it increased voter turnout. He talked about Hispanic voter turnout, and cited turnout increased in the general election in November. He added he was in favor of the idea from Councilwoman Stark to talk to the public. He suggested the meetings be combined with budget hearings so it would be in every district. He said he strongly supported the motion because it was time for the City of Phoenix to get in line with everyone else. He indicated it was fair to the public and for transparency as it was the right thing to do, and was glad this was moving forward.

Mayor Stanton asked Maricopa County Recorder Adrian Fontes how much he would charge the City of Phoenix for elections, as he heard the price would be going up in the near future.

Mr. Fontes stated he did not know, but mentioned Maricopa County had charged $2.12 per ballot by mail over the last 12 years. He said he spoke with different districts and municipalities about moving forward with a model. He commented he could not answer the question specifically because more work needed to be done.

Mayor Stanton thanked Mr. Fontes and asked him about the process of overseeing elections for school districts, bond elections, all mail and other elections.

Mr. Fontes explained he campaigned against ballots by mail because he did not know better, but after analyzing data he noticed it was better for

voters and administration of the election. He stated it was also better for security and election integrity and that moving to a ballot by mail model was more effective. He mentioned the Maricopa County Elections Department as an election service provider offered different options that cost less than the private options which could run between six and ten times more than going through Maricopa County.

Mayor Stanton asked Mr. Fontes about rank-choice voting and if the City were to explore that direction if it would be possible to have rank-choice for the City election at the bottom of the ballot with the state elections.

Mr. Fontes responded it was not technologically possible at this time. He mentioned the importance for the City of Phoenix and Maricopa County to interact if there would be any catastrophic problems at the election center.

Councilwoman Stark mentioned she was familiar with mail-in ballots in Oregon. She said they had a great return rate and high voter turnout.

Vice Mayor Pastor asked if it was possible to look at different election models regarding rank-choice voting and have a dialogue with citizens.

Mr. Meyer replied staff could look into it. He noted his concern was about the time frame and the amount of information that could be collected in that time.

Mayor Stanton suggested rank-choice voting be talked about as part of the election consolidation discussion during the budget hearings to see what citizens had to say on it.

Councilman DiCiccio stated 70 percent of City of Phoenix elections were held in one election period, and asked how rank-choice voting would work for that.

Mayor Stanton clarified there would only be rank-choice voting if there were more than two candidates.

Mr. Meyer pointed out the rank-choice voting would only affect the 30

percent that were not decided in one election. He went on to talk about the specifics of rank-choice voting and the process for it.

Mayor Stanton reminded the Council that the request for a friendly amendment to do analysis in the short period of time could always be added on for another election.

Vice Mayor Pastor advised if the Council was going to rush through it, she thought the voters should have options to discuss.

Councilman Valenzuela mentioned the Council did not have to rush through changing elections. He talked about when he first ran for Council in 2011, his district was the lowest voting in the City and had doubled in one election cycle with the Latino voter turnout increased by 488 percent. He discussed turnout and cost as issues regarding elections, but wanted to talk about access to vote, and cited the different ways voters in Phoenix could cast their ballots. He mentioned transparency with elections, and wondered if councilmembers would get an extra year on their term if elections were consolidated. He expressed concern for independent voters and their ability to automatically receive ballots by mail if elections were consolidated with them having to request a specific party ballot. He stated if elections were moved to November and March, it would not fix the problem but rather minimize it. He opposed the motion because it was a step toward Phoenix being a partisan city. He conveyed the Council should not have gone forward with this item without fully vetting it.

Mayor Stanton asked Mr. Meyer to speak more on independent voters and how they operated under different proposals.

Mr. Meyer discussed the issue of combining nonpartisan issues on a partisan ballot for independents, and how it affected independents on the PEVL for an open primary election. He said the issue of those voters not receiving a ballot did not exist in November, but the issue with connections to partisan candidates still existed.

Mayor Stanton asked Mr. Fontes who received an early ballot in the November of even years elections.

Mr. Fontes responded anyone on the PEVL under current state law would get their ballot mailed to them in general election years in elections administered by the county. He mentioned jurisdictions with elections in off-years could choose to have their election ballots by mail.

