173784

City of Phoenix

Minutes

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

City Council Formal Meeting

Wednesday, June 19, 2019 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, June 19, 2019 at 2:36 p.m. in the Council Chambers.

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

Councilman Nowakowski joined the meeting via telephone. Councilwoman Williams left the Chambers and the voting body during discussion on Item 40, and later rejoined the voting body via telephone during discussion on Item 40. Councilman DiCiccio left the Chambers and the voting body during discussion on Item 41.

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

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6600 through G-6601, S-45782 through S-45843, and Resolutions 21755 through 21759 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

BOARDS AND COMMISSIONS

1 Mayor and Council Appointments to Boards and Commissions

Summary

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

The following individuals were recommendeed for appointment/reappointment by Mayor Gallego:

Ahwatukee Foothills Village Planning Committee
Appoint Eric Gudino, for a term to expire Nov. 19, 2019.

Census Complete Count Committee
Appoint Adrian Jamieson, for a term to expire July 1, 2020.
Appoint Davina Haskins, replacing Diana Yazzie Devine, for a term to expire July 1, 2020.
Appoint Joseph Fuentes, replacing Rosemary Ybarra Hernandez, for a term to expire July 1, 2020.

Human Services Commission
Appoint Richard Higgins, serving as the Senior Representative for Area A, for a term to expire June 30, 2021.
Reappoint Alex Moctezuma, serving as the Head Start Representative for Area B, for a second term to expire June 30, 2021.
Reappoint Roberta Mack, serving as the Senior Services Representative for Area B, for a second term to expire June 30, 2021.
Reappoint Alejandro Flores, serving as the Community Services Representative for Area B, for a second term to expire June 30, 2021.
Reappoint Tamara Floyd, serving as the Community Services Representative for Area C, for a second term to expire June 30, 2021.

Judicial Selection Advisory Board
Appoint Michael Kelly, for a term to expire Nov. 19, 2021.

Phoenix Business and Workforce Development Board
Reappoint Derek Anderson, representing Banner Health in the Business category, for a second term to expire June 30, 2022.
Reappoint James Cahill, representing Bricklayers and Allied Craftworkers Mountain West Administrative District Council in the Labor category, for a

term to expire June 30, 2022.
Reappoint Jan Davis, representing AZ DES Department of Employment and Rehab Services, RSA in the Vocational Rehabilitation vacancy category, for a second term to expire June 30, 2022.
Reappoint Nick DePorter, representing LinkedIn in the Business category, for a third term to expire June 30, 2022.
Reappoint Alineth Gamero-Hernandez, representing the AZ DES Department of Workforce Administration in the Employment Services category, for a second term to expire June 30, 2022.
Reappoint Travis Hardin, representing Wells Fargo in the Business category, for a third term to expire June 30, 2022.
Reappoint Kaaren Lyn Graves, representing the AZ Hispanic Chamber of Commerce in the Economic & Community Development category, for a term to expire June 30, 2022.
Reappoint Bethany Woodard, representing the Maddox Group in the Business category, for a second term to expire June 30, 2022.

Sister Cities Commission
Appoint Simer Mayo, for the vacancy created by the resignation of Diana Sandifer, for a term to expire June 30, 2020.

The following individual was recommended for appointment by Councilwoman Pastor:

Encanto Village Planning Committee
Appoint Rick Mahrle, to fill a vacancy on the committe, for a term to expire Nov. 19, 2020.

Note: Chimene Hawes submitted a comment card for the record marked neutral on Item 1.

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

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

No: 0

Mayor Gallego thanked the following appointees for their service who were present at the meeting:

Eric Gudino - Ahwatukee Foothills Village Planning Committee;
Davina Haskins - Census Complete Count Committee;
Alex Moctezuma and Tamara Floyd - Human Services Commission; and
Michael Kelly - Judicial Selection Advisory Board.

Mayor Gallego acknowledged they would be sworn in at a later date to allow for more public comments on other items in the agenda.

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

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

Note: Comment cards were submitted for the record in favor of Items 2 and 8 by the following individuals:

Eulalia Zuluaga - Applicant, Item 2
Nasser Arekat - Applicant, Item 8

A motion was made by Vice Mayor Waring, seconded by Councilwoman Williams, that Items 2-20 be recommended for approval. The motion carried by the following voice vote:

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

No: 0

2 Liquor License - Special Event - Women's Hope of Arizona

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

Summary

Applicant
Eulalia Zuluaga

Location
10626 N. 43rd Ave.
Council District: 1

Function
Cultural Celebration

Date(s) - Time(s) / Expected Attendance
July 20, 2019 - 7 p.m. to 1 a.m. / 200 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

3 Liquor License - Koi Poke

Request for a liquor license. Arizona State License Application 62524.

Summary

Applicant
Lauren Merrett, Agent

License Type
Series 12 - Restaurant

Location
2310 W. Happy Valley Road, Ste. 1015
Zoning Classification: C-2 M-R PCD
Council District: 1

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

The 60-day limit for processing this application was June 8, 2019.

However, the applicant submitted a written request for more time.

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

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

Koi Poke (Series 12)
18221 N. Pima Road, Ste. 100 & 105, Scottsdale
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:

"Owner is capable reliable and qualified with multiple locations and businesses in the state of Arizona. Several have liquor licenses. They have been shown to be responsible providers of alcohol."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "The public convenience and the community will be served by providing alcohol To customers who desire alcohol in their beverages."

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 - Koi Poke
Liquor License Map - Koi Poke

This item was recommended for approval.

4 Liquor License - Angry Crab Shack

Request for a liquor license. Arizona State License Application 63595.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
3227 E. Bell Road, Ste. D110
Zoning Classification: C-2
Council District: 2

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

The 60-day limit for processing this application is June 25, 2019.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We own and operate several Angry Crab Restaurants throughout the valley."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We would like to offer the community a spot to come and grab great food."

Staff Recommendation

Staff recommends approval of this application.

Attachments
Liquor License Data - Angry Crab Shack
Liquor License Map - Angry Crab Shack

This item was recommended for approval.

5 Liquor License - Daily Jam

Request for a liquor license. Arizona State License Application 53205.

Summary

Applicant
Lauren Merrett, Agent

License Type
Series 12 - Restaurant

Location
7000 E. Mayo Blvd, Ste. B8
Zoning Classification: PUD PCD
Council District: 2

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

The 60-day limit for processing this application was June 8, 2019. However, the applicant submitted a written request for more time.

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

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

Other Active Liquor License Interest in Arizona
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:
"Owner is capable reliable and qualified with multiple locations and businesses in the state of Arizona. Several have liquor licenses. They have been shown to be responsible providers of alcohol."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The public convenience and the community will be served by providing alcohol To customers who desire alcohol in their beverages."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Daily Jam
Liquor License Map - Daily Jam

This item was recommended for approval.

6 Liquor License - Safeway #1750

Request for a liquor license. Arizona State License Application 09070233 & 09070233S.

Summary

Applicant
Nicholas Guttilla, Agent

License Type
Series 9 & 9S - Liquor Store with Sampling Privileges

Location
6501 E. Greenway Pkwy., Ste. 4
Zoning Classification: PSC PCD
Council District: 2

This request is for an ownership and location transfer of a liquor license for a grocery store. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is June 25, 2019.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Safeway is committed to upholding the highest standards for alcohol sales and service. Its managers and staff are trained in responsible liquor sales and service. Safeway is a national grocery store chain which takes its responsibility regarding liquor sales very seriously and it has a stellar compliance record in Arizona."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Safeway, Inc. is devoted to providing exceptional service, value and variety to its customers. Safeway stores are known as assets and good neighbors to the communities they serve. Safeway stores are full-service, one-stop shopping experiences where customers and neighbors have come to enjoy and expect the same offerings as can be obtained at each of the other Safeway stores in Arizona."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Safeway #1750
Liquor License Map - Safeway #1750

This item was recommended for approval.

7 Liquor License - Safeway #413

Request for a liquor license. Arizona State License Application 09070574 & 09070574S.

Summary

Applicant
Nicholas Guttilla, Agent

License Type
Series 9 & 9S - Liquor Store with Sampling Privileges

Location
550 E. Bell Road
Zoning Classification: C-2
Council District: 3

This request is for a location transfer of a liquor license for a grocery store. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is June 25, 2019.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
“Safeway is committed to upholding the highest standards for alcohol sales and service. Its managers and staff are trained in responsible liquor sales and service. Safeway is a national grocery store chain which takes its responsibility regarding liquor sales very seriously and it has a stellar compliance record in Arizona.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“Safeway, Inc. is devoted to providing exceptional service, value and variety to its customers. Safeway stores are known as assets and good neighbors to the communities they serve. Safeway stores are full-service, one-stop shopping experiences where customers and neighbors have come to enjoy and expect the same offerings as can be obtained at each of the other Safeway stores in Arizona.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Safeway #413
Liquor License Map - Safeway #413

This item was recommended for approval.

8 Liquor License - Sunset Market & Liquor

Request for a liquor license. Arizona State License Application 09070241.

Summary

Applicant
Nasser Arekat, Agent

License Type
Series 9 - Liquor Store

Location
17235 N. 19th Ave.

Zoning Classification: C-1
Council District: 3

This request is for an ownership transfer of a liquor license for a liquor store. 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 June 23, 2019.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have more than five years expenience in the liquor store business. I have never received a citation."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "This is a pre-existing liquor store business; a license has existed in this location since approximately 1974. The issuance of a license will allow to continue to serve its customers."

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 - Sunset Market & Liquor
Liquor License Map - Sunset Market & Liquor

This item was recommended for approval.

9 Liquor License - Special Event - St. Francis Xavier Roman Catholic Parish Phoenix

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

Summary

Applicant
Sara Hogan

Location
4715 N. Central Ave.
Council District: 4

Function
Dinner

Date(s) - Time(s) / Expected Attendance
Oct. 4, 2019 - 6 p.m. to 11 p.m. / 400 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

10 Liquor License - Special Event - Women's Hope of Arizona

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

Summary

Applicant
Eulalia Zuluaga

Location
2722 W. Thomas Road
Council District: 4

Function
Cultural Celebration

Date(s) - Time(s) / Expected Attendance
July 27, 2019 - 7 p.m. to 1 a.m. / 130 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

11 Liquor License - Safeway #174

Request for a liquor license. Arizona State License Application 09070108 & 09070108S.

Summary

Applicant
Nicholas Guttilla, Agent

License Type
Series 9 & 9S - Liquor Store with Sampling Privileges

Location
520 W. Osborn Road
Zoning Classification: C-1

Council District: 4

This request is for a location transfer of a liquor license for a grocery store. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is June 25, 2019.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Safeway is committed to upholding the highest standards for alcohol sales and service. Its managers and staff are trained in responsible liquor sales and service. Safeway is a national grocery store chain which takes its responsibility regarding liquor sales very seriously and it has a stellar

compliance record in Arizona."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Safeway, Inc. is devoted to providing exceptional service, value and variety to its customers. Safeway stores are known as assets and good neighbors to the communities they serve. Safeway stores are full-service, one-stop shopping experiences where customers and neighbors have come to enjoy and expect the same offerings as can be obtained at each of the other Safeway stores in Arizona."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Safeway #174
Liquor License Map - Safeway #174

This item was recommended for approval.

12 Liquor License - Special Event - Arizona Roller Derby Organization

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

Summary

Applicant
Alexis Edmonds

Location
5031 E. Washington St.
Council District: 6

Function
Sporting Event

Date(s) - Time(s) / Expected Attendance
July 27, 2019 - 4 p.m. to 10 p.m. / 500 attendees

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

13 Liquor License - Special Event - Ryan House

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

Summary

Applicant
Tracy Anne Leonard-Warner

Location
6001 N. 24th St.
Council District: 6

Function
Festival

Date(s) - Time(s) / Expected Attendance
Oct. 10, 2019 - 6 p.m. to 9 p.m. / 1,200 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

14 Liquor License - Over Easy

Request for a liquor license. Arizona State License Application 1207B129.

Summary

Applicant
Lauren Merrett, Agent

License Type
Series 12 - Restaurant

Location
2398 E. Camelback Road, Ste. 150-180

Zoning Classification: C-2 CEPCSP
Council District: 6

This request is for an acquisition of control of an existing liquor license for a restaurant. This location is currently licensed for liquor sales. This location requires a Use Permit to allow outdoor dining and outdoor alcohol consumption as an accessory use to a restaurant.

The 60-day limit for processing this application was June 7, 2019. However, the applicant submitted a written request for more time.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
“Owner is capable reliable and qualified with multiple locations and businesses in the state of Arizona. Several have liquor licenses. They have been shown to be responsible providers of alcohol.”

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

This item was recommended for approval.

15 Liquor License - Over Easy

Request for a liquor license. Arizona State License Application 1207A528.

Summary

Applicant
Lauren Merrett, Agent

License Type
Series 12 - Restaurant

Location
4730 E. Indian School Road, Ste. 123
Zoning Classification: C-1
Council District: 6

This request is for an acquisition of control of an existing liquor license for a restaurant. This location is currently licensed for liquor sales. This location requires a Use Permit to allow the sale of alcoholic beverages as an accessory use to a restaurant.

The 60-day limit for processing this application was June 7, 2019. However, the applicant submitted a written request for more time.

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

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

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

Applicant’s Statement
The applicant submitted the following statement in support of this

application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
“Owner is capable reliable and qualified with multiple locations and businesses in the state of Arizona. Several have liquor licenses. They have been shown to be responsible providers of alcohol.”

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

This item was recommended for approval.

16 Liquor License - Koi Poke

Request for a liquor license. Arizona State License Application 58506.

Summary

Applicant
Lauren Merrett, Agent

License Type
Series 12 - Restaurant

Location
4280 E. Indian School Road, Ste. 108
Zoning Classification: C-1
Council District: 6

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow the sale of alcoholic beverages as an accessory use to a restaurant.

The 60-day limit for processing this application was June 10, 2019. However, the applicant submitted a written request for more time.

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

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

Koi Poke (Series 12)
18221 N. Pima Road, Ste. 100 & 105, Scottsdale
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:
"Owner is capable reliable and qualified with multiple locations and businesses in the state of Arizona. Several have liquor licenses. They

have been shown to be responsible providers of alcohol."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "The public convenience and the community will be served by providing alcohol To customers who desire alcohol in their beverages."

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 - Koi Poke
Liquor License Map - Koi Poke

This item was recommended for approval.

17 Liquor License - Daily Jam

Request for a liquor license. Arizona State License Application 60011.

Summary

Applicant
Lauren Merrett, Agent

License Type
Series 12 - Restaurant

Location
888 N. 1st Ave., Ste. 114
Zoning Classification: DTC-Downtown Gateway
Council District: 7

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 was June 11, 2019. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona
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:
"Owner is capable reliable and qualified with multiple locations and businesses in the state of Arizona. Several have liquor licenses. They have been shown to be responsible providers of alcohol."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The public convenience and the community will be served by providing alcohol To customers who desire alcohol in their beverage."

Staff Recommendation

Staff recommends approval of this application.

Attachments
Liquor License Data - Daily Jam
Liquor License Map - Daily Jam

This item was recommended for approval.

18 Liquor License - Del Mar Market

Request for a liquor license. Arizona State License Application 63402.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 10 - Beer and Wine Store

Location
7007 W. Indian School Road, #101
Zoning Classification: C-2
Council District: 7

This request is for a new liquor license for a convenience store that does not sell gas. 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 June 23, 2019.

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

use for more than 180 days.

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

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Del Mar Market currently offers groceries, snacks, dairy products, prepared foods, household goods and convenience items to neighbors in the Del Mar community. Many customers 21 and over have requested to purchase beer and wine in addition to the other items they purchase for the convenience of one-stop shopping."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Del Mar Market
Liquor License Map - Del Mar Market

This item was recommended for approval.

19 **Liquor License - Special Event - Children's Museum of Phoenix**

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

Summary

Applicant
Megan Tully

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

Function
Community Event

Date(s) - Time(s) / Expected Attendance
Aug. 17, 2019 - 7 p.m. to 11 p.m. / 600 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

20 **Liquor License - Elegance Lifestyle Wine Inc.**

Request for a liquor license. Arizona State License Application 63601.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 10 - Beer and Wine Store

Location
3015 E. Thomas Road, Ste. 14
Zoning Classification: C-2
Council District: 8

This request is for a new liquor license for a beer and wine store. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow package liquor sales. A Use Permit hearing has been scheduled.

The 60-day limit for processing this application is June 25, 2019.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Elegance lifestyle Wine Inc. is committed to upholding the highest standards for sales and service. All employees will be trained in responsible alcohol sales and will go through regular audits to ensure

they comply."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Elegance Lifestyle Wine Inc. will be operated by responsible employees that follow all rules and regulations. Employees will ensure the safety of all customers."

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 - Elegance Lifestyle Wine Inc.
Liquor License Map - Elegance Lifestyle Wine Inc.

This item was recommended for approval.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

Note: Comment cards were submitted for the record in favor of Items 28-29, 47, 57, 67, and 84 by the following individuals:

Steve Beuerlein, Items 28-29, 67
Judith Brown, Item 47
Linda Williamson, Item 57
Chimene Hawes, Item 84

A motion was made by Vice Mayor Waring, seconded by Councilwoman Williams, that Items 21-112 be approved or adopted, except Items 23, 32, 38-46, 48, 59, 62, 65, 71, 76, 86, 110 and 112 which is requested to be continued to Sept. 4, 2019; Item 108 is continued to July 3, 2019; and noting Items 53 and 56 are as revised. The motion carried by the following vote, as part of an omnibus motion:

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

No: 0

Items 21-22, 24-31, 33-37, Ordinance S-45782 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.

21 Settlement of Claim(s) for Donald Self

To make payment of up to $46,418.00 in settlement of claim(s) for Donald Self, 18-0397-001 GL PD, for the Finance Department pursuant to Phoenix City Code chapter 42.

This item was adopted.

22 Various Vendors-Annual Utility Charges

For $75,118,084.00 in payment authority for electricity, water services, and gas charges of City departments for Arizona Public Service Company, Salt River Project, Salt River Valley Water Users' Association, and Southwest Gas Corporation from July 1, 2019 through June 30, 2020, as provided in the proposed annual operating budget, for the Budget and Research Department.

This item was adopted.

24 United States Postal Services-Annual Payment Authority

For $3,447,117.00 in payment authority for metered and non-metered mail charges of the City departments from July 1, 2019, through June 30, 2020, as provided in the proposed annual operating budget for the Budget and Research Department.

This item was adopted.

25 World Wide Technology, Inc.

For $78,500.00 in additional payment authority to purchase network switches from World Wide Technology Inc., contract 143861, for the Police Department. The network switches are required to move videos from the on-body cameras to the Cloud for storage. Additional funds are needed for unexpected equipment purchases for the on-body camera program. This equipment is critical to the On-Body Camera Program for videos to be uploaded, downloaded, and reviewed.

This item was adopted.

26 Gabriel, Roeder, Smith & Company

For $80,000.00 in additional payment authority for Contract 144725 for actuarial services for the Finance Department. The actuarial services include work associated with other post-employment benefits and compensated absences as required by Governmental Accounting Standards 16, 74, and 75, in addition to other special studies related to pension costs for FY2019-20. This additional funding is needed due to insufficient funds being previously requested.

This item was adopted.

27 Gammage and Burnham, PLC

For $32,500.00 in additional payment authority for Contract 140647 for Civil Service Board legal services for the Human Resources Department. Additional funds are needed due to an increase in consultation and legal review, drafting and special meetings. These services were not anticipated when the initial contract amount was determined. The additional funds amend previous payment authority of $80,000 for a five-year aggregate total of $112,500. The cost will be absorbed by the Human Resources Department operating budget.

This item was adopted.

28 United Phoenix Firefighters Association

For $300,000.00 for annual payment authority for the employee wellness and assistance program for fiscal year 2019-20 for the Phoenix Fire Department. This program provides employee assistance professional services to firefighter employees and their family members.

This item was adopted.

29 Public Safety Personnel Retirement System

For $84,300.00 for annual payment authority to purchase the fiscal year 2019-20 employer cost of the Firefighter and Peace Officer Cancer Insurance Policy Program for the Phoenix Fire Department.

This item was adopted.

30 Relus Technologies, LLC

For $36,900.00 for annual payment authority to purchase 12 months of maintenance and support for the City's Hitachi AMS storage arrays for the Information Technology Services Department. This support is required for continued maintenance and support of a critical storage system that stores approximately 40 percent of the City's data.

This item was adopted.

31 DMAscoli Enterprises, LLC

For $30,000.00 in additional payment authority for Contract 144002 for water collection, testing, and reporting analytical results at the Camp Colley water system for the Parks and Recreation Department. The additional funding is required due to new mandatory testing requirements from the Arizona Department of Environmental Quality.

This item was adopted.

33 Blucor Contracting, Inc.

For $42,302.56 in additional payment authority for Agreement 145421, Change Order 1, Project ST87750140, First Street: McKinley Street to Moreland Street for the Street Transportation Department. Additional funding is necessary for roadway construction and street light fixture work not included as part of the original bid due to a change in the new city LED streetlight standards.

This item was adopted.

34 EPCOR Water USA, Inc.

For $1,300,000.00 for annual payment authority for Contract 93040 to provide water and wastewater treatment services for the West Anthem service area for the Water Services Department. West Anthem is located outside the Water Services Department distribution area.

This item was adopted.

35 **Veolia North America, Inc., doing business as Veolia Water North America Operating Services, LLC**

For $6,820,000.00 for annual payment authority for Contract 107745 from July 1, 2019, through June 30, 2020, for operating costs for the Lake Pleasant Water Treatment Plant for the Water Services Department. The water treatment plant came online in early 2007 and primarily serves the northwest area of the city. The City of Phoenix entered into a 15-year agreement for operation and maintenance of this facility, which is operational 24 hours per day, seven days a week, to treat raw water, produce and supply finished water, and transport and dispose of plant by-products and operating wastes.

This item was adopted.

36 **City of Glendale**

For $16,800.00 annual payment authority for Intergovernmental Agreement 123273 to provide water treatment services to the Camelback Ranch area located within the boundaries of the City of Phoenix but outside the City's water distribution system, for the Water Services Department.

This item was adopted.

37 **City of Mesa**

For $80,449.00 for annual payment authority for the water, wastewater, solid waste, and gas costs associated with the Val Vista Water Treatment Plant annual maintenance and repair shutdown for the Water Services Department. During the shutdown, services are purchased from the City of Mesa for the site including potable water and wastewater services, solid waste services for removing debris from the Salt River Project South Canal, and natural gas services to power standby generators.

This item was adopted.

47 **Proposed Brown Annexation (Ordinance S-45829)**

Request City Council authorization to extend and increase the corporate limits of the City of Phoenix, Arizona, by annexing an area not within the present limits of the City of Phoenix, designated as the Brown Annexation. Further request authority for current county zoning to continue in effect until municipal zoning is applied to the annexed territory.

Summary

This annexation was requested by Judith Vincent Brown for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation. The City Clerk Department has received signed petitions representing 100 percent of the assessed value and 100 percent of the owners, excluding utilities, within the proposed annexation area.

Public Outreach

A public hearing was conducted on Jan. 9, 2019, to allow the City Council to gather community comment regarding the annexation proposal. Notification of the public hearing was published in the *Arizona Business Gazette* newspaper, and posted in at least three conspicuous places in the territory proposed to be annexed. Also, notice by first-class mail was sent to each property owner in the area proposed to be annexed.

Location

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

Council District: 2

This item was adopted.

49 Increase Expenditure Authority for High Pressure Washer, Engine, and Small Equipment Repair IFB 16-040A - Requirements Contract (Ordinance S-45804)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contracts 141846 with EST Companies LLC, and 141847 with Superior Cleaning Equipment., Inc., for high pressure washer, engine, and small equipment repair services for citywide use. An additional amount of $235,324 is needed, and the revised aggregate value will not exceed $510,324. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract provides high pressure washer, engine, and small equipment repair services to ensure the safe and efficient operations of various equipment used throughout the City. The Neighborhood Services Department's Graffiti Busters Program is a highly visible program that utilizes high pressure washer and paint sprayer equipment to remove graffiti throughout the City, and the Tool Lending Program lends equipment, such as weed eaters, to community members to use. The Public Works, Water Services, and Parks and Recreation departments also utilize this contract to repair, recondition, and maintain equipment, such as high-temperature pressure washer pumps and heaters, pneumatic jackhammers, saws, generators, air compressors, and other equipment that is critical to their department operations. Funds are needed due to unexpected contract usage by additional departments and also as a result of higher than anticipated contract usage, primarily by the Water Services Department.

Contract Term

This contract is effective from Dec. 15, 2015 through Nov. 30, 2020.

Financial Impact

Upon approval of $235,324 in additional funds, the revised aggregate value of the contract will not exceed $510,324. Funds are available in the various departments' budgets.

Concurrence/Previous Council Action

This contract was originally approved by City Council on Dec. 2, 2015, and additional expenditures were approved by City Council on Sept. 19, 2018.

This item was adopted.

50 Title Record Search Services - Requirements Contract - RFP 19-097 (Ordinance S-45805)

Request to authorize the City Manager, or his designee, to enter into a contract with Data Trace Information Services, LLC to provide online title record database searches for the Real Estate Division of the Finance Department. The aggregate value of this contract will not exceed

$425,000 over the five-year contract term. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The City's Real Estate Division provides services to various City departments for requests related to real property acquisition, disposition, leasing, appraisal, and title services work. These services include: preparing chain of title and condition of title reports; verifying ownership; and researching property liens and other recorded transfers and conveyances affecting title to real property. To accurately and timely perform the necessary title services, the City requires access to an extensive title plant database system for property record searches and document/map image downloads for Maricopa County. Data Trace Information Services, LLC will provide this comprehensive title plant database system of property records geographically located within Maricopa County.

Procurement Information

Request for Proposal (RFP) 19-097 was conducted in accordance with Administrative Regulation 3.10. The proposal was sent directly to multiple vendors and publicly posted on the City's website, in accordance with the Administrative Regulation. There were two offers received by the Procurement Division on March 1, 2019. The proposals were scored by a four-member evaluation panel based on the following evaluation criteria: Experience and Qualifications (300 points); Method of Approach and System Capabilities (350 points); User Navigation and Interface (250 points); and Cost (100 points). The scoring for the two offers received is as follows:

Data Trace Information Services, LLC: 812
Black Knight Data & Analytics, LLC: 520

The Real Estate Administrator recommends that the offer from Data Trace Information Services, LLC, be accepted as the highest-scored, responsive, and responsible offer that is most advantageous to the City.

Contract Term

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

Financial Impact

The aggregate contract value will not exceed $425,000 with an estimated annual expenditure of $85,000. Funds are available in the Finance Department's budget.

This item was adopted.

51 Acceptance and Dedication of Deeds and Easements for Sidewalk, Public Utility and Roadway Purposes (Ordinance S-45808)

Request for the City Council to accept and dedicate deeds and easements for sidewalk, public utility and roadway 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: Jaguar Premium Properties, LLP, its successor and assigns
Purpose: Sidewalk
Location: 5850 W. Baseline Rd.
File: FN 180112
Council District: 8

Deed (b)
Applicant: Jaguar Premium Properties, LLP, its successor and assigns
Purpose: Roadway
Location: 5850 W. Baseline Rd.
File: FN 180112
Council District: 8

Easement (c)
Applicant: Crosswalk Lutheran Ministries, Inc., its successor and assigns
Purpose: Sidewalk
Location: 5740 W. Baseline Rd.
File: FN 180114
Council District: 8

Deed (d)
Applicant: Crosswalk Lutheran Ministries, Inc., its successor and assigns
Purpose: Roadway
Location: 5740 W. Baseline Rd.
File: FN 180114
Council District: 8

Easement (e)
Applicant: Desert Viking - Baseline, LLC, its successor and assigns
Purpose: Public Utility
Location: 16th Street and Baseline Road
File: FN 190035
Council District: 8

This item was adopted.

52 Acceptance of Easements for Drainage and Water Purposes (Ordinance S-45812)

Request for the City Council to accept easements for drainage and water 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: Native American Connections, Inc., its successor and assigns
Purpose: Drainage
Location: 1431 E. Dunlap Ave.
File: FN190044
Council District: 3

Easement (b)
Applicant: Grand Canyon University, its successor and assigns
Purpose: Water
Location: 3300 W. Camelback Rd.
File: FN190040
Council District: 5

This item was adopted.

53 Acquisition of an Easement for a Groundwater Treatment System Located Along the West Side of North 40th Street and North of East Sleepy Ranch Road (Ordinance S-45791)

Request to authorize the City Manager, or designee, to acquire an underground reclaimed water pipeline easement along the west side of North 40th Street and north of East Sleepy Ranch Road. Acquisition is for a purchase price and upon such other terms as are established at the Arizona State Land Department (ASLD) public auction. Further request authorization for the City Controller to disburse all funds related to this item.

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

Summary
Acquisition of an easement is required for construction of a 30-foot wide underground easement for a reclaimed water pipeline for the Cave Creek Landfill Ground Water Treatment System. This is a joint project between the City of Phoenix and Maricopa County to remediate contaminated groundwater from the closed Cave Creek landfill site in north Phoenix.

The property impacted by this project is an unassessed parcel owned by ASLD located along the west side of north 40th Street and north of East Sleepy Ranch Road.

Financial Impact
Funding for this project is available in the Water Services Department's operating budget.

Location
Along the west side of North 40th Street and north of East Sleepy Ranch Road

Council District: 2

This item was adopted as revised.

54 Publication of the City Charter, Code and Zoning Ordinance - Requirements Contract RFP 19-003 (Ordinance S-45819)

Request to authorize the City Manager, or his designee, to enter into a contract with Code Publishing Company, LLC to provide publication of the City Charter, City Code, and Zoning Ordinance as an electronic version on the internet as well as continue updates in the printed/paper format in the amount not to exceed $100,000 over the five-year contract term. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
A Request for Proposals was issued for the continual update of the existing City Charter, City Code, and Zoning Ordinance in web and print/paper formats. The successful Proposer will provide a web version of the City Charter, City Code, and Zoning Ordinance in a public-facing website, that is free of charge to the public and City staff, in the same organization as the hard copy books. The web version must appear user-friendly with full text search engine, static URLs (links), in-line graphics, and tables capable of printer-friendly functionability. Updates based upon ordinance changes must be made timely to ensure the publication is current.

The current contract expires June 30, 2019. This item has been reviewed and approved by the Information Technology Services Department.

Procurement Information
Request for Proposals (RFP) 19-003 was conducted in accordance with Administrative Regulation 3.10. On Oct. 15, 2018, the solicitation was emailed to 160 vendors and was posted on the City’s website. The Finance Department, Procurement Division received one offer on Nov. 16, 2018. The offer submitted by Code Publishing Company, LLC was evaluated and deemed to be fair and reasonable based on the evaluation criteria presented in the RFP and Procurement Division's review of previous contract pricing data.

The Law Department recommends that the offer from Code Publishing Company, LLC, be accepted as responsive and responsible. Code Publishing Company, LLC is the largest codifier on the West Coast. They can provide customizations based upon the City's needs and requirements and provide updates.

Contract Term
The five-year contract term will begin on or about July 1, 2019 and will end on June 30, 2024.

Financial Impact
The aggregate contract value will not exceed $100,000, with an estimated annual expenditure of $20,000. Funds are available in the Law Department's budget.

This item was adopted.

55 Ordinance Authorizing the Issuance of Obligations to Finance Airport Improvements (Ordinance S-45837)

An ordinance authorizing the City Manager to cause the issuance of obligations of or by a municipal property corporation or by a private leasing company as short-term and/or long-term obligations and to issue long-term obligations to refund short-term obligations, including execution and delivery of all leases and other agreements necessary or appropriate for the financing of costs of expanding and improving airport facilities of the City and to refund currently outstanding obligations issued for such purposes and in each case, related financing costs; and authorizing the City Controller to expend all necessary funds therefor.

Summary
This ordinance provides authorization to issue obligations to fund various Airport improvements related to the Comprehensive Asset Management Plan (CAMP) as presented at the City Council Policy Meeting on June 11, 2019. The authorization is expected to provide the debt portion of funding for projects through 2026, which is forecasted to include the railroad trenching project, construction of a second Terminal 3 north concourse, Terminal 2 demolition, and northside land acquisition and site

prep.

Financial Impact

This ordinance provides authorization to fund certain Airport improvements by: a) issuing obligations up to $550,000,000 principal amount; and b) paying financing costs related to such obligations. None of the improvements rely on or will utilize City general funds.

Concurrence/Previous Council Action

On Oct. 23, 2018, City Council reviewed and approved recommendations for Airport land use consistent with the Airport improvement projects.

On March 21, 2019, the Phoenix Aviation Advisory Board reviewed the Airport Comprehensive Asset Management Plan (CAMP) recommendations and unanimously recommended approval to the City Council.

On June 11, 2019, City Council unanimously approved the CAMP recommendations and authorized forwarding the plan to the Federal Aviation Administration.

Location

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

This item was adopted.

56 In-Building Radio Frequency Coverage Enhancement - Requirements Contract - IFB ITS 19-101 (Ordinance S-45825)

Request to authorize the City Manager, or his designee, to enter into a contract with E.F. Charles, Inc.; Engineering Wireless Services, LLC; Patriot Technologies; and American Fire Equipment, Division of the Hiller Co., to provide services to enhance wireless radio frequency coverage for Citywide departments. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $1,000,000 (including applicable taxes), with an estimated average annual expenditure of $200,000.

Summary

This contract will provide services that allow for enhancements to radio

coverage in existing buildings as well as new constructions and leased space. Services include, but are not limited to, installation of Distributed Antenna Systems or Bi-Directional Amplifiers. These radio frequency enhancement services help to improve emergency services by first responders as well as security staff within City-owned or leased buildings. The City has adopted the National Fire Code and is now responsible for determining if a structure meets public safety communication requirements and that it follows guidelines as outlined in the City of Phoenix Fire Code and National Fire Protection Association.

Procurement Information

IFB 19-101 In-Building Radio Frequency Coverage Enhancement was conducted in accordance with Administrative Regulation 3.10. Six offers were received by the Information Technology Services Department on April 26, 2019. The offers from E.F. Charles, Inc.; Engineering Wireless Services, LLC; Patriot Technologies; and American Fire Equipment, Division of the Hiller Co. are recommended as the lowest responsive and responsible offers. Multiple awards are recommended to meet the volume and variety of service needs outlined in the contract.

Contract Term

The five-year contract term shall begin on or about June 20, 2019 and ending on or about June 19, 2024.

Financial Impact

The aggregate value of the contracts will not exceed $1,000,000 (including applicable taxes), with an estimated, average annual expenditure of $200,00.00. Funds are available in Citywide departments' budgets.

This item was adopted as revised.

57 Substance Abuse and Mental Health Services Administration Funds (Ordinance S-45801)

Request to authorize the City Manager, or his designee, to prepare and submit an application for Substance Abuse and Mental Health Services Administration (SAMHSA) grant assistance funds, and enter into an agreement to accept SAMHSA grant funds in an amount not to exceed $400,000 per year for a term of five years, with a total amount not to

exceed $2,000,000. Further request authorization to enter into a Grant Agreement with La Frontera Arizona upon successful award of the grant, and for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item if awarded.

Summary

With City Council approval, the Prosecutor's Office applied for grant funds through SAMHSA in December 2016, to fund a Veterans Court service expansion project with the goal of providing equal access to substance use disorder treatment for veterans in Veterans Court. This application was successful. The Prosecutor's Office received an award of $907,332 to be divided over the course of three years. The grant project period runs from Sept. 30, 2017 through Sept. 29, 2020. Thus far, the project has been successful at providing access to substance use disorder treatment for veterans in Veterans Court that do not otherwise have access to no-cost treatment. The Prosecutor's Office seeks to continue this valuable program by seeking additional grant funding. Without additional funding the program is not sustainable. The grant announcement for this program has not yet been released by SAMHSA but will likely be released late summer or early fall. Our request for funding is based on prior grant announcements through SAMHSA funding adult treatment drug courts and an anticipation that the funding levels and application will remain largely the same.

Substance Abuse and Mental Health Services Administration has funds available to enhance or expand substance abuse treatment capacity in adult treatment drug courts. Veterans courts fall under this umbrella. This funding requires partnership with a provider organization who is directly involved in the proposed project and who will provide direct client treatment services. This provider must have substantial experience providing substance abuse treatment and comply with all local and state license, accreditation, and certification requirements. Our ongoing project treatment partner is La Frontera Arizona. Due to the success of the program thus far, if we apply we will seek an exception to the City Procurement process due to the fact that SAMHSA requires a commitment from a treatment partner in order to apply for grant funding.

La Frontera Arizona is the recommended partner due to their experience

in working with Veterans Court, their knowledge of the processes and programs that are needed to fill the currently existing gaps in available treatment for justice involved veterans. Their veteran navigation services are unique to Veterans Court and are a natural and current connection with Veterans Court. La Frontera Arizona has the appropriate experience level, licensing, accreditation and certification requirements required by the grant. Thus far the partnership in the Veterans Court grant program has been cohesive and successful. Maintaining this partnership would also ensure continuity of services if awarded. Through this anticipated funding opportunity, the Veterans Court in partnership with La Frontera Arizona proposes to expand, enhance, and continue its current program by providing substance abuse treatment and prevention to Veterans Court clients who are ineligible or unable to access care and treatment through the Veterans Administration (VA) or other private health care services.

The City established Veterans Court in 2012. Since Veterans Court inception, an average of 500 veterans participate annually. As part of the program veterans often undergo intensive outpatient treatment to address dependency on alcohol, drugs, and/or to manage their mental illness. In most cases, the VA covers the cost of treatment, but in some cases, veterans are ineligible for services at the VA. In these cases, the veteran incurs the cost of counseling with a community agency. Often times the cost for such treatment can be crippling to the veteran's recovery and success in the program. If the veteran cannot afford treatment, they cannot be successful in the Veterans Court program. If awarded, this funding would continue to provide veterans in Veterans Court an equal opportunity for substance abuse treatment and related care, regardless of ability to pay.

Contract Term
The anticipated grant term is five years running through Sept. 30, 2025.

Financial Impact
No monetary or in-kind match requirement is anticipated.

Concurrence/Previous Council Action
The City Council authorized the Prosecutor's Office to apply for three

years of funding for the City of Phoenix Veterans Court in partnership with La Frontera Arizona on Dec. 7, 2016.

This item was adopted.

58 FY 2019-20 Legal Representation Services Contracts (Ordinance S-45843)

Request to authorize the City Manager, or his designee, to enter into contracts with legal services providers to provide legal representation services to indigent defendants in Phoenix Municipal Court for fiscal year (FY) 2019-20. Further request authorization for the City Controller to disburse funds pursuant to the contracts in the total amount not to exceed $3,588,240.

Summary

The Public Defender's Office, through its contract holders, provides legal representation service to indigent individuals charged with criminal offenses in Phoenix Municipal Court. These services are provided in Phoenix Municipal Court courtrooms, and 365 days a year at the Fourth Avenue Jail.

Procurement Information

On May 10, 2019, the City of Phoenix Public Defender Review Committee met to review resumes and applications of attorneys and legal support service providers for provision of legal defense services in Phoenix Municipal Court. The review process included applications from current contract holders as well as individuals seeking to obtain a contract for the first time. The Committee approved a list of those who meet the minimum qualification requirements and who would be eligible for consideration for a contract. The approved list contains more names than available contracts due to the necessity of having attorneys available should an unexpected opening occur during the course of the contract year. This procedure facilitates continuity in providing legal services and minimizes delay in processing and resolution of cases.

Contract Term

Contract period is one year starting July 1, 2019, and ends June 30, 2020.

Financial Impact

These contracts will have a financial impact of up to $3,588,240. Funds are available in the department's operating budget.

Responsible Department
This item is submitted by Deputy City Manager Karen Peters and the Public Defender's Office.

This item was adopted.

60 On-Call Cost Estimating Services for Neighborhood Services Department (Ordinance S-45841)

Request to authorize the City Manager, or his designee, to enter into contracts with Abacus Project Management, Inc. and Procon Consulting to provide On-Call Cost Estimating Services for the Neighborhood Services Department (NSD). Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract values, including all option years, will not exceed $195,000.

Summary
NSD manages several grant programs funded by federal, state, and local agencies, including the U.S. Department of Housing and Urban Development. These agencies have specific requirements that ensure procurement processes are conducted in a fair manner, and program funds are efficiently administered. Neighborhood Services will utilize these contracts on an as-needed basis to provide cost estimating services, which continue to be a key component of the department's ability to meet funding requirements.

Procurement Information
A total of seven consulting firms responded to the Request for Proposals (RFP) that was issued on April 29, 2019. Each response was reviewed by an evaluation panel composed of NSD staff, which used the following criteria to score proposals (1,000 total points):

Cost Estimating: 250 Points.
Total Unit Price: 250 Points.
Quality Assurance: 150 Points.
Experience of Firm: 100 Points.
Expertise of Personnel: 100 Points.
Overall Evaluation: 100 Points.
Office Location: 50 Points.

As a result of the evaluation process, staff recommends entering into

contracts with the following two consulting firms:
Abacus Project Management, Inc.: 911 Points.
Procon Consulting: 631 Points.

Contract Term
The initial three-year contract term will begin on or about July 1, 2019, and end on June, 30, 2022. Provisions of the contracts include the option to extend the terms up to two additional years (through June 30, 2024) which may be exercised at the discretion of the City Manager, or his designee.

Financial Impact
The aggregate contract values, including all option years, will not exceed $195,000. These services are funded by the U.S. Department of Housing and Urban Development (HUD); there is no impact to the General Fund.

This item was adopted.

61 Specialty Restoration of City Public Art Collection - Requirements Contract (Ordinance S-45838)

Request to authorize the City Manager, or his designee, to enter into a two-year contract with Hammercraft, Phoenix, AZ, for an amount not to exceed $60,000 to provide Specialty Restoration and Maintenance services for the City of Phoenix Public Art Collection on an as-needed basis. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
These specialty restoration and maintenance services are necessary to maintain the condition of indoor and outdoor City Public Art projects. Integrated into infrastructure Citywide, approximately 200 major works require cleaning and repair of damage caused by environmental wear and tear, accidents and vandalism. Approximately 25 City art projects require periodic specialized treatments to maintain their durability and appearance.

Hammercraft has extensive expertise in maintaining and restoring the wide range of materials used in City public art projects including, but not limited to; stainless steel, bronze, copper, aluminum, painted steel and

other metals, concrete, stone, ceramics, plastics and glass.

Financial Impact
Funds are available in the Office of Arts and Culture operating budget.

Contract Term
This is a two-year requirements contract beginning on or about July 1, 2019. Provisions of the agreement will include an option to extend the contract for up to one additional year, which will be exercised if it is in the City's best interest.

This item was adopted.

63 Authorization to Issue Request for Proposals for Parking Consultant Services (Ordinance S-45833)

Request to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for Parking Consultant Services. Additionally, request authorization for the City Treasurer to accept funds from Downtown Phoenix Inc., or its City-approved designee, in the amount of $50,000 to help offset costs associated with future contract expenses and to authorize the City Controller to disburse those funds in connection with the future contract award. There is no impact to the General Fund.

Summary
Downtown Phoenix serves as the economic, educational and entertainment center of our region, and is the largest employment corridor in the State. With more than $5 billion capital investment over the past 15 years, Downtown is currently home to 46,000 jobs and hosted more than six million visitors last year. Projections for the next several years show a 50 percent population growth and nine percent job growth in Downtown. In addition, Downtown is slated to be a key destination for major special events including the 2023 Super Bowl and the 2024 NCAA Men’s Basketball Final Four. All of the aforementioned job and population growth, capital investment and planned entertainment activities within a two-square-mile area is poised to generate a growing demand on parking resources.

Currently the City lacks a comprehensive plan to manage parking

demand in Downtown generated by education, office, commercial, residential, hotel and entertainment users. Demand is currently served by a patchwork of parking facilities comprised of nearly 30,000 publicly and privately-owned off-street parking spaces (approximately 85 percent are structured), 2,500 on-street metered spaces, an unknown number of private off-street residential parking spaces, and non-automobile mobility options, including trips made by Metro Light Rail, bus, bicycle, and pedestrians. Additionally, new traffic patterns resulting from technology changes such as Lyft and Uber necessitate reevaluating how the City manages the limited curb space through Downtown.

Due to the limited supply of available Downtown land and high costs of producing structured parking, staff recommends a comprehensive parking plan to support informed, data-driven decisions on where and when to allocate existing, or encourage the development of additional, parking resources. Staff further recommends procuring parking consultant services to create a master parking plan. The consultant will aid in further studying current conditions, forecasting future demand, and recommending tools and solutions for parking and curbside management to develop a 10-year parking master plan to ensure parking demand is both managed and accommodated while optimizing downtown land for more beneficial uses. In addition, a master parking plan will provide guidance where a surplus of parking resources already exists and strategies to encourage the sharing of existing parking resources.

With approval, staff will issue an RFP for Parking Consultant Services. The procurement will be led by the Community and Economic Development Department with support from key stakeholder departments, including: the Street Transportation Department, which has responsibility for the on-street parking meter program and curbside management policies; the Convention Center Department, which manages City-owned off-street parking facilities; and the Planning and Development Department, which has responsibility for land use requirements pertaining to parking requirements.

Multiple City departments have allocated budgeted funds for the study. Additionally, Downtown Phoenix, Inc., (DPI), a downtown stakeholder, has committed funds to share in the costs of the anticipated study. Staff is

requesting to accept DPI’s funds prior to contract award.

The parking master plan will include Downtown and the Warehouse District, between McDowell Road on the north, 7th Avenue on the west, Grant Street on the south, and 7th Street on the east (Study Area). The plan also will include strategies to address any potential impacts on adjacent neighborhoods due to implementation of the master plan's recommendations.

The scope of work will include:
Analyzing all parking resources in the Study Area, including on-street and off-street (public and private) facilities, to create an inventory of facilities and utilization.
Surveying parking users, residents and businesses concerning their behaviors, needs and receptiveness to possible parking strategies and policy changes.
Evaluating land use and zoning ordinances that impact parking in the Study Area.
Recommending strategies pertaining to accommodating parking demand, building or incentivizing facilities, technology utilization, and parking management practices.
Assisting in developing a 10-year master plan outlining recommendations the City will undertake to accommodate future parking demand in the Study Area.

It is anticipated the RFP will be open at least 45 days and will require each proposer and its primary consultant to have five years' experience providing parking consulting services. The primary consultant must also have experience performing a parking study or master plan for a geographical area of at least one-half square mile containing a mix of land uses that include at least three of the following uses: education, office, commercial, residential, hotel, and entertainment.

Responsive proposals will be evaluated by a panel based on the following evaluation criteria (1,000 possible points):
Primary Consultant’s Qualifications & Experience (0-300 points).
Approach to Scope of Work (0-250 points).
Proposer’s Qualifications & Experience (0-250 points).

Fees (0-200 points).

Staff will return to the City Council for contract award approval based on the procurement and negotiation process. Following the contract award, staff will conduct outreach to the community and stakeholders concerning the results of the study as well as recommended strategies that will form the master plan. Staff will then return to the City Council to provide an update and receive further direction to finalize the master plan.

Concurrence/Previous Council Action
This item was recommended for approval at the Planning and Economic Development Subcommittee meeting on June 4, 2019, by a vote of 4-0.

Financial Impact
There is no impact to the General Fund as a result of this action. The City expects to receive funds in the amount of $50,000 from Downtown Phoenix Inc., to assist with the costs of the study which will be deposited into the Downtown Community Reinvestment Fund.