Mayor Stanton inquired if the City could pay to have the full ballot, including city elections, mailed to every registered voter in the City of Phoenix.

Mr. Fontes replied he could not say if the City of Phoenix could or could not break from the rules that apply to state and federal candidates during a general election cycle.

Mayor Stanton stated it would be a great way for the City to increase voter turnout by making an investment with going to a November election.

Councilman Waring asked if the City would be putting their ballots in county envelopes.

Mayor Stanton responded, they would be on the county ballot. He clarified Councilwoman Stark's motion was to consolidate with a November election with a run-off election in March, and discussed spending money to have every registered voter in Phoenix receive a ballot.

Councilman Waring mentioned he spoke with the Maricopa County Recorder's Office that week on the issue with independent voters. He discussed the cost per ballot and how the cost per ballot would go down with more ballots printed. He said the Maricopa County Recorder's Office told him City of Phoenix ballots could not be sent using county envelopes.

Mayor Stanton commented the motion was to explore consolidating elections to November with a March run-off, and also to explore rank-choice voting in November. He said the Council did not have to make a policy choice now and he further addressed mailing a full ballot with City of Phoenix elections. He suggested that would increase voter

turnout and was a priority of every member of the Council to increase voter turnout.

Councilman Valenzuela stated he was for increasing voter turnout by increasing access. He asked, if under the proposed scenario, if the City would run its own elections or hand it over to someone else. He also wanted to know if the City was no longer in the elections business if under the proposed scenario.

Mr. Meyer responded if the City were to consolidate then elections would be handled by Maricopa County.

Mr. Fontes mentioned he got elected partially because of concerns about election security. He stated if the City of Phoenix consolidated with Maricopa County without a redundant election department nearby, there would be a point of vulnerability for elections in Maricopa County. He told the Council he was a member of Council District 4, and took great comfort in knowing if there was a catastrophic event, that Maricopa County could rely on the election department at the City of Phoenix.

Councilman Valenzuela said election security was a high priority. He wondered if the City was getting out of the election business, what would happen with run-off elections in March and how that related to independents receiving early ballots.

Mr. Meyer responded if it was a City election, ballots would be mailed to voters on the PEVL. He stated the only election where PEVL independents would not receive a ballot automatically would be in a partisan primary.

Mr. Fontes remarked the elections run by Maricopa County occurred four times every year, with planning for each one taking six months and another month after to execute. He added if the City of Phoenix became a client of Maricopa County, they would make every accommodation possible under the law and work with the City of Phoenix Elections Department if any problems came up.

Councilman DiCiccio asked if the City had a redundant system.

Mr. Meyer responded the Elections Department had an off-site location with scanning equipment in the event of a problem at their location. He stated the City had an agreement with Maricopa County in the event of a problem; the City could use their facilities and the County could use the City facilities as they used the same equipment.

Councilman DiCiccio questioned if that included mail-in ballots, and if Maricopa County had redundancy and if they were secure.

Mr. Meyer replied yes it included processing all ballots.

Mr. Fontes added the redundancy was with the City of Phoenix Elections Department because they were the only department that was robust enough. He stated it was incorrect to say the County does not have redundancies in their system.

Councilman DiCiccio confirmed it would be secure if the City were to go through Maricopa County. He mentioned this had been debated since the 1990s and 81 cities had already done this. He asked how many registered voters were in the City of Phoenix.

Mr. Meyer replied there were about 700,000, with that number declining from around 730,000 to 740,000 to around 720,000.

Councilman DiCiccio confirmed if voter turnout increased about 140,000, it would be a 20 percent increase.

Councilman DiCiccio asked if everyone had access to a ballot.

Mr. Fontes answered he could not say absolutely everyone had access because there was no communication with some voters on the voter rolls. He said they had done work to increase access, but could not say there was 100 percent access.

Councilman DiCiccio said every registered voter had the ability to vote. He thought voters had the ability to get to a polling place or get on the PEVL list.