Location
Council Districts: 4, 7 and 8

This item was adopted.

64 Foreign-Trade Zone Application for Lucid Motors (Resolution 21755)

Request to authorize the City Manager, or his designee, to submit a Minor Boundary Modification application to the Foreign-Trade Zones Board of the U.S. Department of Commerce for Lucid Motors (Lucid). Also, request authorization to enter into a Foreign-Trade Zone (FTZ) Operations Agreement (Agreement) and any other necessary documentation with Lucid or City-approved nominee, and to enter into an Intergovernmental Agreement (IGA) with the City of Casa Grande. Further request authorization for the City Treasurer to accept funds related to this item.

Summary
The City of Phoenix, as Grantee of FTZ No. 75, has the right and authority to apply for FTZ site designations. Lucid Motors manufactures

next generation electric vehicles. Lucid has requested an FTZ Subzone designation for property it leases at the southwest corner of Thornton and Peter roads in Casa Grande, Ariz., where it plans to construct a 1.5 million square-foot vehicle manufacturing facility. The proposed Subzone site includes approximately 496 acres.

The City of Casa Grande has provided to the City of Phoenix a Resolution indicating their support of Lucid's FTZ application for the site in Casa Grande. With Council authorization, the City of Phoenix will enter into an IGA with the City of Casa Grande to evidence conditions of Casa Grande's support of the subzone application and outline the cities' responsibilities to one another.

City staff will prepare an Operations Agreement with Lucid requiring the company to:

Comply with U.S. Department of Commerce Foreign-Trade Zones Board standards.

Maintain record keeping satisfactory to the U.S. Customs and Border Protection.

Obtain business bonding and insurance satisfactory to the City and the U.S. Customs and Border Protection.

Indemnify the City of Phoenix against claims arising from their FTZ operations.

Pay to the City of Phoenix all fees pursuant to the current zone fee schedule.

The Agreements will contain other terms and conditions deemed necessary or appropriate.

Contract Term

The term of the agreement, if approved, will be for 20 years unless the FTZ designation terminates sooner. Provisions of the contract may include an option to extend for as long as the FTZ designation exists which may be exercised by the City Manager or his designee.

Financial Impact

The City will incur no costs associated with Lucid's application.

Location
Southwest corner of Thornton and Peter roads, Casa Grande, Ariz.
Council District: Out of City

This item was adopted.

66 Donation from Food City/Bashas for Phoenix Fire Department Baby Shots Immunization Program (Ordinance S-45835)

Request authorization for the City Manager, or his designee, to accept a donation of $3,000 from Food City/Bashas for the Phoenix Fire Department Baby Shots Immunization Program. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this donation. If not approved, the donation would be turned down.

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

This request adheres to the Fire Department's Charitable Donations Process that was presented to the Public Safety and Veterans Subcommittee on Sept. 12, 2018.

Contract Term
There is no contract term associated with this donation.

Financial Impact
This donation does not require any matching funds.

This item was adopted.

67 Fire Department Emergency Medical Services Medical Direction (Ordinance S-45839)

Request authorization for the City Manager, or his designee, to enter into a one-year contract with Redline Emergency Voice, Inc. for the provision of Emergency Medical Services (EMS) Medical Direction and related services for the Fire Department's EMS Program. Authorization is also requested for the City Controller to disburse funds.

Summary
The Phoenix Fire Department (PFD) is required to have medical direction for the Emergency Medical Services (EMS) program including its Emergency Medical Technician (EMT) and Emergency Medical Technician-Paramedic (EMT-P) programs.

The Medical Director is responsible for: establishing the overall medical direction for patient care in accordance with state rules and regulations; establishing standards for basic and advanced training; providing continuing education programs for all EMS personnel; establishing appropriate medical protocols for all operational phases of the basic and advanced life support programs; and establishing policy on the selection and use of medications, supplies and medical equipment in coordination with the Fire Department.

The Medical Director is also responsible for the management and coordination of online direction to PFD paramedics and for providing oversight to other physicians that may be used to provide medical direction to PFD paramedics while they are working in the field.

In addition, the State of Arizona requires that any agency that provides medical transport to patients (to the hospital) must have medical direction services. Only then can an agency such as Phoenix Fire receive a "certificate of necessity" from the State and provide emergency transportation (ambulance) services.

Procurement Information
In accordance with Administrative Regulation 3.10, a Determination Memo was approved by the Deputy Finance Director recommending Redline Emergency Voice, Inc. be accepted.

Contract Term

The term of this Agreement is July 1, 2019 through June 30, 2020.

Financial Impact
The total contract cost is up to $334,000 including physician's expenses and on-line medical direction for the Paramedic program. Funds for this service are included in the Fire Department's operating budget.

This item was adopted.

68 **Authorization to Amend Current Intergovernmental Agreement and Payment Ordinance with Arizona Attorney General's Office for Internet Crimes Against Children Task Force (Ordinance S-45836)**

Request authorization for the City Manager, or his designee, to amend the current agreement and payment ordinance (S-44890) with the Arizona Attorney General's Office for the Internet Crimes Against Children (ICAC) Task Force to extend the agreement period. Authorization of the amendment will extend the agreement period one additional year. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
In 2016, the Police Department entered into an agreement to receive reimbursement from the Arizona Attorney General's Office for $1,800,000 to support ICAC Task Force investigations. The agreement supports the ICAC Task Force by providing funding for personnel, technology, equipment and supplies. The goal of this task force is to identify, investigate and prosecute individuals who exploit children. In 2017, the agreement was amended to add an additional $1,800,000 to the agreement, for a total award of $3,600,000. In 2018, the agreement was amended again to add an additional $900,000 in reimbursement to the City for a total award of $4,500,000, and extend the agreement by one year.

Contract Term
Authorization of this amendment will extend the contract period from July 1, 2019 to June 30, 2020.

Financial Impact

No matching funds are required. Cost to the City is in-kind resources only.

This item was adopted.

69 Additional Payment Authority for Owner Representative for Energy Performance Contracts at City Facilities (Ordinance S-45818)

Request Council authorization for the City Manager, or his designee, to increase the payment authority for Celtic Energy, which is providing third-party consulting and acting as Owner's Representative for Energy Performance Contracts with Job Order Contract (JOC) vendors. The requested authority is for an additional $220,000 (including applicable taxes) increasing the total contract value to $400,000. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The City entered into contracts last year with five Energy Service Companies (ESCOs) under the Job Order Contracting program to install energy efficiency measures on a large number of City facilities, totaling approximately 11.5 million square feet of space. The Owner's Representative acts as a Project Facilitator, working with all ESCOs to achieve the City's energy reduction goal of 20 percent by 2020 following all phasing with complete oversight requirements as mandated by U.S. Department of Energy: Energy Services Performance Contracts must include ESCO review, project development, project implementation and construction, post-completion performance/first year and subsequent Measurement and Verification (M&V) reviews.

Progress to Date

The Owner Representative assisted with the development of the initial job order contracts for each of the ESCO vendors and with the walk-through assessments of facilities in Aviation and the Convention Center. As the City enters into the next phase of the project requiring investment grade audits of these facilities and corresponding Job Order Agreements (JOA) for each project, additional funding is needed for the Owner Representative to review the terms of each contract and assist in developing M&V protocols. While the initial funding to set up the project

and contracts was paid out of the Public Works Department budget, Owner Representative costs for specific projects will be included in the business case for each project--where project costs, including the costs of review by the Owner Representative, will be paid by the participating department out of the energy savings. As required under the terms of the JOC, each project will result in a positive cash flow for each year and over the life of program.

Contract Term
The initial one-year City Contract 146596 term began on or about Nov. 1, 2017, and includes three one-year options to extend. The first one-year option to extend was exercised on Oct. 31, 2018.

Financial Impact
The aggregate contract value including all option years will not exceed $400,000 (including applicable taxes). Funds are available in the Public Works Department's budget based on the initial $180,000 authorization, however, the Investment Grade Audits and the corresponding implementation will be paid out of the energy savings by the department in which upgrades are made.

Concurrence/Previous Council Action
City Contract 146596 was approved by City Council on Nov. 1, 2017. On June 5, 2019, the Water, Wastewater, Infrastructure and Sustainability Subcommittee unanimously recommended City Council approval of this item.

This item was adopted.

70 Architectural and Engineering Support Services for Aviation Department Job Order Contracts (Ordinance S-45796)

Request to authorize the City Manager, or his designee, to enter into separate agreements with two consultants listed below to provide Architectural and Engineering Support Services that include project management, programming, studies, design, and construction administration and inspection services on an as-needed basis for Aviation Department Civil and Architectural Job Order Contracts (JOC). Further request to authorize execution of amendments to the agreements

as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $9 million.

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

Summary

The purpose of these contracts is to provide architectural and engineering on-call support services at Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, and Phoenix Goodyear Airport. The services will be on an as-needed basis to support the work of the Aviation Department Job Order Contractors. The selected architectural and engineering support services consultants will be required to manage all projects in all phases simultaneously, and to coordinate with Aviation Department staff and the Aviation Department Job Order Contractors.

The engineering and architectural consultants' services include, but are not limited to: facilitating design and construction meetings, preparing reports, performing on-site examinations, keeping the City informed of progress of work, developing construction document and specifications, assisting with reviews of JOC documents, preparing cost estimates, reviewing and approving shop drawings, reviewing contractors' payment requests, conducting substantial completion inspections, and other work as requested to support the JOC program.

Procurement Information

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

proposals under the Engineering Support Services category. All submitted firms are listed below.

Selected Architectural Support Services Firm:
Rank 1: LEA-Architects, LLC

Additional Proposers
Rank 2: APMI, Inc.
Rank 3: Arrington Watkins Architects, LLC
Rank 4: Corgan Associates, Inc.
Rank 5: ARCHITEKTON, Inc.

Selected Engineering Support Services Firm:
Rank 1: TRACE Consulting, LLC

Additional Proposers
Rank 2: C&S Engineers, Inc.
Rank 3: The CK Group, Inc.
Rank 4: APMI, Inc.

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

Financial Impact
The agreement value for LEA-Architects, LLC will not exceed $3,750,000, including all subconsultant and reimbursable costs. The agreement value for TRACE Consulting, LLC will not exceed $5,250,000, including all subconsultant and reimbursable costs. The total fee for services will not exceed $9 million.

Funding is available in the Aviation Department's Capital Improvement Program and Operating budgets. The Budget and Research Department will review and approve funding availability before issuance of any on-call task order of $100,000 or more. Payments may be made up to the

agreement limits for all rendered services, which may extend past the agreement termination.

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

This item was adopted.

72 Area Bounded By Cave Creek Road to 26th Street and Angela Drive to Marco Polo Road - Engineering Services - ST87210022 (Ordinance S-45795)

Request to authorize the City Manager, or his designee, to enter into an agreement with AZTEC Engineering Group, Inc. to provide Engineering Services that include assessment, design and survey services for the area bounded by: Cave Creek Road to 26th Street and East Angela Drive to Marco Polo Road project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $600,000.

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

Summary
The purpose of this project is to provide safety and mobility improvements to sidewalks, curb ramps, driveways, street lighting, landscaping, traffic signals, striping, and roadway widening along Cave Creek Road and Contention Mine Road.

AZTEC Engineering Group, Inc's services for Cave Creek Road from Angela Drive to Marco Polo Road will include, but are not limited: to design for street widening; ADA improvements for sidewalks, curb ramps, and driveways; new curb and gutter; signing and striping modifications; new bus pads; street lighting; various utility adjustments; retaining walls; roadway widening and paving; catch basins and scuppers; and other incidentals. The traffic signals at Union Hills Drive and Grovers Avenue will also be updated as part of this project. A drainage memorandum will be required for new or relocated existing drainage structures. Additionally, the design of landscape and irrigation systems will be required as part of the scope of work.

AZTEC Engineering Group, Inc's services for Contention Mine Road from Cave Creek Road to 26th Street will include, but are not limited: to design for half street improvements; ADA elements including sidewalks and curb ramps; new driveways, curb and gutter; signing and striping modifications; street lighting; geotechnical testing and pavement recommendation; drainage evaluation; various utility adjustments and relocations; miscellaneous removals; and other ancillary items.

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

Selected Firm
Rank 1: AZTEC Engineering Group, Inc.

Additional Proposers
Rank 2: Project Engineering Consultants, Ltd.
Rank 3: Entellus, Inc.
Rank 4: The CK Group, Inc.
Rank 5: TY Lin International, Inc.
Rank 6: Olsson, Inc.
Rank 7: Strand Associates, Inc.

Rank 8: Wood, Patel & Associates, Inc.
Rank 9: Ritoch Powell & Associates, Inc.
Rank 10: CA Group Arizona, Inc.

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

Financial Impact
The agreement value for AZTEC Engineering Group, Inc. will not exceed $600,000, including all subconsultant and reimbursable costs.

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

Location
Cave Creek Road between Angela Drive and Marco Polo Road.
Contention Mine Road between Cave Creek Road and 26th Street.
Council Districts: 2, 3

This item was adopted.

73 Indian School Road Retro-Reflective Backplates - Design-Bid-Build Services - ST89340549 (Ordinance S-45798)

Request to authorize the City Manager, or his designee, to accept Utility Construction Company, Inc. as the lowest-priced, responsive and responsible bidder and to enter into an agreement with Utility Construction Company, Inc. for Design-Bid-Build Services for the Indian School Road Retro-Reflective Backplates project. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed $255,116.

Summary

The purpose of this project is to increase the visibility of traffic signal heads and improve driver awareness and compliance to traffic phasing along Indian School Road from 79th Drive to 47th Avenue.

Utility Construction Company, Inc.'s services include, but are not limited to: furnishing and installing 164 retro-reflective traffic signal heads, mounting assemblies, traffic controls, and other ancillary work.

Procurement Information
The selection was made using an Invitation for Bids procurement process set forth in section 34-201 of the Arizona Revised Statutes. One bid was received on April 23, 2019 and sent to the Equal Opportunity Department for review to determine subcontractor eligibility and contractor responsiveness in demonstrating responsiveness to Disadvantaged Business Enterprise program requirements.

The Engineer's Estimate and the lowest responsive, responsible bidder is listed below:

Engineer's Estimate: $234,840
Utility Construction Company, Inc.: $255,116

The bid award amount is within the total budget for this project.

Contract Term
The term of the agreement is 150 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for Utility Construction Company, Inc. will not exceed $255,116, including all subcontractor and reimbursable costs.

Funding is available in the Street Transportation Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of

any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Location
Indian School Road from 79th Drive to 47th Avenue
Council Districts: 4, 5 and 7

This item was adopted.

74 2018 Congestion Mitigation and Air Quality Alley Dustproofing - Design-Bid-Build Services - ST87400270 (Ordinance S-45810)

Request to authorize the City Manager, or his designee, to accept VSS International, Inc. as the lowest-priced, responsive and responsible bidder and to enter into an agreement with VSS International, Inc. for Design-Bid-Build Services for the 2018 Congestion Mitigation and Air Quality (CMAQ) Alley Dustproofing project. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed $2,547,000.

Summary
The purpose of this project is to dustproof approximately 29.7 miles of alleys within Phoenix using a Fractured Aggregate Surface Treatment.

VSS International, Inc.'s services include, but are not limited to: approximately 210,420 square yards of clearing, grubbing, and subgrade preparation, including removal, hauling, and disposal of deleterious materials and degraded asphalt millings; 192,885 square yards of single application of liquid asphalt and precoated fractured aggregate; weed control; traffic control; and other miscellaneous items in various alleys within the City of Phoenix.

Procurement Information
The selection was made using an Invitation for Bids procurement process set forth in section 34-201 of the Arizona Revised Statutes. Four bids were received on March 5, 2019 and were sent to the Equal Opportunity Department (EOD) for review to determine subcontractor eligibility and contractor responsiveness in demonstrating responsiveness to Disadvantaged Business Enterprise (DBE) program requirements.

The Engineer's Estimate and the two lowest responsive, responsible bidders are listed below:

Engineer's Estimate: $2,566,971.42
VSS International, Inc.: $2,547,000
Cactus Asphalt, Inc.: $2,660,000

Bidders who were deemed non-responsive are listed below, in alphabetical order:
Cholla Pavement Maintenance, Inc.
Lincoln Constructors, Inc.

The bid award amount is within the total budget for this project.

Contract Term
The term of the agreement is 180 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for VSS International, Inc. will not exceed $2,547,000, including all subcontractor and reimbursable costs.

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

Public Outreach
Construction flyers are to be handed out prior to construction.

This item was adopted.

75 Deer Valley Water Treatment Plant Rehabilitation 2019 -

Engineering Services - WS85260030 (Ordinance S-45799)

Request to authorize the City Manager, or his designee, to enter into an agreement with Wilson Engineers, LLC, to provide Engineering Services that include design and possible construction administration and inspection services for the Deer Valley Water Treatment Plant Rehabilitation 2019 project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $5.6 million.

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

Summary

The purpose of this project is to rehabilitate components of the Deer Valley Water Treatment Plant. The City anticipates the following areas to be in need of rehabilitation: raw water pump station, solids handling facility, solids area drain pump station, facility-wide valve and gate actuators, 84-inch raw water pipe to east basins, and miscellaneous electrical equipment.

Wilson Engineers, LLC's services include, but are not limited to: developing a comprehensive set of construction plans and specifications; attending regular project team meetings; obtaining all required permits; providing agency coordination services; assisting with bid evaluations; and providing construction administration and inspection services.

Procurement Information

The selection was made using a qualifications-based selection process

set forth in section 34-603 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-603(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Three firms submitted proposals and are listed below.

Selected Firm
Rank 1: Wilson Engineers, LLC

Additional Proposers
Rank 2: Carollo Engineers, Inc.
Rank 3: GHD, Inc.

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

Financial Impact
The agreement value for Wilson Engineers, LLC will not exceed $5.6 million, including all subconsultant and reimbursable costs.

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

Location
3030 W. Dunlap Ave.
Council District: 1

This item was adopted.

77 Water Line Replacement - Job Order Contracting Services - 4108JOC175 (Ordinance S-45802)

Request to authorize the City Manager, or his designee, to enter into separate master agreements with three contractors to provide Water Line Replacement Job Order Contracting Services for the Water Services Department. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $12 million for each master agreement.

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

Summary

The JOC contractors' services will be used on an as-needed basis for replacement of mainly plastic service lines citywide. This work allows the Water Services Department to proactively replace service lines that are susceptible to failure, prior to them leaking or impacting our customers. Such work includes, but is not limited to: water meter service connections and relocations, installation of pipe and fittings, restoring existing landscaping and irrigation, removal and replacement of concrete and asphalt, and other services as required to support successful completion of the work. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

Procurement Information

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

Selected Firms
Rank 1: Talis Construction Corporation
Rank 2: Professional Piping Systems LLC dba WaCo Contracting
Rank 3: J Wise Corp.

Contract Term
The term of each master agreement is for up to five years, or up to $12 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact
The master agreement values for each of the JOC contractors will not exceed $12 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed $36 million.

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

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

This item was adopted.

78 Deer Valley Water Treatment Plant Rehabilitation 2019 - Construction Manager at Risk Preconstruction Services - WS85260030 (Ordinance S-45803)

Request to authorize the City Manager, or his designee, to enter into an agreement with Kiewit Infrastructure West Co. (Kiewit), to provide Construction Manager at Risk (CMAR) Preconstruction Services for the Deer Valley Water Treatment Plant Rehabilitation 2019 project. Further

request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $300,000.

Summary

The purpose of this project is to rehabilitate portions of the Deer Valley Water Treatment Plant. The City anticipates the following areas to be in need of rehabilitation: raw water pump station, solids handling facility, solids area drain pump Station, facility-wide valve and gate actuators, 84-inch raw water pipe to east basins, and miscellaneous electrical equipment.

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

Kiewit's services include, but are not limited to: detailed cost estimating; project planning and scheduling; providing alternate systems evaluation and constructability studies; advising the City on ways to gain efficiencies in project delivery; providing long-lead procurement studies and initiating procurement of long-lead items; and assisting with permitting process. A Small Business Enterprise goal will be established for this project upon substantial completion of Preconstruction Services and prior to the start of construction.

Procurement Information

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

Selected Firm

Rank 1: Kiewit Infrastructure West Co.

Additional Proposers

Rank 2: McCarthy Building Companies, Inc.

Rank 3: PCL Construction, Inc.
Rank 4: Felix Construction Company
Rank 5: MGC Contractors, Inc.

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

Financial Impact
The agreement value for Kiewit will not exceed $300,000, including all subcontractor and reimbursable costs.

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

Location
3030 W. Dunlap Ave.
Council District: 1

This item was adopted.

79 Water Line Replacement Construction Administration and Inspection - Engineering Services - WS85504000 (Ordinance S-45817)

Request to authorize the City Manager, or his designee, to enter into an agreement with Entellus, Inc., to provide Engineering Services that include construction administration and inspection (CA&I) services in support of the Water Services Department's Water Line Repair and Replacement Job Order Contract (JOC) program. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee

for services will not exceed $6 million.

Additionally, request to authorize the City Manager, or his designee, to take all action deemed necessary to execute all utilities-related design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the 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 purpose of this project is to perform CA&I services on an as-needed basis to support the work of the Water Service Department's Water Line Repair and Replacement JOC program by ensuring the JOC contractors' repairs are completed to the relevant standards and to document the nature of the repair. The CA&I consultant and JOC contractors will work together to address issues.

Entellus, Inc.'s services include, but are not limited to: general project administration, construction and service inspections, contract administration, progress monitoring, review and certification of progress payments, clarification and correction of technical project issues, preparation of drawings as needed, and public information services in coordination with other departments and governmental agencies.

Procurement Information

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

Selected Firms

Rank 1: Entellus, Inc.

Additional Proposers

Rank 2: Dibble & Associates Consulting Engineers, Inc.
Rank 3: GHD, Inc.

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

Financial Impact
The agreement value for Entellus, Inc. will not exceed $6 million, including all subconsultant and reimbursable costs. Funding is available in the Water Services Department's Capital Improvement Program budget. The Budget and Research Department will review and approve funding availability prior to issuance of any job order agreement. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

This item was adopted.

80 Lift Stations 49, 53, 57, and 58 Redundant Force Main - Engineering Services - WS90501002 (Ordinance S-45823)

Request to authorize the City Manager, or his designee, to enter into an agreement with Project Engineering Consultants, Ltd. to provide Engineering Services that include design and construction administration and inspection (CA&I) services for the Lift Stations 49, 53, 57, and 58 Redundant Force Main project. Further request to authorize the execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $820,000.

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

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

Summary

The purpose of the project is to add a redundant force main to each lift station so that existing force mains can be taken out of service and rehabilitated as necessary.

Project Engineering Consultants, Ltd.'s design services will include, but are not limited to: review of as-builts of existing force mains and lift stations and any other documents pertinent to planning and accomplishing the assessment; coordination with Water Services Department staff to obtain Wastewater Master Plan and flow monitoring data for hydraulic analysis preparation; data collection and assessment as required to obtain necessary design parameters that may include geotechnical and soil corrosivity investigation, force main analysis, and bridge structural investigation; design services for force main and possible lift station upgrades including civil, mechanical, structural, electrical, instrumentation and control disciplines; deliverables including preliminary and final basis of design reports, 30 percent, 60 percent, 90 percent, regulatory review and for construction 100 percent design plans, technical specifications and details; opinions of probable construction costs with 30 percent, 60 percent and 100 percent submittal; coordination to obtain necessary permits and access, which may include Maricopa County Flood Control District, US Army Corps of Engineers, Salt River Project; coordination with City's Water Asset Management team; assist the City during the procurement phase with providing responses to questions from construction contractors, including assisting with review of cost estimates, and preparing recommendations for the City.

Project Engineering Consultants, Ltd.'s CA&I services include, but are not limited to: assist the City in obtaining permits and approvals for the work; provide oversight of project construction activities to ensure protection against defects and deficiencies in the work of contractors, their subcontractors and subconsultants; inspect the site through various stages of construction to inspect the quality of the executed work and to verify the work is in accordance with construction documents and

specifications and confirm contractor's work progress and qualities of work completed; review contractor cost proposals, submittals, shop drawings, request for information, payment applications, and change orders as directed by the City.

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

Selected Firm
Rank 1: Project Engineering Consultants, Ltd.

Additional Proposers
Rank 2: Stanley Consultants, Inc.
Rank 3: Dibble & Associates Consulting Engineers, Inc.
Rank 4: Entellus, Inc.
Rank 5: Primatech, L.L.C.
Rank 6: Garver LLC
Rank 7: Greeley and Hansen LLC

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

Financial Impact
The agreement value for Project Engineering Consultants, Ltd. will not exceed $820,000, including all subconsultant and reimbursable costs.

Funding is available in the Water Services Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to the

execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Location
Lift Station 49: 1239 E. Orangewood Ave.
Lift Station 53: 629 E. Las Palmaritas Drive
Lift Station 57: 7140 N. 16th St.
Lift Station 58: 6502 N. 20th St.
Council Districts: 5, 6

This item was adopted.

81 Development Agreement Between City of Phoenix and 43rd - Buckeye LP, for Installation of Water Main in Magnolia Street Frontage (Ordinance S-45807)

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

Summary
The Developer owns approximately 4.86 acres of property on the west side of 43rd Avenue between Lower Buckeye Road and Magnolia Street. To facilitate this development, an 8-inch water main extension is required within Magnolia Street of approximately 100 feet of 8-inch water main, which will connect to a water main in 43rd Avenue. Due to the difficult installation of the water main extension across an existing high-pressure gas line and the associated permitting of the construction, the Developer will promptly pay $57,940 to the City to satisfy the Developer's obligations for water main installation and street pavement repair. The City will complete the construction of the water main extension.

The Development Agreement will commence when both parties have signed the Development Agreement and will require the Developer to

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

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

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

This item was adopted.

82 Authorization to Enter into Agreement with IPS Group, Inc. for Parking Meter Giving Program (Ordinance S-45824)

Request to authorize the City Manager, or his designee, to enter into an agreement with IPS Group, Inc. to receive no-fee smart meters and set up transactions for the Parking Meter Giving Pilot Program. This action has no financial impact to the City of Phoenix.

Summary
The City's current smart meter vendor IPS Group, Inc. has offered up to 20 of its smart meter units at no cost to the City as part of the company's charitable outreach. This agreement would allow IPS Group, Inc. to provide these no-fee smart meters for the City's Parking Meter Giving Pilot Program and set up a unique account for the deposit of donations received by these meters. These smart meters would allow for credit card donations to benefit the City's PHX C.A.R.E.S. program. The agreement will state that these no-fee smart meters will be maintained by the City and returned to the IPS Group, Inc. at the conclusion of the Parking Meter Giving Pilot Program.

Financial Impact

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

Concurrence/Previous Council Action
The Parking Meter Giving Pilot Program (Ordinance S-45466) was adopted by Council at the March 20, 2019, Formal meeting.

Location
Northeast corner of 3rd Avenue and Washington Street.
Northwest corner of 1st Avenue and Jefferson Street.
Northwest corner of Central Avenue and Adams Street.
Northeast corner of 3rd Street and Van Buren Street.
Council Districts: 7 and 8

This item was adopted.

83 Enter into an Intergovernmental Agreement for Transportation Funding Related to Design Assistance Grant and Update for Bicycle Master Plan Grant through Maricopa Association of Governments (Ordinance S-45828)

Request to authorize the City Manager, or his designee, to apply for, accept, and if awarded, enter into agreements for transportation funding through a Maricopa Association of Governments (MAG) Call for Projects for Design Assistance and an update for the Bicycle Master Plan. The funding supports exploring the feasibility of a prospective bicycle and pedestrian project as well as updating the City's current Bicycle Master Plan. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds for purposes of this ordinance. The Street Transportation Department is requesting to apply for up to $500,000 in combined grant opportunities.

Summary
MAG has issued two Calls for Projects:

The first, is a Design Assistance Grant which provides cities an opportunity to perform a project assessment or feasibility study on a prospective project that aims to improve quality of life, complete a regional shared use path and/or canal network, improve bicycle and pedestrian access to transit or provide safety improvements in general for bicycle and pedestrian facilities. This year MAG has $500,000 to allocate through this program. Projects will be scored and evaluated

based on their individual merits.

The second, is a Bicycle Master Plan Grant which provides an opportunity to create or update an existing Bicycle Master Plan for the first time. The Phoenix City Council approved the City's first Bicycle Master Plan in 2014. Over the last few years, the primary focus of street design has shifted to include the safety and comfort for all users of the right-of-way which includes bicycles. With an increase in community requests for additional, connected and enhanced bicycle facilities, this grant would allow for an update to the original Bicycle Master Plan that coordinates with the City's other transportation plans, including the Key Corridors Master Plan. This year MAG has $600,000 to allocate through this program. Projects will be scored and evaluated based on their individual merits.

Financial Impact

The Street Transportation Department is requesting to apply for up to $500,000 in combined grant opportunities for both the Design Assistance Grant and the Bicycle Master Plan Update Grant and expect the local fund match requirement for both of these two grant opportunities not to exceed $100,000 in local funds. The local match requirement is available through the Street Transportation Capital Improvement Program.

This item was adopted.

84 Authorization to Apply for and Accept Federal Funding for U.S. Department of Transportation 'Better Utilizing Investments to Leverage Development' Grant Opportunity 2019 (Ordinance S-45830)

Request to authorize the City Manager, or his designee, to apply for, accept, and if awarded, enter into agreements for disbursement of federal transportation funding for the U.S. Department of Transportation's 'Better Utilizing Investments to Leverage Development' (BUILD) grant opportunity for an amount not to exceed $25 million. The City's local match would be a minimum of 20 percent, which would be $5 million of the total project construction cost if the maximum award is requested. However, to be competitive at a national level for the BUILD grant, it is not uncommon for local matches to be up to 30 percent, or up to $7.5 million,

if the maximum award is requested. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, the funds, if awarded.

Summary

The U.S. Department of Transportation issued a Notice of Funding Opportunity (NOFO) on April 16, 2019, for $900 million in surface transportation grants provided by the fiscal year (FY) 2019 Appropriations Act for National Infrastructure Investments. The BUILD grant, (formerly known as the Transportation Investment Generating Economic Recovery program) offers an opportunity to leverage City funds for transportation projects. Funds for the FY 2019 BUILD grant are to be awarded on a competitive basis for surface transportation infrastructure projects that will have a significant local or regional impact. Street Transportation staff is collaborating on a grant submittal that will outline improvements along a given regional corridor with an emphasis on creating a smart street using innovative technologies that will not only improve signal timing and level of service for automobiles but will also focus on improving pedestrian safety and creating safe crossings for all modal users including cars, bicyclists, pedestrians and transit users. Staff is utilizing the BUILD grant evaluation and rating criteria as part of the project identification and selection process to ensure the City's competitiveness in its application. Staff has selected the 35th Avenue and Indian School Road area for the BUILD grant submittal, primarily based on pedestrian collision data. BUILD grant submittals are due on July 15, 2019.

Financial Impact

If selected, the BUILD grant will fund up to 80 percent of the total construction cost. The Street Transportation Department intends to submit a grant application for up to $25 million that includes design, environmental and construction costs related to this project. Staff recommends the City provide a competitive 30 percent total project cost match, up to $7.5 million, which is currently available in the Street Transportation Department's Capital Improvement Program budget.

Previous Council Action

This item was recommended for approval at the Aviation and Transportation Subcommittee meeting on May 28, 2019, by a vote of 3-0.

This item was adopted.

85 Portland Cement Concrete Repair Program - 2-Step Job Order Contracting Services - 4108JOC180 (Ordinance S-45831)

Request to authorize the City Manager, or his designee, to enter into separate master agreements with four contractors, to provide Portland Cement Concrete Repair Program Job Order Contracting (JOC) services for the Street Transportation Department. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $16,250,000 for each master agreement.

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

Summary

The JOC contractors' services will be used on an as-needed basis to provide Portland Cement Concrete Repair Program services for the removal and replacement of existing deteriorated or damaged concrete curb, gutter, valley gutters with and/or without aprons, driveway and alley entrances, sidewalk and damaged and/or non Americans with Disabilities Act (ADA) compliant sidewalk ramps, and the installation of new valley gutters with and without aprons, alley entrances, in accordance with Maricopa Associations of Governments (MAG) and/or Phoenix Supplement to MAG and/or field designed to retrofit existing conditions within the dedicated public right-of-way on Major Arterial, Collector, Local and Industrial streets within Phoenix city limits. Additionally, the contractors will be responsible for fulfilling Small Business Enterprise program requirements.

Procurement Information

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

Selected Firms:
Rank 1: ViaSun Corporation
Rank 2: Talis Construction Corporation
Rank 3: Sunland Asphalt & Construction, Inc.
Rank 4: Michael J. Valente Contracting, Inc.

Additional Proposers:
Rank 5: DBA Construction, Inc.
Rank 6: Nesbitt Contracting Co., Inc.
Rank 7: L. Keeley Construction Co.
Rank 8: Lincoln Constructors, Inc.

Contract Term
The term of each master agreement is for up to five years, or up to $16,250,000, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact
The master agreement values for each of the JOC contractors will not exceed $16,250,000, including all subcontractor and reimbursable costs. The total fee for all services will not exceed $65 million.

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

Funding is available in the Street Transportation Department’s Capital

Improvement Program. The Budget and Research Department will review and approve funding availability prior to issuance of any job order agreement. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Public Outreach
The public will be notified on each project, if notification is required.

This item was adopted.

87 Quick Search Background Screening Services - Contract Extension (Ordinance S-45788)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 136301, with Quick Acquisition, LLC dba Quick Search, to extend background screening services for the Water Services Department. The extension is for six months, from July 1, 2019 through Dec. 31, 2019, for an amount not to exceed $40,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The contract provides background screening services for contractors that need access to Water Services Department facilities or infrastructure. The six-month extension will allow sufficient time to complete the competitive process and award a multi-year replacement contract for this service.

Contract Term
The term of the contract amendment will be for six months and the contract will be extended from July 1, 2019 through Dec. 31, 2019.

Financial Impact
The initial contract for background screening services was executed for a two-year term with three one-year options, for a total fee not to exceed $225,000. An amendment to this contract extended the term by one year and increased the total contract by $218,000 to include the Human Services and Public Works departments. This amendment will extend the contract term by six months and increase the total contract by $40,000,

for a new total fee not to exceed $483,000. The funding for this amendment is available in the Water Services Department's Operating budget.

Concurrence/Previous Council Action

The City Council approved:

Background Screening Services Contract 136301 (Ordinance S-39991) on June 5, 2013; and

Background Screening Services Contract 136301 Amendment (Ordinance S-44552) on May 16, 2018.

This item was adopted.

88 **Intergovernmental Agreement for Giardia/Cryptosporidium Proficiency Samples Between City of Phoenix and University of Wisconsin-Madison, Wisconsin State Laboratory of Hygiene (Ordinance S-45789)**

Request to authorize the City Manager, or his designee, to execute an Intergovernmental Agreement (IGA) between the City of Phoenix and the University of Wisconsin-Madison, Wisconsin State Laboratory of Hygiene (WSLH) for purchase of Proficiency Samples used for testing of waterborne Giardia/Cryptosporidium. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services included in this request will not exceed $15,000.

Summary

The purpose of this IGA is to obtain proficiency samples for testing of waterborne Cryptosporidium to ensure that it maintains all requirements for maintaining licensure for its Water Services Laboratory, and WSLH is willing to provide such samples. The Cryptosporidium Proficiency Testing Program (PT) has been designed to provide water testing laboratories and accreditation agencies with a means of assessing a laboratory's performance of United States Environmental Protection Agency method 1622, 1623, or 1623.1 relative to other laboratories performing Cryptosporidium detection methods. The City of Phoenix Compliance Laboratory is required to analyze Cryptosporidium Proficiency Samples twice annually for compliance and licensure and on an as needed basis for internal quality control and corrective action

requests.

Contract Term
The term of the agreement is for a period of five years to begin on July 1, 2019 and commence June 30, 2024.

Financial Impact
Funding for this agreement is available in the Water Service Department's Operating budget. Payments may be made up to agreement limits for all rendered agreement services, which may not extend past the agreement termination.

Location
23rd Ave Wastewater Treatment Plant
Council District: 7

This item was adopted.

89 Chlorinator Equipment, Parts, and Services (Ordinance S-45790)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 139884, with MiscoWater, to provide Chlorinator Equipment, Parts and Services for the Water Services Department, for an amount not to exceed $420,000. Further request to authorize the City Controller to disburse all funds related to this item.

Summary
The Water Services Department (WSD) requires additional funding to maintain the chlorination system which is used to disinfect water and wastewater. The parts and services are needed to meet requirements for the National Pollutant Discharge Elimination System Permits. The systems are over 25 years old and without the additional funding, WSD would not be able to perform preventive maintenance, upgrades and repairs of the existing systems, which would limit the ability to produce potable water and treat wastewater.

This amendment is necessary because there were unforeseen emergency purchases for repairs and system upgrades to ensure continued maintenance and operation of treatment and production

facilities. This amendment will provide additional funds to the agreement.

Contract Term
This amendment will not affect the contract term. The contract term is effective until Dec. 31, 2019.

Financial Impact
The initial contract for Chlorinator Equipment, Parts, and Services was executed for a total fee not-to-exceed $1,375,000. Amendments to this contract increased the total contract by $725,000. This amendment will increase the total contract by $420,000, for a new total fee not-to-exceed $2,520,000. Funding for this amendment is available in the Water Services Department's Operating budget.

Concurrence/Previous Council Action
The City Council approved:
Chlorinator Equipment, Parts, and Services Contract 139884 (Ordinance S-41349) on Dec. 17, 2014;
Chlorinator Equipment, Parts, and Services Contract 139884 Amendment (Ordinance S-43790) on July 6, 2017; and
Chlorinator Equipment, Parts, and Services Contract 139884 Amendment (Ordinance S-44217) on Jan. 24, 2018.

This item was adopted.

90 Parts and Equipment for Chemical Analyzers (Ordinance S-45792)

Request to authorize the City Manager, or his designee, to enter into a contract with PC Links, LLC to provide Rosemount parts and equipment; and to enter into a contract with Precision Integrated Systems, LLC to provide De Nora parts and equipment for the Water Services Department (WSD) for a five-year period. The value of the two contracts will not exceed $638,308. Further request to authorize the City Controller to disburse all funds related to this item.

Summary
WSD utilizes Chemical Analyzers manufactured by Rosemount and De Nora to continuously monitor chemical levels when treating water and wastewater to ensure that the levels stay within the parameters specified

by the Environmental Protection Agency (EPA) and the Arizona Department of Environmental Quality (ADEQ).

Procurement Information
In accordance with Phoenix City Code section 43-12 (A) and (B), and the City's Administrative Regulation 3.10, an Invitation for Bid (IFB) was posted on the City's solicitation website on March 5, 2019. It was determined that it would be in the City's best interest to award by group. Two bids were received, and the award recommendation is as follows:

Group I - PC Links, LLC: $471,095.90 (total extended cost of the line items)
Group II - Precision Integrated Systems, LLC: $167,212 (total extended cost of the line items)

The Procurement Officer recommends acceptance of the bids from PC Links, LLC and Precision Integrated Systems, LLC, as responsive and responsible bidders that will be advantageous to the City.

Contract Term
The contract terms are for five years effective July 1, 2019 through June 30, 2024.

Financial Impact
The contract value for PC Links, LLC will not exceed $471,096 and the contract value for Precision Integrated Systems, LLC will not exceed $167,212, for a total amount not to exceed $638,308. Funding for these contracts are available in the Water Services Department's Operating budget.

This item was adopted.

91 Purchase Stormwater Pollution Awareness Markers (Ordinance S-45793)

Request to authorize the City Manager, or his designee, to enter into a contract with Eastern Products Foundry, Inc., for the manufacture and supply of Stormwater Pollution Awareness Markers (PAMs) for the Water Services Department Environmental Services division for a five-year

period. The aggregate value will not exceed $50,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The Water Services Department (WSD) is responsible for maintaining compliance with the Municipal Separate Storm Sewer System (MS4) permit issued by the Arizona Department of Environmental Quality (ADEQ). One of the requirements of this permit is to maintain a pollution prevention campaign, which involves installation of Stormwater PAMs by WSD employees at every stormwater catch basin within City limits. Therefore, it is essential that WSD has access to a supply of Stormwater PAMs on an as-needed basis.

Procurement Information
Solicitation RFQ-1819-WES-128 was conducted in accordance with Administrative Regulation 3.10. One quote was received from Eastern Products Foundry, Inc. The quote was evaluated and found to be within budget, and meets the service requirements stipulated in the scope of work.

The procurement officer recommends acceptance of the quote from Easter Products Foundry, Inc.

Contract Term
The contract term is for five years effective July 1, 2019 through June 30, 2024. There are no options to extend the contract.

Financial Impact
The aggregate value of the contract is not to exceed $50,000. Funding for this contract is available in the Water Services Department's operating budget.

This item was adopted.

92 Inspection and Repair of Hoists and Cranes (Ordinance S-45797)

Request to authorize the City Manager, or his designee, to enter into a contract with American Inspection and Test, Inc. for inspection and repair

services for hoists and cranes for the Water Services, Aviation, and Public Works departments for a five-year period. Further request to authorize the City Controller to disburse all funds related to this item. The funds will not exceed $325,000.

Summary

The City of Phoenix requires preventative maintenance and repairs to overhead hoists and cranes on an as-needed basis. The City uses hoists and cranes for various work applications that are vital to daily operations. The City has a need to use inspection and repair services for hoists and cranes to avoid equipment failures that can cause interruptions in daily operations.

Procurement Information

In accordance with Phoenix City Code section 43-12 (A) and (B), and the City's Administrative Regulation 3.10, an Invitation for Bid (IFB) was posted on the City's solicitation website on March 15, 2019. It was determined that it would be in the City's best interest to award by group. On April 5, 2019 at 2 p.m., the following three bidders each submitted bids for Group I - Hoist and Crane Repairs and Group II - Hoist and Crane Inspections:

Group I - Hoist and Crane Repairs:
American Inspection and Test, Inc.: $170 (total cost of the line items)
Stafford Crane and Hoist: $220 (total cost of the line items)
Quality Crane Services, Inc.: $270 (total cost of the line items)

Group II - Hoist and Crane Inspections:
American Inspection and Test, Inc.: $291 (total cost of the line items)
Quality Crane Services, Inc.: $820 (total cost of the line items)
Stafford Crane and Hoist: $1,045 (total cost of the line items)

The Procurement Officer recommends acceptance of the bids from American Inspection and Test, Inc. for Groups I and II, as the most responsive and responsible bidder, that is most advantageous to the City.

Contract Term

The contract term is for five years effective July 1, 2019 through June 30, 2024.

Financial Impact
The contract value will not exceed $325,000. Funding for this contract is available in the Water Services, Aviation and Public Works departments' Operating budgets.

This item was adopted.

93 Asset Management Forecasting Software and Support Services with PowerPlan, Inc. (Ordinance S-45806)

Request to authorize the City Manager, or his designee, to enter into a contract with PowerPlan, Inc. to provide Asset Management Forecasting Software and Support services. Further request to authorize the City Controller to disburse all funds related to this item. The contract value will not exceed $1,444,526.61 (including taxes).

Summary
The asset management software allows for the Water Services Department (WSD) to use mathematical models to forecast an asset's end-of-life, rehabilitation cycle, replacement cost, and/or rehabilitation costs. This tool will integrate with WSD's existing enterprise work and asset management database to update modeling results automatically as work orders and engineering projects are completed. This information will enhance project priority planning. The contract includes professional services to assist staff with modeling development, software configuration, testing, and training. In addition, the contract provides technical support for trouble-shooting and software patching.

The Water Services Department requests a waiver from Phoenix City Code section 42-18. PowerPlan seeks to limit the City’s ability to recover damages in the event PowerPlan breaches the contract. If the City Council approves this waiver, PowerPlan’s liability for breaching the contract will be capped at four times the software license fees and two times the professional services fees paid by the City.

This item has been reviewed and approved by the Information

Technology Services Department.

Procurement Information
Solicitation No. RFP-1819-WTS-148 was conducted in accordance with Administrative Regulation (AR) 3.10. Offers were received from Innovyze, Inc. and PowerPlan, Inc. Both offers were determined responsive. The offers were scored by a three-member evaluation panel based on the qualifications and experience of the firms as well as the cost proposals. The Offerors and their final scores are listed below:

Offeror	Score	Price
PowerPlan, Inc.	674	$1,330,135
Innovyze, Inc.	560	$ 990,100

The Power Plan software was judged by the selection panel to be the clear leader over the Innovyze software in four of the six evaluation criteria (Software Function, Project Experience, Staff Resumes, and Software Demonstration).

In accordance with AR 3.10, the selection was made on the basis of Best Value. The Water Services Department Director recommends acceptance of the offer from PowerPlan, Inc., as the highest scored, responsive and responsible Offeror, being the most advantageous to the City.

Contract Term
The contract term shall begin on or about June 1, 2019, for a four-year term, with an end date of May 31, 2023.

Financial Impact
The aggregate contract value is $1,444,526.61. Funds are available in the Water Services Department's Operating budget.

This item was adopted.

94 Debris Caps Contract (Ordinance S-45809)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 139885 with SW Services LLC to add additional

funding for the purchase of debris caps. Further request authorization for the City Controller to disburse all funds related to this item. The additional funds will not exceed $650,000.

Summary
The Water Services Department uses debris caps to prevent dirt, mud and rubbish from passing into valve housings and pipes. The reason for this amendment is to accommodate the accelerated replacement of debris caps required during resurfacing efforts that are part of the City's Accelerated Pavement Maintenance Program.

Financial Impact
The initial contract for debris caps was executed for a fee not-to-exceed $1,650,000. This amendment will increase the contract value by $650,000, for a new total contract value not-to-exceed $2.3 million. Funding is available in the Water Services Department's Operating and CIP budgets.

Concurrence/Previous Council Action
The City Council approved Contract 139885 (Ordinance S-41351) on Dec. 17, 2014.

This item was adopted.

95 Purchase a Rotary Screw Air Compressor (Ordinance S-45811)

Request to authorize the City Manager, or his designee, to purchase a Sullair Model 1809E Rotary Screw Air Compressor for the Water Services Department. Further request authorization for the City Controller to disburse all funds related to this item. The funds will not exceed $13,748.25 and are available in the Water Services Department's Capital Improvement Program budget.

Summary
The existing compressor at the Val Vista Water Treatment Plant has suffered mechanical failure and is not cost effective to repair. Sullair manufactures its own air compressors that are specifically designed to accommodate the high pressure and volumetric compressed air requirements, common to the equipment demands of water treatment

facilities. A failure to procure a new Sullair Model 1809E Rotary Screw Air Compressor would result in the plant's inability to properly unload bulk chemical tanker trailer deliveries and operate pneumatic equipment, thus causing diminishment of plant production capacity.

Procurement Information
A Request for Quotes (RFQ) was conducted in accordance with Phoenix City Code 43-11.D and 43-40. The RFQ was sent to three vendors and three responses were received.

#1 Pioneer Equipment Inc: $13,748.25
#2 Copperstate: No Bid
#3 Fastenal: No Bid

The procurement officer recommends acceptance of the offer from Pioneer Equipment Inc. be accepted as the best value and most advantageous to the City.

Contract Term
This is a one-time purchase.

Financial Impact
Funds will not exceed $13,748.25, including tax and freight. Funding is available in the Water Services Department's Capital Improvement Program budget.

This item was adopted.