Councilman DiCiccio stated with outcome based models, the City could increase turnout by a minimum of 140,000. He mentioned more people had access because turnout proved it. He added this was a simple thing and should not be confusing as 81 other cities had already adopted consolidated elections.

Councilman Valenzuela addressed this was a move towards partisanship in Phoenix. He said security was there and wanted it on the record. He mentioned Mr. Fontes was doing a great job, but was still opposed to the item.

Councilman Waring said the legislature just passed a bill in the House, and that the charts proved the current system suppressed voter turnout. He pointed out with the change, that voter turnout would go up. He went on with the bill in the legislature, discussing the amendment to it regarding independents and expenditure limitations. He wondered about the legality if the bill was passed and if Phoenix voters passed the proposed consolidation, and asked about the statistics of party affiliation among voters in Phoenix with the chart showing 34 percent Democrat, 28 percent Republican, with the rest being Independent. He said if anyone were to benefit it would be Democrats. He asked about the 30 percent of Independents going to the polls to vote in August, and also requested more information on the chart showing percentages of Independents who picked a Republican or Democratic ballot.

Mr. Meyer responded he did not have the number on who went to the polls including Independents, but had the numbers on the percentage of voters requesting to receive ballots.

Councilman Waring discussed turnout increasing. He mentioned the City Charter said elections were held in October and right after Thanksgiving, but that was changed by the State. He continued talking about the history of election dates with the City, specifically mentioning 1996 and asked if the bill that was passed at that time by the legislature which limited elections to four dates per year.

Mr. Meyer responded that was correct, noting the primary target of the bill

was school districts and special election for all special taxing districts in the school districts but cities and towns were affected. He added City of Phoenix did not challenge the bill. Mr. Meyer went on to say the Charter was preempted by state law and a court case that said the legislature had authority to do so.

Councilman Waring inquired if the current bill in the legislature addressed the issue for Independents and expenditure limitations, and if Phoenix would comply.

Mr. Meyer suggested that question be deferred to the Law Department, but mentioned if the legislature passed a bill that would affect the City and cause the election dates to move then the decision would be to challenge or comply.

Councilman Waring said this was not a new issue as it had been going on for some time. He discussed a timeline of events regarding citizen participation and legal cases involving the City. He talked about the last scheduled budget hearing and how he was concerned with it being the day before the deadline for the August ballot. He mentioned other cities who complied with the election date changes and were doing fine. He also talked about a bill he sponsored in the legislature that received no complaints and Independents were able to vote. He asked what would happen with independents if a mayor were to resign this year before April 20.

Mr. Meyer responded the Independents would not get a ballot automatically if the county conducted the election.

Councilman Waring mentioned people complaining about the proposed new system, but at that time Independents would not get a ballot for an August election. He talked about redundancy in a previous election where he had to vote on two separate ballots at two different polling places and discussed his displeasure in that system. He was not sure if he completely agreed with the motion on the floor, but it gave a sense of the idea to drag this out. He discussed the potential items on the ballot and if they were not included on the August ballot there might not be enough room on the November ballot for them. He said this was an old

issue and based on the data presented the status quo should change.

Councilwoman Williams questioned why Councilwoman Stark's election was on the county ballot.

Mr. Meyer replied the issue was the timing of the vacancy. He indicated the City Charter required a special election and the next date was the November election, which resulted in the situation Councilman Waring described earlier.

Councilwoman Williams asked about changing the election dates from November to March and if the City would still operate the election.

Mr. Meyer answered yes, but the challenge would be maintaining equipment and staff if the City only conducted special elections.

Councilwoman Williams inquired about the Elections Department being a backup for the county.

Mr. Meyer replied if the county did not have the City of Phoenix as a backup, they would be required by state law to develop their own backup or contact another county.

Councilwoman Williams expressed concern about the City being out of the election business resulting in staff being moved to other places. She asked about putting City ballots in county envelopes and wondered if that was possible.

Mr. Meyer responded, there was discussion on it but it was very challenging from the county's perspective. He said it would affect their integrity and security of the election and would be difficult when mailing those ballots back. He said it would be impossible to do it, but having a separate envelope would be the route to go even though there would be additional challenges.