96 Fence Line Odor Monitoring Services (Ordinance S-45813)

Request to authorize the City Manager, or his designee, to enter into a contract with LambTech, Inc. to provide Fence Line Odor Monitoring at the 23rd Avenue Wastewater Treatment Plant for the Water Services Department (WSD). LambTech, Inc. will provide these services for a five-year term for an amount not to exceed $26,400. Further request to authorize the City Controller to disburse all funds related to this item.

Summary
This service entails monitoring and evaluation for odor control at the 23rd

Avenue Wastewater Treatment Plant in support of regulatory compliance.

Procurement Information
Solicitation No. RFP-1819-WWT-174 was conducted in accordance with Administrative Regulation (AR) 3.10. Offers were received from LambTech, Inc. and Montrose Air Quality Services, LLC. Both offers were determined responsive. The offers were scored by a three-member evaluation panel based on the qualifications and experience of the firms as well as the cost proposals. The offerors and their final scores are listed below:

Offeror	Score
LambTech, Inc.	760
Montrose Air Quality Services, LLC	525

In accordance with AR 3.10, the selection was made on the basis of best value. The WSD Director recommends acceptance of the offer from LambTech, Inc., as the highest scored, responsive and responsible offeror, being the most advantageous to the City.

Contract Term
The contract term shall begin on or about Nov. 1, 2019, for a five-year term, with an end date of Oct. 31, 2024.

Financial Impact
The aggregate contract value is $26,400. Funds are available in the Water Services Department's Operating budget.

Location
Water Services Department 23rd Avenue Wastewater Treatment Plant
Council District: 7

This item was adopted.

97 Software Maintenance, Support, Hosting, and Licensing for Integrated Performance Audit & Compliance Software System (Ordinance S-45814)

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

contract with enfoTech to provide software, and maintenance/support services for the City's Integrated Performance Audit & Compliance Software (iPACS) system. Further request to authorize the City Controller to disburse all funds related to this item. The contract value will not exceed $1,439,630 (including taxes).

Summary
The Water Services Department uses the iPACS system and associated system modules to manage industrial permits with environmental inspections and sample collection information. The subscription for this system, which is set to expire on June 30, 2019, is used for reporting of environmental sampling data to federal, state and local agencies to comply with regulatory requirements. The iPACS system is wholly owned, licensed, developed, and maintained by enfoTech which is the sole source vendor for this product.

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

Procurement Information
Since 1999, enfoTech has provided an annual subscription for these services to the City of Phoenix, and is the sole source vendor for the iPACS system. It has been determined it is in the best interest of the City to award a contract to the incumbent without competition.

Contract Term
The contract term will be for 10 years and will commence on July 1, 2019, with an end date of June 30, 2029.

Financial Impact
The aggregate contract value will not exceed $1,439,630. Funds are available in the Water Services Department's Operating budget.

This item was adopted.

98 Software Maintenance, Support and Licensing for Laboratory Information Management System (Ordinance S-45815)

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

contract with Labvantage Solutions, Inc., to provide software, and maintenance/support services for the City's Laboratory Information Management System (LIMS). The requested amount shall not exceed $891,913 (including taxes) over the 10-year contract term. Further request to authorize the City Controller to disburse all funds related to this item.

Summary
Labvantage Solutions, Inc. will provide a software license, maintenance and support services for the LIMS. This item has been reviewed and approved by the Information Technology Services Department.

Procurement Information
Labvantage Solutions, Inc. has been providing these services to the City of Phoenix since 1997, and is the sole source vendor for the LIMS application. LIMS is the primary laboratory operating software system used to track and manage laboratory samples for the Water Services Department's Environmental Services Division. LIMS also provides an important reporting capability to provide reports and data to federal, state and local agencies to ensure regulatory compliance. It has been determined that it is in the best interest of the City to award a contract to the incumbent without competition.

Contract Term
The current City contract expires on Nov. 30, 2019; however, a decision was made to terminate the contract on May 31, 2019, and replace it with a new 10-year term contract, commencing on or about June 1, 2019.

Financial Impact
The aggregate contract value will not exceed $891,913. Funds are available in the Water Services Department's Operating budget.

This item was adopted.

99 Additional Funds for Equipment Supplies and Products for Water Testing and Monitoring (Ordinance S-45816)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 145672 with Hach Company to add additional

funding for purchase of equipment supplies and products for water testing and monitoring for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional funds will not exceed $286,756, for a new total contract value not to exceed $2,136,736. Funding is available in the Water Services Department's Capital Improvement Program budget.

Summary

The Water Services Department (WSD) requires additional funding to complete the replacement of on-line compliance turbidimeters. Turbidimeters are required by WSD to perform analytical tests and gather on-line data to ensure compliance with the Safe Drinking Water Act, Arizona and National Pollutant Discharge Elimination System permits, Arizona Aquifer Protection permits and Arizona Water Reuse permits. Hach Company provides routine preventative maintenance, calibration services and repair services for testing and monitoring equipment. This includes bench-top meters, on-line meters, on-line analyzers and flow meters.

The reason for this amendment is, as of July 2019, Hach Company will no longer support turbidimeter model 1720E; it is being replaced by model TU5300, and the Water Production Division requires additional funding to complete the replacement of approximately 95 on-line compliance turbidimeters. Water Plant Instrumentation & Control Technicians will install the new turbidimeter units.

Financial Impact

The initial contract with Hach Company was executed for a fee not-to-exceed $1,849,980. This amendment will increase the contract value by $286,756, for a new total contract value not to exceed $2,136,736. Funding is available in the Water Services Department's CIP budget.

Concurrence/Previous Council Action

The City Council approved Contract 145672 (Ordinance S-43688) on June 21, 2017.

This item was adopted.

100 Modification of Stipulation Request for Ratification of May 15, 2019 Planning Hearing Officer Action - Z-6-03-7

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on May 15, 2019. This ratification requires formal action only.

Summary

Application: PHO-1-19--Z-6-03-7
Existing Zoning: C-1
Acreage: 14.59
Applicant: Brandon Treger
Owner: Margaret & Patrick Hurley, Trustees
Representative: Steve Shea

Proposal:
Modification of Stipulation 10a regarding two detached pads and general conformance to the site plan date stamped Jan. 13, 2003.
Deletion of Stipulation 10b regarding a landscape feature at the southeast corner of 91st Avenue and Lower Buckeye Road.
Modification of Stipulation 10c regarding general conformance to the rendering date stamped Feb. 5, 2003.
Deletion of Stipulation 10d regarding a pedestrian connection to adjacent residential property.
Planning Hearing Officer review and approval of site plan and elevations per Stipulation 15.
Technical corrections to Stipulations 1, 4, 6, 8, 9 and 13.

Location

General Location: Southeast corner of 91st Avenue and Lower Buckeye Road
Council District: 7
Parcel Address: N/A

Concurrence

Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard this case on April 16, 2019 and

recommended approval by a 6-0 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on May 15, 2019 and recommended denial as filed and approval with modifications. See **Attachment A** for a complete list of the Planning Hearing Officer recommended stipulations.

This item was approved.

101 Final Plat - APS Norterra Substation - 180136 - Northwest Corner of 19th Avenue and Happy Valley Road

Plat: 180136
Project: 15-3108
Name of Plat: APS Norterra Substation
Owner(s): US Relp Norterra East I, LLC
Engineer(s): Coe & Van Loo Consultants, Inc.
Request: A 2 Lot Commercial Subdivision Plat
Reviewed by Staff: May 17, 2019
Final Plat requires Formal Action Only

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

Location
Generally located at the northwest corner of 19th Avenue and Happy Valley Road.
Council District: 1

This item was approved.

102 Final Plat - Novel Midtown - 180043 - Northeast Corner of 3rd Street and Earll Drive

Plat: 180043
Project: 16-3225
Name of Plat: Novel Midtown
Owner: Midtown Phoenix 2018, LLC
Engineer(s): Survey Innovation Group, Inc.
Request: A 1-Lot Commercial Plat
Reviewed by Staff: May 22, 2019
Final Plat requires Formal Action Only

Summary
Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with Abandonment V170075A and Abandonment V190007A.

Location
Northeast corner of 3rd Street and Earll Drive
Council District: 4

This item was approved.

103 Final Plat - Addison Park - 180105 - North of Baseline Road and East of 23rd Avenue

Plat: 180105
Project: 17-2635
Name of Plat: Addison Park
Owner(s): Lennar Arizona, Inc.
Engineer(s): Bowman Consulting Group
Request: A 114 Lot Residential Plat
Reviewed by Staff: May 17, 2019
Final Plat requires Formal Action Only

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

Location
Generally located north of Baseline Road and east of 23rd Avenue.
Council District: 8

This item was approved.

104 Abandonment of Right-of-Way - V170075A - Northeast 3rd Street and Earll Drive (Resolution 21758)

Abandonment: V170075A
Project: 16-3225
Applicant: Jason B. Morris, Withey Morris, PLC
Request: The 20-foot alley right-of-way bounded by 3rd and 5th streets, Cherry Lynn Road, and Earll Drive.

Date of Hearing: Jan. 9, 2018

Summary

The resolution of the abandonment and the commercial plat for Final Plat "Novel Midtown," Plat 180043, 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

Northeast 3rd Street and Earll Drive
Council District: 4

Financial Impact

A fee was also collected as part of this abandonment in the amount of $75,207.

This item was adopted.

105 Abandonment of Right-of-Way - V190007A - 341 E. Cheery Lynn Road (Resolution 21759)

Abandonment: V190007A
Project: 16-3225
Applicant: Frederick Radar; CC Midtown PHX, LLC
Request: To abandon the western most 5-foot right-of-way, off of 5th Street, between Cheery Lynn Road and Earll Drive; parcels APN 118-22-149 and 118-22-150.
Date of Hearing: March 12, 2019

Summary

The resolution of the abandonment and the commercial plat Novel Midtown -180043, 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

341 E. Cheery Lynn Road
Council District: 4

Financial Impact

A fee was also collected as part of this abandonment in the amount of $6,895.

This item was adopted.

106 Abandonment of Right-of-Way - V190034C - 438 W. Adams St. (Resolution 21757)

Abandonment: V190034C
Project: 00-8170
Applicant: Tom Wandrie; City of Phoenix, Planning and Development Department
Request: To close the east to west alley, lying between the properties addressed 438 W. Adams St. and 425 W. Monroe St.; alley terminates at the west property boundary of 424 W. Adams St.
Date of Hearing: May 23, 2019

Location
438 W. Adams St.
Council District: 7

Purpose of Request
To prevent vandalism and property damage to both the city employee surface parking lot and city vehicles by improving the security and access to the lot.

This item was adopted.

107 Abandonment of Right-of-Way - V170032A - 2604 N. 27th Ave. (Resolution 21756)

Abandonment: V170032A
Project: 17-1147
Applicant: Wendy Riddell; Berry Riddell, LLC.
Request: The alley right-of-way bounded by 26th and 27th Streets, Virginia Avenue, and the parcel addressed 2604 N. 27th St., APN 120-34-011.
Date of Hearing: Aug. 8, 2017

Location
2604 N. 27th Ave.
Council District: 8

Financial Impact

A fee was also collected as part of this abandonment in the amount of $1,367.

This item was adopted.

108 Warehouse and Threatened Building Grant for Fuller (W.P.) Paint Company Warehouse (Ordinance S-45826)

Request to authorize the City Manager, or his designee, to enter into necessary agreements and conveyances with NIXDT, LLC, an Oklahoma limited liability corporation, related to a Historic Preservation Warehouse and Threatened Building Grant of up to $200,000 for the Fuller (W.P.) Paint Company Warehouse located at 117 E. Jackson St. in the Downtown Redevelopment Area. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Fuller Paint Company Warehouse was constructed in 1929 for W.P. Fuller & Company, a company that eventually included storage of glass, paint and oil products, as well as offices and a retail operation that encompassed not only the 117 E. Jackson St. property, but three additional parcels immediately to its east. The building later housed Beacon Upholstery. The 1929 brick building is a red brick building with raised parapet, steel trusses and full basement, with some changes to original openings such as an enclosed front-loading bay on the north façade. The building is significant as an important and increasingly rare example of a utilitarian brick warehouse located in Phoenix's industrial downtown hub adjacent to the railroad siding on Jackson Street.

The warehouse was designated on the Phoenix Historic Property Register in July of 2009 as part of the Jackson Street PUD that called for its preservation, rehabilitation and a conservation easement. A demolition permit was requested on Jan. 22, 2019 and denied. Currently, there is a one year stay of demolition on the property, although approval of a major amendment to the Jackson Street PUD would be required prior to issuance of a demolition permit.

NIXDT, LLC, an Oklahoma limited liability corporation, is the property owner. Andy Patel, Anish Hotels Group, is the applicant. They are proposing to build a new limited service extended stay hotel on the site that includes the three adjacent parcels to the east and to rehabilitate the

historic building for use as a lobby for the new hotel. The grant request is to provide reimbursement toward the following items: new roof and roof decking; sensitive removal of paint from the brickwork; repair of damaged brick; repair of documented structural issues and appropriate window replacement where necessary.

Financial Impact

The amount requested for the Warehouse & Threatened Building grant is $200,000. The total project budget for the historic building rehabilitation is estimated between $1,170,000 to $1,450,000. In an effort to save the historic building and assist in the added costs of rehabilitation, the Community & Economic Development Department (CEDD) has made up to $200,000 in funds available and will be disbursed to the applicant when work is completed and inspected. CEDD funds are appropriate for this project provided it will result in net new job creation, new hotel revenues and the property is located in the Downtown Redevelopment Area. The applicant will be required to provide a dollar-for-dollar match, which may include exterior work items as well as items not typically eligible for Warehouse & Threatened Building grant funds, such as plumbing, electrical, mechanical, interior or site work. In exchange for the grant funds, the City will receive a 30-year conservation easement on the property. The easement will require that the property be preserved, insured and will be maintained in good repair. Funds are budgeted in the Community and Economic Development Department Capital Improvement Program budget.

Concurrence/Previous Council Action

The Historic Preservation Commission recommended approval of this item on May 20, 2019, by a vote of 6-0.
This item was recommended for approval at the Planning and Economic Development Subcommittee meeting on June 4, 2019, by a vote of 4-0.

Location

117 E. Jackson St.
Council District: 7

This item was continued to the July 3, 2019 City Council Formal Meeting.

109 Durand Grocery/Villegas Shoe Repair/Robison Cleaners Buildings - Demonstration Project Grant Request (Ordinance S-45827)

Request to authorize the City Manager, or his designee, to enter into necessary agreements and conveyances with Lorenzo and Margaret De La Cruz, related to a Historic Preservation Demonstration Project Grant of up to $100,000 for the Durand Grocery/Villegas Shoe Repair/Robison Cleaners Building located at 905 Grand Avenue in the Oakland Historic District. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The property consists of three buildings, now combined under one lot (905 Grand Ave.): Durand Grocery (ca. 1915); Villegas Shoe Repair (1932); and Robison Cleaners (1935). The buildings are contributors to the Oakland Historic District. Durand Grocery is likely the oldest remaining storefront on Grand Avenue. All three buildings are one story and constructed of unreinforced brick. In the early decades of each building, the original store type mentioned above remained in place, while the names of the businesses changed as each was sold. The buildings were purchased by Lorenzo and Margaret De La Cruz, owners of the Original Burrito Company, in 1996. The buildings have been vacant for a decade.

The De La Cruzes plan to open a second location of their restaurant in the two northernmost buildings. In the Durand Grocery Building, they plan to install a hand-made tortilla shop that will supply Original Burrito Company locations, walk-in customers, and other restaurants in the area.

The grant request includes full structural repair with steel reinforcement of the seriously deteriorated Durand Grocery Building; new storefront glazing/doors and paint removal for all three buildings. Staff recommends approval of a grant of up to $100,000 to assist with rehabilitation of the historic Durand Grocery/Villegas Shoe Repair/Robison Cleaners buildings at 905 Grand Ave.

Financial Impact

The total cost of these rehabilitation items is $389,797. The owners will

invest approximately $1.6 million to reactivate the three historic buildings. Because Historic Preservation bond funds are not available, staff is recommending that Community and Economic Development Department (CEDD) funds be used. CEDD funds are appropriate as it will result in job creation. Funds of up to $100,000 will be available July 1, 2019. The funds will be disbursed to the applicant as evidence is provided of work completed. The applicant will be required to provide a dollar-for-dollar match, which may include exterior work items as well as items not typically eligible for Demonstration Project grant funds such as plumbing, electrical, mechanical, interior or site work. In exchange for the grant funds, the City will receive a 25-year conservation easement on the property. The easement will require preservation of the property and ensure the building is maintained in good repair.

Concurrence/Previous Council Action
The Historic Preservation Commission recommended approval of this item on April 15, 2019, by a vote of 8-0.
This item was recommended for approval at the Planning and Economic Development Subcommittee meeting on May 7, 2019, by a vote of 4-0, per the Historic Preservation Commission recommendation.

Location
905 Grand Ave.
Council District: 7

This item was adopted.

111 Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-19--Z-33-18-2- Southwest Corner of North Valley Parkway and Dove Valley Road (Ordinance G-6600)

Request authorization for the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on May 15, 2019.

Summary
Application: PHO-1-19--Z-33-18-2
Existing Zoning: C-2 M-R NBCOD
Acreage: 2.83

Applicant: Dennis Newcombe, Beus Gilbert, PLLC
Owner: SWC Dove Valley and NVP, LLC
Representative: Paul E. Gilbert, Beus Gilbert, PLLC

Proposal:
Planning Hearing Officer review and approval of site plan and elevations per Stipulation 4.

Location
Southwest corner of North Valley Parkway and Dove Valley Road
Council District: 2
Parcel Address: N/A

Concurrence
VPC Action: The North Gateway Village Planning Committee was scheduled to hear this case on May 9, 2019. The committee did not hear this case due to not having a quorum.
PHO Action: The Planning Hearing Officer heard this case on May 15, 2019, and recommended approval with additional stipulations.

This item was adopted.

Items 23, and 32, Ordinance S-45782 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.

23 City Treasurer-Annual Payment Authority

For $19,393,607.00 in payment authority on behalf of the Water Services Department for water charges of City departments from July 1, 2019, through June 30, 2020, as provided in the proposed annual operating budget for the Budget and Research Department.

Discussion
Leonard Clark noted he was neutral on the item because of his concern for man-made global climate change. He talked about the possibility of

water shortages in the immediate future in north Phoenix, and suggested developers wanted to increase infrastructure in that area without water systems in place. He asked Council to consider peer-reviewed studies on climate change in regards to water.

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

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

No: 0

32 Maricopa County, Animal Care and Control

For $2,702,410.00 for annual payment authority for Contract 142978 for enforcement of the City of Phoenix Animal Code for the Public Works Department. On May 18, 2016, the Phoenix City Council approved a five-year Intergovernmental Agreement with Maricopa County Animal Care and Control Services to serve as the City of Phoenix's enforcement agent for the animal control provisions of the Phoenix City Code, including animal bite investigations, vicious animal petitions and similar actions. Payment authority is requested for the fourth year of this five-year agreement for the period July 1, 2019 through June 30, 2020.

Discussion

Leonard Clark thanked Council for this funding for the Maricopa County Animal Control. He said it broke his heart to see stray dogs and cats in the heat with no homes. He noted he was in favor of this item, and suggested this was a very serious issue.

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

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

No: 0

Discussion

Mayor Gallego stated Items 38-43 concerned the Annual Budget, and clarified those who wrote budget on their Citizen Comment card would be heard on Item 40 even though they submitted their card for Item 38. She thanked those who attended the community meeting held the previous evening, and asked those in attendance to be respectful as this was an important and emotional topic. She noted there would be no donation of time for speakers, and those who speak would be allowed two minutes to do so.

38 Public Hearing on Proposed Property Tax Levy, Truth in Taxation and Adoption of the Final 2019-20 Annual Budget

As required by State statute, this item requests the City Council hold a public hearing on the City's proposed Property Tax Levy and Truth in Taxation and the adoption of the final 2019-20 City of Phoenix Annual Budget.

Discussion

Mayor Gallego declared the public hearing open. She asked if there was anyone willing to speak on Item 38.

After hearing no response from the audience, Mayor Gallego closed the public hearing.

The hearing was held.

39 Convening of Special Meeting of the City Council

In accordance with State statute, this item requests the City Council formally convene a special meeting for the purpose of considering adoption of the final 2019-20 budget.

A motion was made by Councilwoman Williams, seconded by Councilwoman Stark, that in accordance with State statutes, the regular meeting of the City Council be recessed and the City Council convene a special meeting to consider adoption of the budget. The motion carried by the following voice vote:

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

No: 0

40 **Adoption of the Final 2019-20 Operating Funds Budget (Ordinance S-45785)**

In compliance with requirements of the City Charter and Code and State statutes, request to adopt an ordinance (**Attachment A**) determining and adopting final estimates of proposed expenditures by the City of Phoenix for the fiscal year beginning July 1, 2019 and ending June 30, 2020 declaring that such shall constitute a budget of the City of Phoenix for such fiscal year.

Summary

The final operating funds budget ordinance reflects extensive public review through community hearings, information posted on the City website and actions taken by the Council on the budget at the May 22, 2019 Policy meeting and at the June 5, 2019 Formal meeting to adopt the tentative 2019-20 operating budget ordinance.

Discussion

Councilwoman Williams motioned to adopt Item 40.

Councilwoman Stark seconded the motion.

Councilman DiCiccio thanked Budget and Research Director Jeff Barton for his work on the 2019-20 Annual Budget. He noted he usually votes against the budget because of the structural deficit, and said the work Mr. Barton put into it was one of the best he had ever seen structurally and also the way it was presented.

Viridiana Hernandez spoke in opposition, and suggested those in the audience with her were there because of violence with the Police Department and the lack of action from Council. She stated the Council could not pass the budget because it adds $721 million to the Police Department. She said there were families suffering and there had been

Ad-Hoc committees, reports, and recommendations with no action. She asked for the two police officers involved in the incident with the Ames family to be fired before the passage of the budget as well the implementation of a community board with families impacted by police violence. She repeated those in attendance with her asked for Council to vote no on the budget and for those police officer to be fired.

Marze Hardiman spoke in opposition, and talked about an incident involving her son and a driver of a vehicle who hit him. She stated the driver was not cited and no drug test was done on him, and added her son was drug tested. She suggested the crime scene was done horribly, and described how family members and friends were allowed inside the crime scene. She took issue with the description of the direction her son was riding his bike on the police report, and mentioned the City had been of no assistance to either his father or herself on the case. She asked why it was appropriate to have family and friends allowed inside the crime scene, and commented her son was racially profiled in the accident report. Ms. Hardiman talked about the difficult decision to move her son off life support, and suggested she had been lied to by officials, the accident and hospital reports, and the attorneys who represented their family. She repeated what she mentioned earlier regarding the crime scene and said Maricopa County Attorney Bill Montgomery sent her a letter saying he stood by the officers.

Councilman DiCiccio asked for more information on this incident, and inquired about what Ms. Hardiman believed had happened.

Ms. Hardiman responded she thought there was collusion between the officers and the driver of the vehicle who hit her son. She asked how tampering with evidence was allowed in a crime scene. She noted she had been doing this for four years to do everything she could for her son.

Councilman DiCiccio stated what he would like to do was to take another look at this case, and to meet with his Chief of Staff Sam Stone in the Council District 6 office to get more information. He asked to set up a meeting with City Manager Ed Zuercher.

Mr. Zuercher replied that would be fine, and added Police Commander

Steve Martos would meet with the speaker to get her information.

Councilman DiCiccio commented that would be great, and said Ms. Hardiman had a right to know and have at least one more shot at it.

Ms. Hardiman said she appreciated that.

Councilman Nowakowski asked to be part of that meeting.

Councilman DiCiccio responded he would coordinate with Councilman Nowakowski.

Ms. Hernandez stated when talking about police violence, it was not just about shootings and killings but the whole process regarding assault and investigations.