Mr. Fontes added the idea was novel but bad because of the amount of confusion it would cause. He said theoretically it could be done but it should not be done.

Councilwoman Williams inquired about the bill in the legislature and where it was at in the process.

Mayor Stanton answered there was a bill in the legislature that Councilman Waring discussed that would not necessarily fix the problem but amend it, regarding Independents and having them choose party affiliation on August ballots. He said the motion would move the election to November and that would alleviate the problem of the August election.

Government Relations Director Frank McCune said the bill as amended addressed the Independent voter issue by putting it on the November ballot.

Mayor Stanton asked if there was a way to fix the dilemma for independents for an August election.

Mr. McCune replied staff looked at House Bill 2604 and the amendment the Speaker offered did not address the independent issue directly. He read the summary of the bill to Council.

Mayor Stanton said Secretary Reagan was not able to fix the independent voter issue for partisan primaries, and that was why there was a dilemma. He mentioned that could be the reason Councilwoman Stark suggested the City look to November for elections so that problem would not occur.

Councilman Valenzuela stated City elections would be turned over to Maricopa County but funds would still be necessary for elections operations in the City for March. He said this issue had been discussed for years, but thought legislature was trying to turn City elections partisan. He said he would be voting no and would like other councilmembers to do the same. He suggested moving this item to a subcommittee and putting it out into the community. He mentioned this was not a good idea based on the debate over the last 24 hours.

Councilman Waring commented the Speaker had been out of town for a couple days, and staff made the decision to go ahead with the bill in the legislature with the expenditure limitation amendment. He stated the

legislature also drafted in the bill voters requesting a ballot could pick Republican or Democrat and also nonpartisan read as nonpartisan municipal ballot. He said that amendment would be drafted in the Senate, and if that would not be enough then the legislature would be willing to create a PEVL list for Independents. He asked if someone received a partisan ballot and wanted to exchange it if they were able to do so within 27 days.

Mr. Meyer answered the voter could exchange their ballot for a nonpartisan municipal ballot, but he was not sure how the county handled it.

Mayor Stanton asked Councilwoman Stark, based on the new information regarding election security and the desire to make sure the county had an appropriate backup, if she was willing to amend her motion.

Councilwoman Stark agreed, but mentioned the Council needed to talk and move forward with ballot language on dealing with voter turnout and doing a November election.

Mayor Stanton discussed the language of the current motion, adding backup security was not something the Council was aware of before and was glad the City has that.

Vice Mayor Pastor asked Mr. Meyer what the timeline was and inquired about the deadline for the November election.

Mr. Meyer responded the deadline was April 30th for getting measures on the August ballot, which was 120 days before an election. He mentioned the November election deadline was July 9th.

Vice Mayor Pastor asked if that would give the Council more time to look at it.

Mr. Meyer confirmed that was correct. He reminded the Council the issue with the November election was space on the ballot for all the measures they were requesting.

Vice Mayor Pastor stated there were 70 cities that had no choice but to consolidate with 19 other cities under charter amendment. She commented there were some cities that had no choice but to consolidate. She was concerned about the behavior on the Council by some councilmembers, and addressed the item was a new issue to her. She added increased turnout was a result of increased access, and mentioned suppressing the vote was not what the Council was trying to do, but increase access in disenfranchised communities. She listed different ways to increase voter access, and increasing voter turnout was not a result of changing election dates but rather giving more people a chance to vote.

Mayor Stanton repeated the motion, mentioning other cities such as Minneapolis to replicate their rank-choice elections. He said if the City could legally do it, the impact of significantly increasing voter turnout and further impacting statewide elections would be great for the City of Phoenix.

Councilwoman Gallego thanked the other councilmembers for their commitment to get more citizens involved in elections, and thanked Mr. Fontes for answering questions the Council had. She mentioned Phoenix is the largest city in Arizona, and the City has information to consider that other cities might not have. She talked about the growth of population in Phoenix having an impact on home rule and expenditure limits, and added there should be continued investment in public safety and infrastructure with regards to the expenditure limits. She stated she was in support of Councilwoman Stark's motion.

Councilman Nowakowski commented he had been on the Council for over 10 years, and remembered when he was against the changes that have already been put in place regarding elections such as the voting centers and the three day voting period. He was concerned about minorities not being able to vote, and after listening and debating he is open to new ideas. He said he was looking at best practices at the county, and looked at how those could be implemented with the City of Phoenix. He heard complaints of having to go to two different polling places for certain elections, and mentioned he would like combining

elections to make it easier for voters.

Councilman Valenzuela asked if the motion included adding an extra year on the councilmember's terms.

Councilwoman Stark said that was part of the motion.

Councilman Valenzuela stated he did not hear it as part of the motion. He was concerned with protecting the Independent voter, and did not like the idea of every constituent in Phoenix becoming a voter.

Mayor Stanton asked Mr. Meyer if he could explain how independents would be treated in a runoff election in March.

Mr. Meyer responded in a March runoff election with just City items, every voter on the PEVL would get a ballot. He said if there was a partisan primary election on the ballot, then the issue with what ballot to mail voters would come up.

Mayor Stanton asked if the runoff were to happen, would it just be a City election.

Mr. Meyer answered if the City was running the election itself in March, then every voter would receive a ballot.

Councilman Valenzuela stated the City was not doing that. He said the motion told staff to not bring back research, and regardless of information to come it would not matter if the County held Phoenix elections.

Mayor Stanton stated the question would be if independent voters were treated differently than members of political parties in a March election if there were only City items on the ballot. He mentioned they would not be, unlike an August election.

Mr. Meyer said it was possible based on out of control circumstances that made it difficult to answer the question definitively.

Councilman Valenzuela made it clear he was not confident in the leadership at the legislature to solve the problems. He said the current system provided greater access because every voter on the PEVL received a ballot. He mentioned it was bad policy to go ahead with this item, and that he would be voting no because he was standing up for the Independent voter and for every voter in the City of Phoenix.

Councilwoman Stark added it could be a problem because she thought the Independents would receive a ballot. She noted she lived in Paradise Valley Unified School District and they held an election every year with a ballot coming from the county. She said most of the time it should not be a problem, but if there was then the City should address it.

**A motion was made by Councilwoman Stark, seconded by Councilwoman Williams, that this item be approved to consolidate and change the election cycle for Mayor and Council elections to November**
**in even years and runoff elections the following March, including evaluating the impact on terms, the inauguration date, and special elections, with direction for staff to review and provide information on other specified items. The motion carried by the following vote:**

**Yes:** 7 - Councilman DiCiccio, Councilman Nowakowski Councilwoman Stark, Councilman Waring Councilwoman Williams, Councilwoman Gallego and Mayor Stanton

**No:** 2 - Councilman Valenzuela and Vice Mayor Pastor

**52** **Intergovernmental Agreements with Arizona Board of Regents for Student Engagements (Ordinance S-44297)**

Request the City Manager, or his designee, to enter into Intergovernmental Agreements with the Arizona Board of Regents for various student engagements, including internships, graduate student consulting engagements, and capstone projects, in an amount not to exceed $150,000, with an annual estimated expenditure of $50,000. Further request authorization for the City Controller to disburse all funds related to this item.

**Summary**

The Information Technology Services Department has multiple projects and initiatives that provide an excellent opportunity for college and graduate school students to gain experience in an Information Technology (IT) organization. These students also benefit the department by applying their skills and education to technology and process improvement projects. Engagements will be with undergraduate and graduate students from the Arizona State University, Northern Arizona University, and the University of Arizona who are studying computer science, cybersecurity, business, information systems, and related fields. Engagements may be with one student, or for a project team, depending on the department's needs and the Universities' and students' availability.

**Procurement Information**

Due to the unique nature of intern and student projects, a determination memo has been approved. This agreement does not preclude the department from using students from other educational institutions for similar opportunities.

**Financial Impact**

The amount of each student engagement is estimated to be less than $15,000. Authorization is requested for a total amount not to exceed $150,000, with an estimated annual expenditure of $50,000.