Sean Daniels noted he was neutral on Item 40, and said he was the Artistic Director at the Arizona Theater Company. He talked about the increase in the budget for arts, and described the amount of economic impact the arts had on the City. He suggested the $25,000 increase in the budget for arts was lacking in terms of what they provided, and asked for the City to look into providing for businesses that were economic drivers for Phoenix. He commented anything the City could do would be greatly appreciated.

Jason Vail Cruz spoke in opposition, and mentioned he represented the Arizona Coalition to End Sexual and Domestic Violence. He stated the intersection between safety for survivors and trust in law enforcement was implicit, and added that without trust it could cause survivors to stay in situations that were detrimental to their health. He commented it was obvious trust was not happening, and said he was opposed to the budget until there was a solid plan for accountability.

Joanna Zamora noted she was neutral on Item 40, and thanked Council for allowing everyone in the community to speak on the issue. She talked about those who attended the community meeting the previous night, and said there was a lot being asked of to be done regarding police officers in terms of firing and better vetting. She acknowledged being a police

officer was a very stressful job, and commented she was disheartened to hear of police officers assaulting people sexually, physically, and verbally. She talked about those who shared personal stories at the community meeting the previous night, and suggested it was disappointing that official reports were being lied on. She talked about the video of the interaction between the two police officers and the Ames family, and noted this showed the circle of abuse that happens in the community.

Clayton Jacobs spoke in opposition, and said he was at the meeting because he was outraged at the continual police brutality not just in Phoenix but in other parts of the valley and nationwide. He suggested this was a system of white supremacy, and mentioned his sister Danielle Jacobs was shot and killed by Mesa Police on Feb. 4, 2016. He talked about the day of her funeral, and commented there needed to be work to eliminate mass incarceration that disproportionally affected black and brown people as well as those with disabilities. He stated there needed to be work done to eliminate the 11th Amendment, and discussed other civil rights statutes that needed to be changed.

Raji Ganesan spoke in opposition, and noted she was a high school educator. She said her job to teach students to thrive in communities was linked to holding their traumas and understanding the context for the acts of violence that cause them. She noted her students and their families have trauma from being brutalized and profiled by the police, Immigration Customs Enforcement (ICE), and the prison system. She talked about the trauma they received, and how it went untreated by denied access to basic resources, and she took issue with the amount of money allocated for the Police Department. She suggested those funds could be used for other uses, and asked when this would end.

Barbara Backyard spoke in opposition, and mentioned she was a preschool teacher. She took issue with the Police Department receiving $721 million in the budget while her preschool was cutting programs. She talked about the police officers in the video with the Ames family, and noted she would have called the police if she had seen those police officers anywhere near children. She added they did not know how to handle the Ames family. She talked about the community meeting the

previous night, and added she wanted her kids and grandson to grow up and not be afraid of the police.

Onesimus Strachan spoke in opposition, and discussed how he has learned about the Council over the past six months. He stated he was at the meeting because of his anger and disappointment with the escalating violence, abuse of authority, and inhumane treatment of residents by the Police Department. He said something had to be done, and added he was present to make sure Council as leaders, would lead from a position of righteousness, integrity, honesty, justice, strength, responsibility, and accountability. He asked Council to fire the police officers in the video with the Ames family, and commented on early retirement for police officers that served over 15 to 20 years. He said the community was better than this, and thanked Council for his time to speak.

Jennifer Hernandez spoke in opposition, and stated the budget could not be passed until the police officers were fired. She suggested police officers were racist, and abusing the community. She asked Council what their response would be if their children were threatened by police, and mentioned the families needed justice.

Kathy Carbone spoke in opposition, and noted she was a 20-year federal employee as a supervisor and manager. She said there was a cultural change problem the Police Department needed to fix, and talked about the police officers who were identified in Facebook posts that were offensive. She compared the Los Angeles Police Department from decades ago in terms of culture to the Phoenix Police Department, and mentioned the victims of police brutality she treated. She commented those at the top needed to commit to change or nothing would happen, and asked about having cameras for every officer. She said if everyone in Phoenix wasn't carrying a gun, then police would not have to be as defensive. She asked for help for both sides, and asked for gun safety regulations.

Councilman DiCiccio mentioned he needed to push back on the negative comments, and told the audience not everyone in Phoenix believed what was said by speakers. He commented calling the police officers names and attacking their families was wrong, and added he would keep pushing

back on those trying to destroy those police officers and the city.

Alejandra Dashe spoke in opposition, and said she was a new Phoenician as of a year ago. She stated she represented Arizona Jews for Justice and the National Council of Jewish Women of America. She commented the reason to not pass the budget was because people were afraid in the streets, and police could not be trusted based on the behavior people have seen. She asked if anyone had ever stolen something before, and asked to have a conversation even if both sides did not agree. She asked Council to put the budget on hold until Council knew how the community felt, and asked for conversation without the name calling.

Carrie Wallinger spoke in opposition, and mentioned she attended the community meeting the previous night. She suggested that meeting was not an appropriate use of time, and added Mayor Gallego and Police Chief Jeri Williams hid behind people's anger. She asked for an explanation of what has recently happened regarding the Police Department, and cited a New York Times article from last year on the amount of police shootings in 2018. She said it was not the community's job to protect themselves from the police.

Walter Nicholson spoke in opposition, and described an incident involving police officers and himself two weeks prior. He said some people did not like using specific words to describe police officers, and noted if he killed someone, people would call him a murderer. He suggested the Police Department violated his Constitutional and civil rights by dismissing his case without going through the Prosecutor's office. He stated Council worked for citizens and not the other way around, and said he was tired of having people shot in the streets.

Shawn Severud spoke in opposition, and suggested the Police Department was a regime of brutality that was propelled by Council, the City Manager, and enabled by the Police Department. He stated the Council had been told previously about stories related to police brutality and misconduct, and mentioned examples of the President Donald Trump protest in 2017 and during 2018 with record-breaking police shootings. He commented Council was supposed to represent citizens

and be leaders, and noted his demand for a civilian review board with subpoena and firing power.

Onida Perkel noted she was neutral on Item 40 but now opposed it, and mentioned she financially supported some of the councilmembers. She expressed concern with the budget, and gave an example of how more body cameras would be implemented and the policies associated with them. She talked about transparency and public records requests not being a priority for the Police Department, and said the police officers had control over the body camera and not the citizens. She suggested the current system was designed to reproduce racial inequality in institutions, and talked about the history of racial inequality in the United States.

Jessica Behrens spoke in opposition, and said she was a teacher in Mesa and a resident of Tempe. She stated the biggest issues at the time were the police actions and lack of transparency after, and said what happened to the Ames family should have never happened. She commented there needed to be talk on what to do differently.

Erica Reynolds spoke in opposition, and detailed an incident she had with a police officer on Dec. 26, 2018. She suggested she was detained under false pretense where the officer performed an illegal cavity search on her without a search warrant. She said there was no policy or procedure followed, and added none of the four police officers on the scene had body cameras on. She talked about the importance of accountability, and commented the City needed to figure out how to use the money already allocated to the Police Department. She continued to discuss the importance of body cameras being on at all times when police officers are on duty.

Jeffery Fetterhoff spoke in opposition, and demanded an end to police violence, brutality, and murder. He discussed statistics based on police shootings in 2018, and noted Phoenix police officers killed 44 citizens, with 992 being nationwide. He said he could not find results on police officers who were killed by a gun in Phoenix in 2018, and said nationwide that number was 52. He suggested those numbers did not justify the safety concern for police officers, and stated the primary duty for police

was not to make sure they got home safe but for citizens to get home safe. He took issue with Arizona being an open-carry state, and listed the careers that had the most on-duty deaths from the Bureau of Labor Statistics.

Alexia Isais spoke in opposition, and stated she was a student at Arizona State University. She took issue with giving the Police Department more money because she suggested they were the deadliest police force in the United States. She talked about the number of police-involved shootings in 2018, and said the police were called murderers because they terrorized the community. She listed examples of where the funding for the Police Department could go, and commented the community was being ignored by Council.

Wade Padgett spoke in opposition, and mentioned he was a counselor by profession. He noted he spent the previous few years working in nonprofits with regard to immigration rights and reform as well as police use of force issues. He stated he had a good relationship with the Police Department, and asked if there was another type of job where you can lose your mind and be sent to your desk as punishment. He talked about the police officers interaction with the Ames family in the video, and suggested those police officers were having full-on meltdowns. He inquired into why the police officers acted in that way, and commented there was no way the retention of those police officers could be justified. He took issue with the apology Police Chief Jeri Williams made when the video came out in public.

Mayor Gallego announced Mark Mettes had filled out a comment card in favor of Arts funding in the budget.

Dianne Post spoke in opposition, and asked Council to vote no on the budget. She stated without justice there would be no peace, and added the murderers in the Police Department should be fired.

Victoria Williams spoke in opposition, and mentioned she was a naturalized citizen originally from Germany. She said what happened and what continues to happen with the Police Department is a failure in leadership, and noted the failure in leadership was because of not

holding the police officers accountable. She talked about the incident involving the two police officers and the Ames family, and suggested police officers needed better training and to have progressive discipline. She asked Council to respect her while she was speaking, and stated the police should not treat people like animals. She commented the budget should not be passed until there is better training for officers. She noted police officers with post-traumatic stress disorder should be off duty for a certain amount of time or no longer on the job. She mentioned ideas that were brought up by earlier speakers and expressed appreciation for the extra time to speak.

Lilly Fisher spoke in opposition, and said she would like to voice the opinions of her black friends who could not attend. She talked about how her black friends could not drive and be in different cities throughout the Phoenix metropolitan area without being harassed and targeted by police officers. She discussed how the mothers of her black friends asked her to keep an eye on their kids while out, and suggested the $721 million for the Police Department should not go to them because they criminalize and endanger the black community. She said that money should go towards rebuilding communities and families who had been negatively impacted by police officers. She stated something had to happen now because the community had been waiting too long.

J. J. Johnson spoke in opposition, and stated Mayor Gallego did not talk about any of this in her State of the City address. He asked what happened with the Community Police Trust Initiative, and suggested the Council knew about these incidents for years. He advocated for a trauma center in south Phoenix, and mentioned it was time to use the budget to serve all of the people. He compared the amount of training needed to be a licensed hairstylist and the amount of training police officers receive, and said everyone should get together to fix this.

Xenia Orona spoke in opposition, and commented the budget should not pass until the City gets rid of the bad cops and for the two police officers involved in the incident with the Ames family to face consequences. She took issue with those two police officers being assigned desk duty after the incident, and advocated for a civilian review board with subpoena and firing power that oversees the Police Department. She noted the

community meeting held the previous night was a sham to the community, and asked why police reports could not be published immediately after they are completed. She commented it should be easier for people to access this information.

Dr. Ann Hart spoke in opposition, and said she was shocked by the incidents and comments posted on personal Facebook accounts by 75 police officers and 22 retired police officers. She thanked Police Chief Jeri Williams for assigning the police officers involved in the Facebook postings to desk duty, and added it was troubling to hear the voice of a member of council who defended the behavior of those who made the Facebook posts. She advocated for councilmembers to exercise common sense to help diversify the city to make it grow and prosper, and stated it was a minor incident regarding theft of a doll from the dollar store that lead to the incident involving the Ames family and the two police officers. She thanked Mayor Gallego for her apology, and thanked Police Chief Jeri Williams for the best work she could do with what she inherited.

Mayor Gallego announced she would stay until every person who filled out a comment card had a chance to speak.

Wren Romero-Gilhooly spoke in opposition, and noted he grew up in the Laveen area of Phoenix. He suggested councilmembers would vote to put more money and guns in the hands of murderers, abusers, and kidnappers instead of voting with their consciousness. He stated the citizens of Phoenix had the power over Council, and said people needed to speak to and understand each other. He talked about the history of Juneteenth and the ending of slavery in the United States, and asked Council to vote against the budget.

Dravon Ames spoke in opposition, and stated on May 27th, his family could have lost their lives over police officers abusing their power. He said this was over a 99-cent doll, and added it was sad that in 2019 their lives were worth less than a doll. He asked for those two police officers to be fired and held accountable because there was clear evidence in the video they were wrong. He commented it was sick the police officers were on desk duty and not fired.

Keosha Simmons spoke in opposition, and noted she was the sister of Dravon Ames. She said when she first saw the video, she had a panic attack because she could not believe that was her brother. She suggested the alleged shoplifting did not justify the way the two police officers acted, and mentioned her cousin was killed by the Police Department in 2014 during a welfare check. She asked for some form of justice be had before the budget passed.

Reverend Jarrett Maupin spoke in opposition, and presented a citizens petition to give direction to City Manager Ed Zuercher to fire the two police officers involved in the incident with the Ames family. He suggested to fire the two police officers first and afford all due process rights that belonged to terminated City employees. He stated he voted for Mayor Gallego because she was not backed by the police union, and asked members of Council to help him defend the Ames family. He mentioned people would stand with Council if they gave direction to City Manager Ed Zuercher to fire the two police officers.

Councilman DiCiccio noted Rev. Maupin was given the opportunity to move up in line to speak, and asked him to be polite.

Gary Biscoe spoke in opposition, and noted Aisha Harper was his niece and Dravon Ames was his nephew. He asked for the Police Department to care and have better communication. He asked if any police officers have been held accountable, and asked for the police officers involved in the incident with the Ames family to be fired. He requested better execution by the City to fire those police officers.

Rev. Maupin noted only two people contacted the Ames family since the previous day, with Councilman Nowakowski calling to talk with the family about everything going on and about recruiting more African-Americans to the Police Department. He offered for any other councilmembers to meet with the family, and took issue with the apologies from Mayor Gallego and Police Chief Jeri Williams.

Councilwoman Williams noted Council was going to lose quorum soon, and motioned to call Item 40 to question.

Mayor Gallego explained as councilmembers voted, they would have the opportunity to explain their perspective, and called for Roll Call.

Councilman DiCiccio voted yes.

Councilmember Garcia asked to explain his vote.

Councilwoman Williams stated the vote was for the call to question, not the budget.

Councilmember Garcia voted yes.

Mayor Gallego said she was committed to staying for everyone who filled out a comment card, and asked Councilwoman Williams if she would like to withdraw her motion.

Councilwoman Williams replied yes.

Leslie Molina spoke in opposition, stated her brother Hector Lopez was shot a killed while he was sleeping. She talked about the events that lead to this incident, and suggested the police officers were not wearing body cameras. She said her niece and nephew were scared of the police, and asked for the police report from this incident.

Marcos Martinez spoke in opposition, and mentioned Hector Lopez was his brother. He suggested all the City was doing was wasting the money for the Police Department, and said those who could not do their job should be fired. He talked about giving the money allocated for the Police Department to those who needed it most, rather than on new police cars or guns.

Maria Castro spoke in opposition, and told the Council she was a community organizer for the Puente Human Rights Movement. She said there needed to be deep discussions about funding the Police Department with families being the center of those discussions. She talked about how the budget needed to make justice work for families, and suggested the City should be invoiced for the funerals and medical treatment of those who have died from the police. She asked for

conversations to happen before the budget passes, even if Council had to meet every single day through the weekend to do that.

Luke Black spoke in opposition, and noted the demand was pretty clear for Council to vote no on the budget. He suggested the Police Department was the most violent in the country, and said the two police officers should be fired. He talked about implementing a civilian review board for police accountability, and said there was a lack of leadership on the Council for years. He suggested Council had failed to hold City Manager Ed Zuercher and Police Chief Jeri Williams accountable, and questioned who was going to vote no on the budget.

Darren Barrett spoke in opposition, and commented he was with a community organizing group called Tempe Against Police Violence where they protest around the Valley. He said their group films the police, and suggested an officer took a picture of him to add to a database for facial recognition. He talked about the First Amendment right to film police officers, and added if someone saw a police officer they should start filming. He noted he was arrested twice for protesting in Tempe, and advocated for people to speak at the City of Tempe as well.

Note: Councilwoman Williams left the Chambers and the voting body.

Charlene Tarver spoke in opposition, and mentioned she served on the Pension reform Task Force and on the Phoenix Industrial Development Authority board. She cited federal data that showed black men and women were three to five times more likely to be charged and convicted of crimes, and added black and latino men and women were more likely to have deadly force used against them. She talked about statistics saying black students were suspended three times the rate of white students, and said the African-American community had been disproportionately represented in the criminal justice system. She asked Council to vote no on the budget, and use that money towards jobs and workforce training to invest in Arizona residents.

Ethan Pollett spoke in opposition, and asked why the Police Department needed over $700 million. He said he was worried for his black friends around police, and added those officers involved in the incident with the

Ames family should be fired.

Adrianne Speas noted she was neutral on Item 40, and mentioned the City needed to reevaluate priorities with more budget money going towards community programs. She talked about previous items approved for the Police Department, and mentioned there should be policy reviewed for low-level crimes because the police should not have engaged the Ames and Harper families the way they did. She suggested it was not the citizen's job to de-escalate situations, and asked what happens when the police are not being filmed. She stated this was a community concern, but not a community responsibility.

Xora Alexander spoke in opposition, and talked about how he did not want to fear the police all the time. He said the police were not part of the community, and noted Police Chief Jeri Williams said the opposite at the community meeting held the previous night.

Sarahi Munoz Perez spoke in opposition, and asked why the City would give the Police Department $721 million when they had been attacking the community. She suggested Council did not listen to the community, and advocated for new training for police. She mentioned Council should come up with real solutions and to start listening to people.

Councilman DiCiccio asked how old Ms. Munoz Perez was, and noted the children who have spoken were amazing and have done a great job.

Maria Sanchez spoke in opposition, and noted the community had been showing up for years talking about this. She said she was tired of Police Chief Jeri Williams victim blaming people, and commented no one deserved the treatment the Ames family received. She talked about her family being harassed 10 years ago when they did not know their rights, and asked who ran the Police Department. She suggested the police union was racist, and stated the police officers should be fired. She announced there would be a protest later in the week outside Police Headquarters, and told Mayor Gallego she needed to stop saying sorry and actually do something.

Kevin Luis Loera spoke in opposition, and stated the community was not

going to stop until real justice within the Police Department was reached. He suggested the politics in Phoenix and Arizona needed to change, and said without taxpayers the City could not run efficiently. He noted the city was built by people of color, and thanked police officers who did their job correctly. He commented no one was above the law, and asked for City Manager Ed Zuercher to be fired. He talked about the need for major reform, and suggested comments made by Councilman DiCiccio distorted the truth.

Amy Miskell spoke in opposition, and pointed out there was a crisis intervention team within the Police Department. She mentioned the officers involved in the incident with the Ames family could have been assisted by the crisis intervention team. She discussed the make up of the crisis intervention team, and talked about the collaboration between private and public partners with the crisis intervention team. She noted police officers could benefit from crisis intervention training, and suggested the police officers in the video with the Ames family escalated the situation. She said it did not make sense that someone needed to get shot over a doll, and commented having crisis intervention training could help avoid future lawsuits against the City.

Jerry McPherson noted being a police officer was a difficult job, and said he was a former military service member. He suggested if someone were a coward they should not be a police officer, and asked Council to not be cowards. He said the issue was with whoever was leading the police union because they stood behind the police officers when they knew they were wrong. He asked Council to stand up to the police union to take out police officers that were not prepared for the job.

The brother of Hector Lopez spoke in opposition, and talked about seeing police officers recording and laughing at him. He talked about his brother who died because of the police, and advocated for ending police brutality. He suggested his brother got shot for no reason, and asked Council to have the police tell the truth.

Reyna Lopez spoke in Spanish, and noted she was opposed to the budget. She talked about her son Hector Lopez who died on May 9, 2019 from an incident with the police. She noted her son took care of three

children, and talked about issues with her son having trouble walking that did not allow him to hold a normal job. She stated she had been protesting outside Police Headquarters for six weeks demanding a police report, and talked about the abuse her son and granddaughter received during the incident with the police.

Raquel Denis spoke in opposition, and described an incident with the police and her brother who has a mental illness. She mentioned she spoke with the crisis response network, and said she did not trust the police. She stated the police came and tazed her brother during one of his episodes, and commented it was wrong that her neighbors and family had to withness this. She told Council they should be ashamed the community had to share these stories, and added the City had serious work to do. She took issue with those councilmembers who attended the meeting the previous night and showed no emotion, and asked Council to not disassociate and be humble.

Katt McKinney spoke in opposition, and noted she told Council weeks prior to this meeting there was something big that would happen. She said ironically the date of this meeting is the same day as Juneteenth, and added she was present representing the Hope Embassy as a peace officer for the United Nations. She mentioned she had been working with several victims in the community for the past 10 years under the organization Black Women of Faith, and stated the City could not ignore these victims any longer. She asked Mayor Gallego to issue an executive order to City Manager Ed Zuercher to fire the two police officers involved in the incident with the Ames family. She talked about a 12-point plan she presented to Police Chief Jeri Williams, and gave an example of one point being a community member riding with a police officer to act as a witness.

Neil Westbrooks spoke in opposition, and said he represented the hip-hop community with his company called God's Son Entertainment. He talked about moving to Arizona 20 years ago, and said he was disgruntled with racism not limited to Arizona. He said the system of things was falling apart, and noted these incidents have happened around the country. He commented he was friends with a police officer, and suggested if everyone behaved like that police officer then this conversation would not be happening. He talked about his career, and

told the Council their celebrity would be based on their next movement because things would change regardless of their decision.

A man named Steven spoke in opposition, and talked about the police officers who made offensive posts on Facebook. He noted he understood being a police officer was a difficult job, and suggested that they go to counseling or group therapy to express frustrations. He said he did not see change at these meetings, and commented people of color were taught to fear the police.

Phil Martinez spoke in opposition, and stated he lost two family members and close friends to police violence. He suggested Councilman DiCiccio made a political stunt earlier to please police officers for political gain, and took issue with Police Chief Jeri Williams saying real change starts with the community. He commented the police officers needed to be held accountable, and suggested Councilman DiCiccio had been politicizing this issue. He noted he did not want to bury another friend or family member, and said if Mayor Gallego did not fire Police Chief Jeri Williams, then she would need to go.

Mayor Gallego stated these were serious issues with people sharing deeply personal stories.

Note: Councilwoman Williams joined the voting body via telephone.

Leslie Pico spoke in opposition, and said she was a block chain technical program manager for American Express. She noted she had recently became an activist, and asked for councilmembers to meet on a more regular basis to have more time outside of formal meetings. She talked about why she voted for Mayor Gallego, and added that might have been the biggest mistake she had made in her life. She asked for change to happen and for City Manager Ed Zuercher to be removed, and asked why the City was spending money on the Police Department. She suggested if Mayor Gallego needed more time and an investigation to tell her what was wrong, then she would need to be removed from office.

Chimene Hawes spoke in opposition, and commented she recently moved to Council District 6. She suggested creative gerrymandering of City districts moved her out of her Council district, and into Council District 6 without changing zip codes. She mentioned she would have loved to be represented by Councilmember Garcia. She took issue with the way Police Chief Jeri Williams managed the Police Department, and suggested they were the most violent and racist police force in the nation. She mentioned City Manager Ed Zuercher, and talked about him allowing the purchase of two long-range acoustical devices for the Police Department. She suggested City Manager Ed Zuercher and the rest of the City Manager's Office be fired, as well as the entire Police Department to start fresh. She mentioned the City needed a public safety force of compassionate professionals who had been thoroughly screened by a clinical psychologist, and for them to be trained in effective de-escalation.

Councilman Nowakowski noted he had been listening to the language being used, and asked for the audience to be respectful to other people listening in the room with them.

Mayor Gallego thanked Councilman Nowakowski for his words, and noted she wanted the Council meeting to be a place where people feel comfortable bringing their children. She acknowledged these were important issues, and the discussion should be respectful on how to move forward.

Michael Alexander spoke in opposition, and noted he was tired of folks preaching about respect and civility. He said people had shared their experiences with violent police officers, and questioned why the audience needed to be respectful because of language. He suggested the Police Department should not be funded, and for those funds to go to community services.