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

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

**No:** 0

**65 Authorization to Apply for, Accept, and Enter into Agreements for High Intensity Drug Trafficking Area Grant Funds (Ordinance S-44323)**

Request authorization for the City Manager, or his designee, to authorize the Police Department to enter into various agreements with the Office of National Drug Control Policy and the Maricopa County Sheriff's Office for up to $2,500,000 in funding through the 2018-2019 High Intensity Drug Trafficking Area (HIDTA). Further request authorization for the City Treasurer to accept, and for the City Controller to disburse all funds related to this item.

**Summary**

The Police Department has applied for and accepted HIDTA funds annually for more than 11 years. Historically, HIDTA funds are used to support and enhance the Police Department's Drug Enforcement Bureau's Investigations into illegal narcotic distribution enterprises in the Phoenix area and throughout Arizona. These complex investigations usually involve partnerships with other local, state, and federal law enforcement agencies. The investigations focus on identifying and disrupting drug organizations, most of which have connections with the Mexican and Columbian drug cartels.

The Arizona Alliance Planning Committee HIDTA Executive Board makes all of the HIDTA funding decisions. The Police Department is requesting approval to accept funds and enter into various agreements for any HIDTA funds made available during the funding period. Funding reimburses the City for salary, overtime, 20% of the associated fringe benefits, and operational supplies associated with the drug trafficking investigations.

**Contract Term**
Two years beginning Jan. 1, 2018, through Dec. 31, 2019.

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

**Concurrenct/Previous Council Action**
This item was unanimously approved by the Public Safety and Veterans Subcommittee at its Feb. 14, 2018 meeting.

**Discussion**
Leonard Clark was neutral on the item. He was concerned with community-orientated policing and mentioned an issue at a Motel 6 in the community where there was an issue with ICE. He added that a police spokesperson had mentioned that they utilize motel lists to look for felons. He pointed out that he was neutral on the item because he wanted to explore what was going on in the high crime areas and what law enforcement was doing with them.

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

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

**No:** 0

Note: Mayor Stanton and Councilman DiCiccio left the voting body. Vice Mayor Pastor assumed the Chair.

**A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that Items 73 and 74 be adopted. The motion carried by the following vote:**

**Yes:** 7 - Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilman Waring, Councilwoman Williams, Councilwoman Gallego and Vice Mayor Pastor

**No:** 0

**Absent:** 2 - Councilman DiCiccio and Mayor Stanton

**73** **Request Authorization to Enter Into Intergovernmental Agreement with Flood Control District of Maricopa County for 27th Avenue and Olney Avenue Storm Drain Project (Ordinance S-44314)**

Request authorization for the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the Flood Control District of Maricopa County (FCDMC) for the 27th Avenue and Olney Avenue Storm Drain 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 is $6 million, which includes channel rights-of-way, utility relocations, storm drain construction, construction management, post design, and materials testing.

**Summary**

In late 2015, the FCDMC, in partnership with the City of Phoenix, initiated a study to update the Laveen Area Drainage Master Plan for the South Phoenix/Laveen area using new mapping and comprehensive flood model software. The updated study used data gathered from heavy rains and flooding that occurred in August and September of 2014. The study included analysis of existing regional drainage improvements such as detention basins, channels, storm drains and culverts, much of which had been constructed based on recommendations from earlier versions of the regional drainage master plans. Construction efforts prior to this study focused mainly on the downstream portion of the overall recommended regional system to provide an outfall for future improvements closer to the foothills. The study recommends additional regional drainage facilities extending further up into the watershed area to address neighborhood flooding issues that became more apparent during the 2014 storms.

The regional rainfall-runoff model now covers the entire study area. The

new model identifies sources of stormwater flows so mitigation alternatives can be developed. Flood prone areas known as Areas of Mitigation Interest (AoMIs) were identified through the updated study. A total of 11 potential mitigation alternatives were developed and presented at two public meetings held in May of 2017, at which time, comments were received from attendees. After further technical analysis of potential mitigation alternatives, the following alternative component is proposed as one of the recommended drainage master plans for the study area.

27th Avenue and Olney Avenue Storm Drain Project

This area's greatest flooding problems are the major washes north of Olney Avenue east of 27th and 23rd Avenues, overwhelming the drainage infrastructure of existing subdivisions to the north and west. Flooding problems occur downstream from north of the subdivisions because there is no drainage infrastructure to carry stormwater to the recently constructed regional detention basin at 27th Avenue and South Mountain Avenue.

The proposed project will construct a 72-inch diameter storm drain in Olney Avenue from about 24th Drive west to 27th Ave, then north to the existing 27th Avenue and South Mountain Avenue regional basin. This storm drain would have large inlets at multiple locations along Olney Avenue to intercept drainage as well as multiple inlets along 27th Avenue, including a large inlet for the subdivision retention basin just south of the Western Canal. The project also includes a proposed Hazard Mitigation Assistance (HMA) regional drainage basin on about 4.5 acres along 23rd Avenue north of Olney Avenue. The estimated cost for the storm drain project is $6 million. Re-construction of 27th Avenue between Olney Avenue and Gary Way may be required in conjunction with this proposed storm drain project. Portions of the existing roadway right-of-way remain within the Maricopa County Department of Transportation (MCDOT) jurisdiction. MCDOT may become a cost share partner in the IGA if the proposed project is extended to include roadway improvements to 27th Avenue between Olney Avenue and Gary Way.

**Financial Impact**

The estimated project cost is $6 million, which includes channel rights-of-way, utility relocations, storm drain construction, construction

management, post design, and materials testing. The terms of the IGA between the City and the FCDMC will jointly cost share for project development and implementation of the 27th Avenue and Olney Avenue Storm Drain Project. The cost-share distribution between the City of Phoenix and FCDMC will maintain an overall 50/50 cost share, which is the standard cost-share allocation for projects funded by FCDMC. The projects included are: (1) Durango Regional Conveyance Channel Project, which was previously approved by the City Council on October 4, 2017, (2) South Phoenix/Laveen Drainage Projects, and (3) Rawhide Wash Project. The City's contribution of up to $3.0 million dollars is available in the City's five-year Capital Improvement Program (CIP) budget.

**Concurrence/Previous Council Action**
This item was recommended for approval at the Transportation and Infrastructure Subcommittee meeting on Feb. 13, 2018 by a vote of 4-0.

**Location**
The project is generally located along Olney Avenue and 27th Avenue going north to the 27th Avenue and South Mountain Avenue Regional Drainage Basin.
Council District: 8

**Discussion**
Note: The following individuals submitted comment cards in favor of the item, but did not wish to speak:

Robert McGlone
Scott Vostad

Patricia Trites spoke in favor of the item. She stated she was a resident of the South Mountain area, specifically in the Southern Hills subdivision. She mentioned her home was flooded twice in 2014, as well as other homes in her area over the past few years. She added that she served as President of the Southern Hills HOA. She added that the flooding occurred during both large and small rain events, and urged the Council to help the Southern Hills community and the South Mountain area by

continued flood control funding.

Councilwoman Gallego thanked Ms. Trites for her leadership as well as staff and other leaders in that community. She commented that flood control was underfunded due to the recession, and the two votes were important in keeping the community safe.

Councilman Nowakowski congratulated Councilwoman Gallego for her work on the issue because she went through multiple jurisdictions to get something done.

Councilwoman Stark commended Councilwoman Gallego for her work on flood control. She said that Councilwoman Gallego was correct on flood control, and all projects even if they were not in Phoenix did impact the city.

Vice Mayor Pastor thanked Councilwoman Gallego, but recognized that 27th Avenue was still a major issue for flooding. She stated that homes in the area had been flooded three times, and the City held some responsibility for that.

**This item was adopted.**

**74 Request Authorization to Enter into Intergovernmental Agreement with Flood Control District of Maricopa County for 19th Avenue and Dobbins Road Project (Ordinance S-44315)**

Request authorization for the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the Flood Control District of Maricopa County (FCDMC) for the 19th Avenue and Dobbins Road 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 is $6.5 million, which includes channel rights-of-way, utility relocations, storm drain construction, construction management, post design, and materials testing.