Martha Bayan spoke in opposition, and said she had been an activist for a long time in Phoenix. She mentioned her family had been victims of police brutality, and detailed a time where she was assaulted by a police officer in the summer. She talked about three other incidents involving the police and her family, and suggested the City owed her

money. She asked for the City to do away with the double standard for the Police Department.

Dr. Kendra Nelson spoke in opposition, and talked about an incident involving her family and police officers. She noted her family was pulled over because of a stolen license plate that she did not know was on her car, and said she was a professor at multiple universities and a professional counselor. She said her husband was a motivational speaker and an educational director of a business program. She suggested the situation was very dangerous because of the amount of weapons pointed at them during the traffic stop, and added police officers needed to be held accountable. She mentioned if she displayed unethical behavior, then she would be fired, and said officers had been proven guilty but have been allowed to be in communities. She announced she was willing to help with the community, and asked Council and Police Chief Jeri Williams to not fear anything and to do their job.

Anjali Moore spoke in opposition, and noted she attended school in Minnesota. She talked about the stories shared by the community on police brutality, and suggested this all revolved around racism. She asked for police officers who were corrupt to be fired, and said what happened to the Ames family was repulsive. She stated her utopian dream would be to get rid of all police officers and police departments, and suggested the police were inherently racist. She commented voting no on the budget would be an important first step to make positive change, and added this was only the beginning because it was a turning point.

Mayor Gallego thanked those who spoke, and noted Council was committed to building a community where everyone felt safe.

A man from El Mirage talked about the performance of the El Mirage Police Department, and suggested good police officers should receive a bonus in their pay. He talked about the environment of stereotypes, and thanked Council for the opportunity to speak.

Councilmember Garcia commented this was his first formal meeting,

and added he had been working on this issue since 2010. He talked about incidents with the police that have impacted policy in the City, and suggested the City had lacked the will to follow through on implementing those new policies. He thanked those who shared their stories, and thanked Mario Barajas for translating for four hours. He noted it would be hard for him to move forward on the budget without the implementation of an Ad-Hoc committee, a community review board that includes citizens, victims, and experts with subpoena power, and an inquiry into firing the two police officers in the incident with the Ames family.

Mayor Gallego acknowledged City Manager Ed Zuercher should have time to respond to the requests made by Councilmember Garcia, as well as City Attorney Cris Meyer and Police Chief Jeri Williams.

City Manager Ed Zuercher asked Councilmember Garcia about his inquiry into creating an Ad-Hoc committee on if this would be on the whole issue including past recommendations.

Councilmember Garcia said that was correct, and added with the ability to implement.

City Manager Ed Zuercher explained the Mayor and Council had the authority to appoint an Ad-Hoc committee on specific issues. He noted the Mayor and Council could appoint a citizen review board, and added they would need to act on recommendations that came from the board. He said through the budget, they would have the budgetary capacity to implement any recommendations that came from the board. He commented he would let City Attorney Cris Meyer respond to Councilmember Garcia's third request.

City Attorney Cris Meyer stated all employees had certain property and due process rights. He noted there were statutes that governed the rights of employees and that is noted in City Code, labor agreements, and employment contracts. He explained there was an Arizona state law known as the Peace Officer's Bill of Rights that applied to all officers in the state, and added that established standards needed to be met in order to take disciplinary action. He talked about how it took time to conduct the investigations, and mentioned the employees were entitled

to have a chance to defend themselves through hearings. He stressed the risk of doing things prematurely or too quick would be the employees could get their jobs back, or if determinations are overturned, could then sue the City for damages. He asked for processes to be followed, and stated he would have to defer to Police Chief Jeri Williams on the timeline and status of disciplinary actions.

Police Chief Jeri Williams described the steps taken for disciplinary actions against police officers, and noted there were some time restraints in the process that were mentioned earlier by City Attorney Cris Meyer. She said there were also Civil Service rights allowed to police officers in there was a termination.

Mayor Gallego acknowledge Councilwoman Pastor had been working on some of the mental health issues and Community Police Trust Initiative issues that had been brought up earlier.

Councilwoman Pastor inquired about the Ad-Hoc committee that Councilmember Garcia asked for.

Councilmember Garcia clarified the implementation portion of the Ad-Hoc committee was important, and noted they would need at least two years for the committee to follow through.

Councilwoman Pastor said she asked Councilmember Garcia about the Ad-Hoc committee he requested because this topic came up at the Traumatic Incident Ad-Hoc committee, and noted she wanted to make sure what is decided at the Ad-Hoc committee is followed through with what the Council wanted implemented. She mentioned the Community Police Trust Initiative was developed by the City Manager, and commented she believed Council did not necessarily need an Ad-Hoc committee because Council could set up an overseeing body with community members to ensure what is implemented happens.

Councilmember Garcia explained this was to prioritize the issue, to implement the things that have come out, and evaluate that to make sure what Council wanted implemented happens.

Councilwoman Pastor talked about the process of creating the Community Police Trust Initiative, and discussed the recommendations that were not yet implemented. She clarified Council would have to direct City Manager Ed Zuercher to go through with the recommendations to be implemented. She listed the options available to get the new Ad-Hoc committee created.

Mayor Gallego announced she would commit and move forward with the recommendations from the Community Police Trust Initiative, and the reforms suggested by Councilmember Garcia.

Councilwoman Pastor inquired about the third point made by Councilmember Garcia, and stated she understood the due process rights available to City employees.

Mayor Gallego repeated points made by City Attorney Cris Meyer on the rights available to City employees, and pointed out the State legislature expanded those rights for police officers.

Councilman DiCiccio noted he opposed the firing of City employees without due process rights, and asked if Council could direct the City Manager to hire or fire anyone at any time.

City Attorney Cris Meyer answered the City Charter in chapter 3, section 4, prohibits the Council from doing what Councilman DiCiccio mentioned.

Councilman DiCiccio agreed with City Attorney Cris Meyer, and clarified the Council could direct the City Manager, but they would not necessarily have to follow through with it.

City Attorney Cris Meyer noted legally he would not suggest Council take that action.

Councilman DiCiccio mentioned this was not a route Council should take. He suggested the same language used by members of the audience was the same language those members were attacking the police officers on.

Vice Mayor Waring said he appreciated what the police officers did everyday with thousands of interactions daily. He suggested the public demanded perfection of police officers, and expressed appreciation for those who said the police officers had a tough job. He mentioned he had been on ride-a-longs with police officers, and took issue with the names members of the audience used to describe police officers. He stated Police Chief Jeri Williams inherited a tough job. He noted he did vote against City Manager Ed Zuercher's salary but expressed appreciation for what Mr. Zuercher did every day because he brought professionalism to the City. He mentioned he did not always agree with Mayor Gallego, but thanked her for how she handled the formal meeting. He said this was a serious issue, and added he wanted police officers to know how he felt on the issue.

Councilwoman Williams mentioned there were many requests from the public included in the budget including additional training for police officers as well as those police officers who need counseling. She stated she had great faith in Police Chief Jeri Williams, and added she had done an outstanding job. She thanked staff for explaining the due process rights for City employees very well, and said City Manager Ed Zuercher had been very supportive of Police Chief Jeri Williams. She commented Mr. Barton did an excellent job on the budget, and noted it was important to recognize not everyone was perfect all the time. She suggested the City had one of the best police departments in the nation, and recommended approval of the budget.

Councilwoman Stark asked Councilmember Garcia about the Ad-Hoc committee, and if there should be a committee to review what the composition of the board would look like with those recommendations brought back to Council, or if there should be parameters set prior.

Councilmember Garcia replied his understanding was the Ad-Hoc would allow for more leadership from the Council and a task force is more at the hands of staff. He explained his preference for an Ad-Hoc committee because he wanted the responsibility of looking into the implementation and figuring out what had been done and what could happen.

Councilwoman Stark thanked Councilmember Garcia for the clarity, and thanked Mayor Gallego for letting everyone speak. She acknowledged this was a tense meeting, and expressed hope for the Ad-Hoc committee to be put together. She said Police Chief Jeri Williams and City Manager Ed Zuercher did a great job.

Councilwoman Pastor asked to make sure the Berkshire report and the recommendations from the Community Police Trust Initiative was looked at to move forward with implementation.

City Manger Ed Zuercher answered yes that was his understanding from Councilmember Garcia to go first with recommendations, and bring those that have not been implemented to the new Ad-Hoc committee.

Mayor Gallego clarified the Berkshire report and recommendations from the Community Police Trust Initiative would move forward.

City Manager Ed Zuercher clarified the Berkshire report was about efficiencies and monetary analysis, and added staff would go back and make sure there were not other things that would be applicable for this.

Councilman Nowakowski thanked everyone that showed up for the meeting and the community meeting the previous night because it was important to continue the conversation and create the Ad-Hoc committee. He talked about best practices from around the country being used, and inquired about measuring police officer's performance to have them be accountable. He talked about a commission in the City of Los Angeles that included non-police officers to help oversee and help with policies and guidelines for the police. He suggested there was no trust with the police, and mentioned people wanted accountability. He talked about community policing including both police officers and the community working together, and said he would be voting yes because he believed in the different programs included in the budget. Councilman Nowakowski commented the City needed to look into the Police Department more, but stressed the need for police officers. He thanked Councilmember Garcia for the idea of the Ad-Hoc committee, and said he was in support.

Councilwoman Guardado thanked those who attended the formal meeting, and noted as a former organizer she knew how difficult it was to share stories about experiences. She stated she would support what Council wanted to do moving forward, and thanked Councilmember Garcia for his leadership.

Prior to his vote, Councilmember Garcia said there was a lot of faith put into Police Chief Jeri Williams and City Manager Ed Zuercher, and pointed out police officers were going to get $25,000 in the budget to do participatory budgeting as well as the trauma fund. He asked to push the police officers to make sure the community would be part of the budget process in the next budget, and mentioned looking into what can be done with the two police officers in the coming weeks. He stated he voted yes on the budget.

Prior to her vote, Councilwoman Pastor commented it takes a community to make change happen, and talked about participatory budgeting that Councilmember Garcia mentioned earlier. She talked about the results of creating an Ad-Hoc the prior year after a traumatic incident, and said they did great work. She stated she voted yes.

Prior to her vote, Councilwoman Stark thanked Mr. Barton for his work on the budget for many months.

Note: The following individuals submitted comment cards for the record on Item 40 indicating their position.

Aisha Harper, Opposed
Valeria Lopez, Opposed
Leonard Clark, Opposed
Hannah Bercouia, Opposed
Logan Pollett, Opposed
Bella Breen, Opposed
Melchzadaye Dellebrew, Opposed
Sierra Louts, Opposed
Joseph Larious, Opposed
Brillana Barraza, Opposed

Ramona Ferrara, Opposed
Aimee Esposito, Opposed
Leslie Pohorily, Opposed
Linda Williamson, Opposed
Ariana Streeter, Opposed
Valerie Callaway, Opposed
Aimee Esposito, Opposed
Sophie Starr, Opposed
Luke Maldarella, Opposed
Julie Golding, Opposed
Mark Mettes, In Favor
Danielle Pollett, Opposed
Josue Diaz, Opposed
John O'Neal, Opposed
Sarah James, Opposed
Drew Garman, Opposed
Joy, Opposed
Rowe, Opposed

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

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

41 **Adoption of the Final 2019-20 Capital Funds Budget (Ordinance S-45820)**

In compliance with requirements of the City Charter and Code and State statutes, request to adopt an ordinance (**Attachment A**) adopting the final Capital Funds Budget for the City of Phoenix for the fiscal year 2019-20.

This adopts the final 2019-20 Capital Funds Budget for the fiscal year beginning July 1, 2019 and ending June 30, 2020. This capital funds appropriation will be funded by property tax and revenue supported bond proceeds, federal and state participation funds, passenger facility charges, customer facility charges, participation by other governmental entities in certain projects, development impact fees, capital grants, capital reserves, solid waste remediation funds and other capital funding sources.

Concurrence/Previous Council Action
The final Capital Funds Budget ordinance reflects actions taken by Council at the June 5, 2019 Formal meeting to adopt the tentative budget ordinances and is consistent with the Five-Year Capital Improvement Program resolution also approved by Council at the June 5, 2019 Formal meeting.

Note: Councilman DiCiccio left the Chambers and the voting body.

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

Yes:	7 -	Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams and Mayor Gallego
No:	1 -	Vice Mayor Waring
Absent:	1 -	Councilman DiCiccio

42 **Adoption of the Final 2019-20 Reappropriated Funds Budget (Ordinance S-45786)**

In compliance with requirements of the City Charter and Code and State statutes, request to adopt an ordinance (**Attachment A**) adopting the final reappropriation budget for items of expenditure previously adopted as part of the 2018-19 fiscal year operating and capital fund budgets of the City of Phoenix but remaining as unexpended funds as of June 30, 2019.

Concurrence/Previous Council Action
The reappropriated funds budget ordinance reflects the action taken at the June 5, 2019 Formal meeting to adopt the tentative 2019-20 reappropriated funds budget ordinance.

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

Yes:	8 -	Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Waring and Mayor Gallego
No:	0	
Absent:	1 -	Councilman DiCiccio

Discussion
Councilwoman Pastor made a motion to adjourn the Special Meeting of the City Council.

Councilwoman Stark seconded the motion.

Councilwoman Pastor made a motion, seconded by Councilwoman Stark, to adjourn the Special Meeting of the City Council. The motion carried by the following voice vote:

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

No: 0

Absent: 1 - Councilman DiCiccio

A motion was made by Councilwoman Pastor, seconded by Councilwoman Stark, that Items 43-45 be adopted. The motion carried by the following vote:

Yes:	8 -	Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Waring and Mayor Gallego
No:	0	
Absent:	1 -	Councilman DiCiccio

Discussion

Councilman Nowakowski thanked Budget and Research Director Jeff Barton for his work in making the budget possible, and thanked the employee unions for their sacrifice in 2010. He thanked everyone that was involved in the process.

43 Amend Ordinance S-44749 Adopting the 2018-19 Annual Budget for Operating Funds (Ordinance S-45783)

An ordinance (**Attachment A**) amending Ordinance S-44749 adopting the 2018-19 Annual Budget to authorize reallocating appropriations among lawfully available appropriations to ensure the continued operation of the City of Phoenix in the payment of necessary expenses.

Summary

This legally required amendment to the 2018-19 Operating Budget will allow the City to close out the current fiscal year's budgetary accounts and proceed with the annual independent audit. This is a standard end-of-year process required to close the books.

State law precludes any expenditure not included in the budget even if additional funds become available. This means all expenditures require an appropriation. An appropriation is the formal recognition in the City's official accounting records that the City Council has approved spending authority. State law allows the City Council to transfer spending authority between line items in the adopted budget. This does not represent an

actual transfer of funds, but rather, only transfers of spending authority between specific areas. As a result, the total bottom line budget amount for 2018-19 does not change.

To make sure all planned expenditures have appropriate spending authority, each year the Budget and Research Department brings to the City Council a request to amend the original budget amounts between specific areas at the end of each fiscal year. This is a normal part of the annual budget close-out process. Variances between estimated and actual expenditures that trigger the need to do these reallocated appropriations are usually caused by timing differences, such as expenditures originally planned for the early part of the 2019-20 fiscal year that actually occurred during the 2018-19 fiscal year. These timing variances can be quite large, especially when dealing with construction contracts. Allowing for these timing differences in our request for year-end budget amendments allows for bid awards and payments to vendors to proceed.

The amendments to the 2018-19 Operating Budget require City Council approval to move spending authority from areas where excess authority is available to other areas where insufficient authority was originally provided due to normal changes during the year.

Decreases in 2018-19 appropriation authority are requested in the following:

Federal Transit Funds due to Fare Collection System expenses that were budgeted in 2018-19 but carried over to next fiscal year and also due to grant funding received for bus acquisition that was below budget.

Sports Facilities Funds due to a procedural accounting change moving debt service payments previously budgeted in the Sports Facilities Fund to the City Improvement Fund, with an offsetting transfer from the Sports Facilities Fund to cover the debt.

The following General Fund Programs due to minor savings: General Government, Community Development and Capital Improvement Funds.

Increases in 2018-19 appropriation authority are requested in the following:

General Fund Environmental Services as a result of the movement of the Floodplain Management program from the Street Transportation Department to Public Works.

Parks and Recreation Funds as a result of increases to water usage and higher than expected facility maintenance costs.

Library Funds due to unanticipated facility major maintenance expenses, higher than expected equipment costs, and due to the unbudgeted carryover of funds for Burton Barr Library.

City Improvement Funds due to the procedural accounting change mentioned above resulting in recording debt service obligations previously budgeted in the Sports Facilities Fund in City Improvement, with an offsetting transfer from the Sports Facilities Fund to cover the debt.

Court Awards Funds as a result of unplanned facility and computer system related projects.

Federal and State Grant Funds due to Fire USAR and FEMA Grant funding and other Police grant awards that were not included in the original budget.

Human Services Grant Funds due to the movement of the Workforce Development Program from the Community and Economic Development Department to Human Services as well as increased funding for the LIHEAP program.

The following funds to provide for minor year-end variances: Cable Communications, Golf Course, Neighborhood Protection, Public Safety Expansion and Regional Wireless Cooperative Funds.

These are balancing measures with a net impact of $0. The total appropriation remains unchanged.

This item was adopted.

44 Amend Ordinance S-44782 Adopting the 2018-19 Capital Funds Budget (Ordinance S-45821)

An ordinance **(Attachment A)** amending Ordinance S-44782 adopting the 2018-19 Capital Funds Budget to authorize reallocating appropriations among lawfully available appropriations to ensure the

continued operation of the City of Phoenix in the payment of necessary expenses.

Summary

This legally required amendment to the 2018-19 Capital Funds Budget will allow the City to close out the current fiscal year's budgetary accounts and proceed with the annual independent audit. This is a standard end-of-year process required to close the books.

State law precludes any expenditure not included in the budget even if additional funds become available. This means all expenditures require an appropriation. An appropriation is the formal recognition in the City's official accounting records that the City Council has approved spending authority. State law allows the City Council to transfer spending authority between line items in the adopted budget. This does not represent an actual transfer of funds, but rather, only transfers of spending authority between specific areas. As a result, the total bottom line budget amount for 2018-19 does not change.

To make sure all planned expenditures have appropriate spending authority, each year the Budget and Research Department brings to the City Council a request to amend the original budget amounts between specific areas at the end of each fiscal year. This is a normal part of the annual budget close-out process. Variances between estimated and actual expenditures that trigger the need to do these reallocated appropriations are usually caused by timing differences, such as expenditures originally planned for the early part of the 2019-20 fiscal year that actually occurred during the 2018-19 fiscal year. These timing variances can be quite large, especially when dealing with construction contracts. Allowing for these timing differences in our request for year-end budget amendments allows for bid awards and payments to vendors to proceed.

The amendments to the 2018-19 Capital Funds Budget require City Council approval to move spending authority from areas where excess authority is available to other areas where insufficient authority was originally provided due to normal changes during the year.

A $400,000 decrease in 2018-19 appropriation authority is requested in

the Wastewater Program's Capital Funds Budget due to the carryover of funds associated with various capital improvement projects from 2018-19 to 2019-20.

A $400,000 increase in 2018-19 appropriation authority is requested in the Economic Development Program's Capital Funds Budget due to debt issuance costs paid in 2018-19.

These are balancing measures with a net impact of $0. The total appropriation remains unchanged.

This item was adopted.

45 Amend Ordinance S-44750 Adopting the 2018-19 Final Reappropriation Budget (Ordinance S-45784)

An ordinance (**Attachment A**) amending Ordinance S-44750 adopting the 2018-19 Final Reappropriation Budget to authorize reallocating appropriations among lawfully available appropriations to ensure the continued operation of the City of Phoenix in the payment of necessary expenses.

Summary

This amendment to the 2018-19 Final Reappropriation Budget will allow the City to close out the current fiscal year's budgetary accounts and proceed with the annual independent audit. This is part of the standard year-end process required to close the books.

Requested changes to the 2018-19 Reappropriated Funds Budget allow for year-end timing differences and allow for updated contract payment schedules. The 2018-19 Reappropriated Funds Budget ordinance was required to rebudget funds that were contractually committed in the prior fiscal year (2017-18) but not yet fully expended in that fiscal year. Since budget appropriations expire on June 30 of each fiscal year, the 2018-19 Reappropriated Funds Budget ordinance reestablished the appropriations for payment of vendors as goods and services were received.

These requested reallocations do not represent an actual transfer of funds, but rather, only a transfer of spending authority. Also, these reallocations do not increase or decrease the total budget.

This item was adopted.

46 Repeal Existing Pay Ordinance S-42689 and Adopt New Ordinance for New Rates and Compensation (Ordinance S-45840)

Request City Council to repeal Ordinance S-42689, and all amendments thereto, and to adopt a new ordinance to become effective July 1, 2019, for City Council-approved gross pay rates and other compensation for the two-year period included in the 2019-21 Memoranda of Understanding, as defined under the Meet and Confer Ordinance. Also included are gross rates of pay and other compensation for employees covered by the Meet and Discuss Ordinance, and gross pay rates and other compensation for all unrepresented employees.

Summary

The new Pay Ordinance includes items which are part of the Memoranda of Understanding with the five Meet and Confer employee groups that were approved by City Council through formal Resolution on April 3, 2019, April 9, 2019, May 1, 2019, and May 15, 2019. Administrative Regulations and other policy documents will be amended to address those items agreed to with the employee groups that are not part of the Pay Ordinance. A report of pay rates by job code (known as “Schedule II”) has been filed with City Clerk for each year of the 2019-21 Pay Ordinance.

Collectively, these documents outline changes to pay rates and other compensation for employees covered by the Meet and Confer Ordinance, employees covered by the Meet and Discuss Ordinance, and employees represented by the City Manager, such as confidential office and clerical, middle managers, and executives. This is consistent with the City Council’s actions adopting the 2019-21 Memoranda of Understanding
(MOU’s). This is also consistent with the City Manager’s authority to approve 2019-21 Memoranda of Agreement (MOAs) for employee associations; and, to approve pay rates and other compensation for employees represented by the City Manager.

The Pay Ordinance was updated to also include the City's $15 per hour minimum rate, an increase of employee relocation expenses authorized by the City Manager, promotional salary calculation changes, and general language clean-up.

The existing Pay Ordinance with the proposed changes in caps and as strike-through text are reflected in **Attachment A**. The Schedule II documents for each year of the 2019-21 Pay Ordinance are on file with City Clerk as of June 19, 2019.

Concurrence/Previous Council Action
City Council approved, by formal Resolution, the Memoranda of Understanding with the five Meet and Confer groups on April 3, 2019, April 9, 2019, May 1, 2019, and May 15, 2019.

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

Yes:	7 -	Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams and Mayor Gallego
No:	1 -	Vice Mayor Waring
Absent:	1 -	Councilman DiCiccio

48 Appoint Election Officials and Boards for Aug. 27, 2019 Special Election (Ordinance S-45834)

Request to appoint the required election officials and boards for early ballot processing and at the designated voting centers for the City of Phoenix Special Election on Tuesday, Aug. 27, 2019; fixing the honorariums of the election officials and boards; and authorizing payment thereof.

Summary
On Tuesday, Aug. 27, 2019 the City of Phoenix will conduct a Special Election in which all Phoenix registered voters will decide on two ballot measures pertaining to light rail and pensions.

This request asks the City Council to appoint the board workers needed for processing early ballots received in the mail and preparing those ballots for tabulation, and the board workers needed to conduct voting at

the voting centers. The City Code and this ordinance authorize the City Clerk to appoint additional boards necessary to process and prepare ballots for tabulation. Board workers are paid an honorarium for their service as provided by the City Code and related ordinance.

Discussion

Leonard Clark spoke in support of Item 48, and noted he was very proud of how the City ran elections. He said the August election would be very important, and suggested there was voter suppression happening from the State legislature.