**Summary**

In late 2015, the FCDMC, in partnership with the City of Phoenix, initiated a study to update the Laveen Area Drainage Master Plan for the South

Phoenix/ Laveen area using new mapping and comprehensive flood model software. The updated study used data gathered from heavy rains and flooding that occurred in August and September of 2014. The study included analysis of existing regional drainage improvements such as detention basins, channels, storm drains and culverts, much of which has been constructed based on recommendations from earlier versions of the regional drainage master plans. Construction efforts prior to this study focused mainly on the downstream portion of the overall recommended regional system to provide an outfall for future improvements closer to the foothills. The study recommends additional regional drainage facilities extending further up into the watershed to address neighborhood flooding issues that became more apparent during the 2014 storms.

The regional rainfall-runoff model now covers the entire study area. The new model identifies sources of stormwater flows so mitigation alternatives can be developed. Flood-prone areas known as Areas of Mitigation Interest (AoMIs) were identified. A total of 11 potential mitigation alternatives were developed and presented at two public meetings held in May 2017, at which time, comments were received from attendees. After further technical analysis of potential mitigation alternatives, the following component is proposed as one of the recommended drainage master plans for the study area.

19th Avenue and Dobbins Road Project

Most flooding in this area and the areas to the north and west is associated with very large flows that enter Dobbins Road from the south between 15th Avenue to about 19th Avenue. This combined flow floods Dobbins Road and adjacent properties and ponds along Salt River Project's (SRP) Western Canal. The combined flow passes through the narrow area along Dobbins Road near the Western Canal and continues west, entering the intersection at 19th Avenue and other downstream areas.

The proposed project will construct a regional detention basin on about 5.5 acres at the northeast corner of 15th Avenue and Dobbins Road, east of the existing fire station. The project will include a four-barrel, 54-inch diameter basin inlet culvert under Dobbins Road to intercept flow from the existing Humane Society channel. The project will also construct a

storm drain in Dobbins Road from the new regional basin west to 19th Avenue, then north to South Mountain Avenue, then west to the existing regional drainage basin at 27th Avenue and South Mountain Avenue. The storm drain would range in size from 54-inch diameter along Dobbins Road to 72-inch diameter along South Mountain Avenue. In addition to draining the new detention basin, the storm drain would have large inlets along Dobbins Road and numerous smaller inlets along 19th Avenue and South Mountain Avenue.

**Financial Impact**

The estimated project cost is $6.5 million, which includes channel rights-of-way, utility relocations, construction, construction management, post design, and materials testing. The terms of the IGA between the City and the FCDMC will jointly cost share for project development and implementation of the 19th Avenue and Dobbins Road Project. The cost-share distribution between the City of Phoenix and FCDMC for this project will maintain an overall 50/50 cost share, which is the standard cost-share allocation for projects funded by FCDMC. The following projects are included: (1) Durango Regional Conveyance Channel Project previously approved October 4, 2017, (2) South Phoenix/Laveen Drainage Projects, and (3) Rawhide Wash Project. The City's contribution of up to $3.25 million dollars is available in the City's five-year Capital Improvement Program (CIP) budget.

**Concurrence/Previous Council Action**

This item was recommended for approval at the Transportation and Infrastructure Subcommittee meeting on Feb. 13, 2018 by a vote of 4-0.

**Location**

The project is generally located along 19th Avenue and along Dobbins Road, along South Mountain Avenue to the 27th Avenue and South Mountain Avenue Regional Drainage Basin.
Council District: 8

**Discussion**

For discussion on Item 74, refer to Item 73.

**This item was adopted.**

## REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

## CITIZEN COMMENTS

There were no additional speakers for Citizen Comments.

## ADJOURN

There being no further business to come before the Council, Vice Mayor Pastor declared the meeting adjourned at 5:48 p.m.

MAYOR

ATTEST:

CITY CLERK

TS

## CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the formal session of the City Council of the City of Phoenix held on the 7th day of March, 2018. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 2nd day of May, 2018.

C Meyer

CITY CLERK