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

Yes:	8 -	Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Waring and Mayor Gallego
No:	0	
Absent:	1 -	Councilman DiCiccio

59 Community Engagement Services for 2025 Phoenix Food Action Plan (Ordinance S-45842)

Request to authorize the City Manager, or his designee, to enter into a contract with Insite Consultants to provide consulting services to conduct equitable community engagement in the South Mountain and Maryvale Village Planning areas to gather input for inclusion in the Citywide 2025 Phoenix Food Action Plan. Further request to authorize execution of amendments to this contract as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $49,000.

Summary

In 2016, the City Council adopted the 2050 Environmental Sustainability goals, which include a Local Food System goal to maintain a sustainable, healthy, equitable, thriving local food system. The City's comprehensive general plan, PlanPHX, also includes goals for increased access to healthy food. Achievement of local food system goals results in reduced rates of hunger, obesity, and diet-related diseases through elimination of

food deserts, increase in healthy food assets, improving consumer education, and adopting policies, zoning, and land use guidelines to improve the food system. A food desert as defined by the U.S. Department of Agriculture is an area without ready access to fresh, healthy, and affordable food. Of the 55 food deserts in Maricopa County, 43 are in Phoenix and encompass nearly half the Phoenix population, with the majority of food deserts located in the southern and western portions of Phoenix.

Development of the 2025 Phoenix Food Action Plan

The Office of Environmental Programs (OEP) is the Local Food System goal leader and has been working diligently in this arena through collaborative efforts with residents, government, nonprofits, and local businesses. The development of a 2025 Phoenix Food Action Plan (Plan) is the first step toward achieving the 2050 goal. The Plan will identify concrete actions to establish or improve policies, programs, and individual actions around every aspect of the food system, including production, harvesting, distribution, sales, consumption, and composting.

Community Engagement

In 2017, OEP began gathering input for the Plan from food system stakeholders, including local growers, community members, health organizations, retail, food banks, schools, and other government agencies. Additional input has also been gathered through nonprofit organizations including; the Maricopa County Food System Coalition (MarCo), Valley of the Sun United Way (VSUW), and the Health Improvement Partnership of Maricopa County (HIPMC), all of which are focused on making improvements to healthy food access. Stakeholders provided valuable information on the draft framework and stressed the importance of equitable community engagement.

Integral to development of the Plan is input from residents impacted by food insecurity and hunger, residents living in foods deserts and affected by other social determinants of health that make access to healthy food difficult. To date, community engagement has included localized efforts with residents and food system partners in South Phoenix. Through a Technical Assistance Grant (TAG) received from the U.S. Environmental

Protection Agency's Local Foods, Local Places Program, OEP conducted a Community Food Conversation and Workshop in late 2018 with South Phoenix residents to understand food access challenges and identify opportunities to improve the South Phoenix food system. South Phoenix engagement resulted in preparation of a hyper-local South Phoenix Food Action Plan that is focused on the needs of the South Mountain Village community. Insite Consultants will be contracted to complete the work in South Phoenix to expand community involvement and to co-create the South Phoenix Plan, to create better connections among community members, and to initiate activities that address the issues identified in the plan.

OEP plans to conduct a community engagement process like that completed in the South Phoenix Local Foods, Local Places project for the West Phoenix/Maryvale Village area. OEP will contract with Insite Consultants to establish a resident Community of Practice centered on the food system, conduct workshops with residents to discuss equitable access to healthy food, facilitate meetings between the Community of Practice, OEP, and other food system partners, and conduct a Community Food Conversation and workshop following the Local Foods, Local Places model.

Procurement Information
OEP followed requirements in Administrative Regulation 3.10 for informal procurements not to exceed $100,000. Insite Consultants was the successful vendor.

Contract Term
The term of the award is six months from issuance of a Notice to Proceed. Provisions of the contract may include an option to extend the term up to 3 months, which may be exercised by the City Manager or designee.

Financial Impact
The total expenditure will not exceed $49,000. Funding is available in the OEP FY2018-19 budget for consultant services. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments.

Location
The services will be provided in the South Mountain and Maryvale Village Planning areas.
Council District(s): 4, 5, 7, and 8.

Discussion
Leonard Clark commented this item was excellent, and added it was one of the programs that showed the City was trying to do something. He stated 2050 was the date groups of scientists say there will be a massive famine, and suggested the City might need a larger 2050 Food Action Plan.

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

Yes:	8 -	Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Waring and Mayor Gallego
No:	0	
Absent:	1 -	Councilman DiCiccio

Discussion
Councilwoman Pastor made a motion to adopt Items 62 and 71.

Councilwoman Stark seconded the motion.

Leonard Clark asked Council to support Item 71, and said this was a great way to allow crosswalks to stand out for pedestrian safety. He stated this showed support for the LGBTQ community, and added he strongly supported this.

Mayor Gallego commented as a member of Downtown Phoenix, Inc., she looked forward to working together to build a stronger downtown.

A motion was made by Councilwoman Pastor, seconded by Councilwoman Stark, that Items 62 and 71 be adopted. The motion carried by the following vote:

Yes: 7 - Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams and Mayor Gallego

No: 1 - Vice Mayor Waring

Absent: 1 - Councilman DiCiccio

62 **Authorization to Enter into Membership Agreement with Downtown Phoenix Inc. (Ordinance S-45822)**

Request to authorize the City Manager, or his designee, to enter into a three-year membership agreement, and other agreements as necessary (Agreements), with Downtown Phoenix Inc. The fee for the three-year agreement is $300,000. Further request authorization for the City Controller to disburse funds related to this item. There is no impact to the General Fund.

Summary

Downtown Phoenix Inc. (DPI) is an established nonprofit entity designed specifically to enhance the economic and cultural vitality of the broader downtown Phoenix community. DPI coordinates activities between numerous affiliate organizations including the Downtown Phoenix Partnership, Phoenix Community Alliance, and Downtown Phoenix Community Development Corporation. Since 2013, the City has utilized DPI to serve as a liaison to Downtown neighborhood and business organizations; expand and enhance special events; facilitate the creation of net new sales tax revenues; inspire civic pride; and provide social and family entertainment opportunities to the public. In addition to these benefits, as long as the membership agreement is in effect, the City receives six positions on the DPI Board of Directors including the Mayor, City Manager and four additional positions nominated by the Mayor or City Manager.

The City's current membership expires on June 30, 2019. The new three-year membership agreement will begin on July 1, 2019 and end on June 30, 2022. The agreement fee is for $100,000 annually, not to exceed $300,000 for the term of the agreement. The City's investment is leveraged by private-sector dollars, and DPI has obtained outside grants

that continue to yield results for the City that would otherwise not be obtainable. The cost of the annual membership has remained unchanged since 2013.

Contract Term
The term of the new agreement will be from July 1, 2019 through June 30, 2022, with no extension options.

Financial Impact
The membership fee is $100,000 per year, not to exceed $300,000 for the term of the three-year agreement. There is no impact to the General Fund. Funding is available in the Downtown Community Reinvestment Fund.

Concurrence/Previous Council Action
This item was recommended for approval at the Planning and Economic Development Subcommittee meeting on June 4, 2019, by a vote of 4-0.

Location
Council Districts: 4, 7 and 8

This item was adopted.

71 Policy for Non-Standard Crosswalk Treatments (Ordinance S-45794)

Request to authorize the City Manager, or his designee, to establish a Non-Standard Crosswalk Treatment program effective July 1, 2019. There is no cost to the City of Phoenix. All costs associated with the program will be recovered through the proposed application fee and billing for direct costs for material, installation and maintenance of the crosswalk treatment.

Summary
Several cities have created policies allowing businesses, organizations and communities the ability to request non-standard crosswalks. Non-standard crosswalks incorporate designs or multi-color treatments within the interior portion between the existing white lines. Such elements do not provide additional safety to pedestrians above and beyond the standard reflective crosswalks. The purpose of a policy would be to allow

the consideration of non-standard crosswalk installations, if requested, while providing requirements for its design, installation and ongoing maintenance as to not compromise the safety of pedestrian crossings or to place additional financial burden on the City.

Non-standard crosswalk treatments do not conform with the Federal Highway Administration's (FHWA) 2011 Official Ruling on the approved uses of colored treatments in crosswalks. According to a FHWA memorandum, crosswalk treatments should be subdued-colored treatments between the legally marked transverse crosswalk lines that are devoid of retroreflective properties and do not diminish the effectiveness of the required white transverse markings used to establish the crosswalk. Non-conforming types of decorative crosswalks may pose safety and liability issues since the design does not meet FHWA standards for crosswalk markings. As a result, caution must be exercised in considering the potential installation of non-standard crosswalks.

The City Council approved the installation of non-standard rainbow crosswalks at two designated locations at the April 24, 2018, City Council Policy Session (**Attachment A**). These crosswalks at Central Avenue and Portland Street and at 7th Avenue and Glenrosa Avenue, were installed in July 2018 under a pilot program with the intent to have a potential future policy that would consider requests for non-standard crosswalk treatments at other locations. For these two initial locations, the material and installation costs were funded by the requesting organizations, including future cleaning and maintenance costs. Since the installation, no pedestrian safety incidents have been reported at these crosswalks.

The following elements are recommended to be part of the adopted policy:

Design requirements reviewed and approved by the Street Transportation Director

Installation only at high-visibility/ladder-style crosswalks that are signalized or stop sign controlled

No commercial use, advertising, images or wording

Application fee: $500

All costs funded by requesting entity

Agreement for future maintenance, cleaning and removal costs
Required to be simple designs that do not detract from safety
Cannot relate to any illegal activity; depict violence or anti-social behavior; depict anything obscene, pornographic, vulgar, profane, or scatological; depict a nude or semi-nude person (as defined in section 11-811, Arizona Revised Statutes); or depict the use of tobacco, smoking products, alcohol, or illicit drugs
Installation of any new non-standard crosswalk requires City Council approval

All installations shall be performed by City crews using thermoplastic paint material that is skid resistant and non-reflective. Thermoplastic paint is currently used by City crews to install standard crosswalk markings. The life expectancy of thermoplastic for crosswalks is estimated to be two to five years, depending on traffic volumes.

Non-standard crosswalk treatments may only be placed at existing high-visibility/ladder style, marked crosswalks where a vehicle is already required to stop; either due to a traffic signal, HAWK signal, or stop sign.

All costs associated with the installation of the non-standard crosswalk will be the responsibility of the requesting entity; including design review, material, installation and traffic control. Requesting entities are also responsible for all future costs associated with the maintenance and requested cleaning of the design, and for the cost of its removal.

Financial Impact
There is no cost to the City of Phoenix. All costs associated with the program are intended to be recovered through the proposed application fee and billing for direct costs for material, installation and maintenance of the crosswalk treatment.

Concurrence/Previous Council Action
At the April 24, 2018, City Council Policy Session, Council directed staff to install rainbow crosswalks at two designated locations as part of a pilot program and to return with a proposed Non-Standard Crosswalk Treatment policy.
This item was recommended for approval at the Aviation and

Transportation Subcommittee meeting on April 23, 2019, by a vote of 2-0.

This item was adopted.

65 Adoption of 2018 International Fire Code with Phoenix Amendments (Ordinance G-6601)

Request City Council authorization to adopt the 2018 International Fire Code (IFC) with Phoenix amendments.

Summary

The IFC is a national standard, and the 2018 IFC has been adopted, or is in the process of being adopted, by all jurisdictions in Maricopa County. Phoenix has utilized the IFC since 2006. The IFC is developed through a public consensus process and is consistent with Phoenix Council Resolution 19015, approved in December 1997, that supports the development of consensus-based construction codes and standards. The continued use of the IFC allows Phoenix customers to utilize a code that reflects the current evolution of building materials, technologies, industry practice, and reduces the cost of construction and compliance.

Because fire and building codes are complementary, the Phoenix Fire and Planning and Development departments coordinate continuously to make requirements and terminology more consistent, predictable, and user-friendly for customers.

The approach taken by Phoenix Fire staff in the Fire Code adoption process has been to significantly involve the fire protection and construction community through the Fire Safety Advisory Board (FSAB). This City Council-appointed committee represents the interests of many stakeholder groups including but not limited to: architecture, building owners and managers, fire protection engineers and contractors, developers, hazardous materials communities, health care, property insurance communities, real estate, and the public. The goal of the process is to adopt the IFC base code while making clarifying amendments tailored to Phoenix that support, assist, and protect the Phoenix community.

The significant outreach efforts conducted by Phoenix Fire staff include a

series of meetings with industry groups: fire protection contractors, contractors, radio communications, restaurant and bar representatives, high-rise community, the Building Owner and Management Association, and others. Industry groups were given code proposals and invited to participate in meetings in their areas of expertise.

Highlights of the 2018 IFC and Phoenix amendments include:
Removal of permit fees that were rarely used.
Chapter 12 on Energy Systems-for the installation, operation, and maintenance of energy systems use of the improved 2021 language for lithium batteries and battery storage systems.
Outdoor Combustible Storage (315.4)
• Requirements for pile sizes, aisle width, fencing, means to rotate combustible material and fire watch.
Hillside Development (511)
• Fire access roads leading to house exceeding 15% grade, or inadequate hydrant spacing, or no reliable water supply - PFC require sprinklers.
Bret Tarver Ordinance (903.1)
• Sprinklers are required in commercial building with additions, remodels, or change of use.
Fire-fighter Air Systems (918)
High-Rise Smoke Removal Systems (919.1)
• Means to ventilate a high-rise post-fire.
Fire Sprinklers in Existing Group A-2 Occupancies (1103.5.1)
• A section has been added to Chapter 11 which requires the retrofit installation of a fire sprinkler system in existing Group A-2 occupancies where alcoholic beverages are consumed if the occupant load is 300 or more.
Static Pile Protection and Internal Temperatures (Mulch 2807.6 and 2807.6.1)
• Requirement to monitor the internal temperatures of the piles and have a plan if the temperature gets too hot.
CO2 (5307.2)

• Clarifying detection and notification requirement for CO2 beverage systems.

Blasting (5607)

• Requirements for pre-blast survey, neighborhood notification, monitoring,
ground vibration limits, blast logs, and post-blast survey.

Flammable and Combustible Liquids Tank Height Restriction (5704.2.7)

• Tanks cannot exceed 66 feet in height.

Flame Effects before an Audience (6112)

• Added propane requirement language to feed flame effects inside public
assemblies.

The 2018 IFC and proposed Phoenix amendments have been posted on the Phoenix Fire Department's webpage at: https://www.phoenix.gov/fire/prevention/fire-code and can be requested in alternative formats.

The Fire Code adoption process is consistent with the 2018 International Building Code (IBC) adoption process approved by the City Council on June 6, 2018. The Fire Safety Advisory Board acts as the reviewing body for the IFC, just as the Development Advisory Board acts as the reviewing body of the IBC. The Fire Safety Advisory Board and the Development Advisory Board gave their approval of the adoption of the 2018 IFC with the proposed Phoenix Amendments on Feb. 14, 2019.

The effective date of the new Fire Code, if adopted by Council, is July 11, 2019. Within 30 days after the adoption of this ordinance, any person may apply to complete construction design using the 2012 IFC. If approved, such person will have until Jan. 1, 2020 to submit a signed contract for the project to work under the 2012 IFC.

Discussion

City Clerk Denise Archibald read the title of Ordinance G-6601.

Note: Steve Beuerlein submitted a comment card for the record in favor of Item 65.

A motion was made by Councilwoman Pastor, seconded by

Councilwoman Stark, that this item be adopted. The motion carried by the following vote:

Yes:	7 -	Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams and Mayor Gallego
No:	1 -	Vice Mayor Waring
Absent:	1 -	Councilman DiCiccio

76 Grand Canalscape Phase I Uptown and Gateway North - Design-Bid-Build Services Change Order 2 - ST87600074 and AR63000013 (Ordinance S-45800)

Request to authorize the City Manager, or his designee, to execute change order to Agreement 145067 with Combs Construction Company, Inc., to provide additional Design-Bid-Build Services for the Grand Canalscape Phase I Uptown and Gateway North project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this change order will not exceed $783,913.15.

Summary

The purpose of this project is to construct a 10-foot concrete pathway along the north bank of the Grand Canal between 15th Avenue and 16th Street and along the south bank of the Grand Canal between approximately 36th Street and 40th Street.

This change order is necessary to add scope of work including fabrication and installation of the new Brophy-Central Pedestrian Bridge, retaining walls, hand railings, ADA improvements, trash receptacles, dog waste stations, and additional fencing. This change order will provide additional funds and time to the agreement.

Combs Construction Company, Inc.'s additional services include, but are not limited to: pathway lighting, landscape and irrigation, and artist-designed features such as shade canopies, benches, landscape walls, trail markers, and pavers.

Contract Term

The term of the agreement amendment is 150 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The initial agreement for Design-Bid-Build Services was executed for a fee not-to-exceed $3,620,983, including all subcontractor and reimbursable costs.

Change Order 1 increased the agreement value by an additional $350,000, for a new total not-to-exceed agreement value of $3,970,983, including all subcontractor and reimbursable costs.

Change Order 2 will increase the agreement value by an additional $783,913.15, for a new total not-to-exceed agreement value of $4,754,896.15, including all subcontractor and reimbursable costs.

Funding for this change order is available in the Street Transportation Department's Capital Improvement Program budget through Capital Construction Funds and Salt River Project's Aesthetics Program funds. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action

The City Council approved:

Design-Bid-Build Services Agreement 145067 (Ordinance S-43558) on May 31, 2017.

Change Order 1 to Agreement 145067 on April 3, 2019.

Location

Along the Grand Canal from 15th Avenue to 16th Street and 36th Street to 40th Street.

Council Districts: 4 and 8

Discussion

Mayor Gallego said Item 76 was exciting, and added it was important to take advantage of the assets and create safer routes for the Grand Canalscape.

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

Yes:	8 -	Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Waring and Mayor Gallego
No:	0	
Absent:	1 -	Councilman DiCiccio

86 Americans with Disabilities Act Sidewalk Ramp Retrofit - 2-Step Job Order Contracting Services - 4108JOC170 (Ordinance S-45832)

Request to authorize the City Manager, or his designee, to enter into separate master agreements with three contractors to provide Americans with Disabilities Act (ADA) Sidewalk Ramp Retrofit Job Order Contracting (JOC) services for the Street Transportation Department. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $15 million for each master agreement.

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

Summary

The JOC contractors' services will be used on an as-needed basis to

provide the Street Transportation Department with ADA Sidewalk Ramp Retrofit Job Order Contracting services for removing and replacing all types of existing non-compliant sidewalk ramps along major, collector, and local streets, installing ADA compliant sidewalk ramps to provide accessible routes based on public need, and Safe Routes to School programs which can include installing new sidewalks. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

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

Selected Firms
Rank 1: ViaSun Corporation
Rank 2: Talis Construction Corporation
Rank 3: Sunland Asphalt & Construction, Inc.

Additional Proposers
Rank 4: DCS Contracting, Inc.
Rank 5: DBA Construction, Inc.
Rank 6: Standard Construction, Inc.
Rank 7: Markham Contracting, Inc.

Contract Term
The term of each master agreement is for up to five years, or up to $15 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact
The master agreement values for each of the JOC contractors will not

exceed $15 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed $45 million.

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

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

Public Outreach
Residents in the immediate area affected by the work will be notified with door hangers and/or flyers.

Discussion
Vice Mayor Waring motioned to approve Item 86, and asked staff to explain how the new ramps came to be.

Deputy City Manager Mario Paniagua explained the sidewalk ramps were an Americans with Disabilities Act requirement, and they were not just tied to federal funds. He noted the Department of Justice requirement associated with these ramps, and added this was the new standard for ramps that also accommodate those who are visually impaired. He said some of the older ramps did not comply with the current standard, and stated whenever there would be new pavement or street improvement that those ramps would need to be replaced to comply.

Vice Mayor Waring commented that was why the ramps were a bumpy plastic material as opposed to being smooth.

Mr. Paniagua talked about the funding for the ramps, and noted those funds came from State gas tax funds, Transportation 2050 funds, or funds related to the development project.

Vice Mayor Waring asked for confirmation if a new road was going to be redone, that these ramps would be a precursor to that.

Mr. Paniagua replied that was correct.

Vice Mayor Waring mentioned the federal government was not going to pay for it, and that the City would pay for it.

Mr. Paniagua responded sometimes there were federal funds involved in projects, and said the sources would come from those he mentioned earlier.

Vice Mayor Waring asked if the City was mandated to do this.

Mr. Paniagua answered that was correct.

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

Yes:	8 -	Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Waring and Mayor Gallego
No:	0	
Absent:	1 -	Councilman DiCiccio

110 ***ADDITIONAL INFORMATION (SEE ATTACHED MEMO)* Conservation Easement Release- 717 E. Southern Ave. (a.k.a. 715 E. Southern Ave.), Roosevelt Park Historic District (Ordinance S-45787)**

Request to authorize the City Manager, or his designee, to rerelease the ca. 1948 parsonage located at 717 E. Southern Ave. (a.k.a. 715 E. Southern Ave.) from the restrictions of the conservation easement to allow the owner to apply for a demolition permit. There is no financial impact to the City.

Summary

This location is known historically as the Neighborhood Congregational Church. The subject property is located at the southeast corner of 7th

Street and Southern Avenue in the Roosevelt Park Historic District. The district was listed on the Phoenix Historic Property Register in March 2003. The Neighborhood Congregational Church was formally organized in 1918, although newspaper articles indicate that services began as early as 1916. The congregation met at the Neighborhood House at 6029 South 7th Street until a new church building was constructed on adjacent land donated by Dwight and Maie Heard.

Construction of the church building began in 1941, and the dedication took place in 1944. Designed by the architectural firm of Lescher & Mahoney, the church is a late but excellent example of the Mission Revival Style, utilizing stuccoed exterior walls, a gable roof sheathed with red clay tile, a curvilinear parapet and a bell tower. The church has had several additions, all of which are sympathetic to the original design. There is also an original parsonage dating to ca. 1918 (a.k.a. the “south residence”) and a later parsonage constructed ca. 1948 (a.k.a. the “north residence”).

In March 2006, the Neighborhood Congregational Church (then known as South Mountain Community Church) submitted an application requesting $38,361 in Historic Preservation Bond Funds to assist with rehabilitation of the church building and the two parsonages. This application was approved by the City Council on May 3, 2006. Records show that between 2007 and 2009 a total of $33,926.27 in funds were expended by the City. In exchange for the grant funds, the City received a 20-year conservation easement on the property. The Deed of Conservation Easement was executed on May 24, 2006 and was recorded on May 9, 2007. The conservation easement will expire on May 24, 2026. In August 2016, the Neighborhood Congregational Church sold the property to Crosier Village of Phoenix, an Arizona non-profit corporation. Founded in 1210, the Crosier Fathers and Brothers are a Roman Catholic religious community dedicated to living together in community.

In June 2016, prior to the sale of the property, a representative of Crosier Village of Phoenix inquired about demolition of the two parsonage buildings in order to allow new development on the site. Historical Preservation (HP) staff responded that both buildings contributed to the historic character of the property, had HP zoning, and were subject to the

conservation easement, which prevented demolition. Discussion regarding demolition continued through 2017 and 2018.

Concept Letter

In January 2019, staff received a letter along with a concept plan proposing that the ca. 1918 parsonage remain in place with its currently enclosed front porch to be reopened, and that the ca. 1948 parsonage be demolished in order to construct a new building with a larger footprint in the same general location. The new structure would be a two-story, 12,771-square-foot Priory Building with residences for the Crosier Fathers and Brothers. One of the four palms in front of the ca. 1948 parsonage would also be removed. Staff has agreed to take the request to the HP Commission and City Council to get an answer on the demolition issue. Staff visited the property on March 14, 2019 and observed that both parsonage buildings were in good condition.

Staff is appreciative of the applicant’s willingness to save and restore the ca. 1918 parsonage and is sympathetic to the need for additional living space. However, staff recommends that the request to release the City's interest in the conservation easement for the eventual demolition of the ca. 1948 parsonage be denied for the following reasons:

The building contributes to the historic character of the property and the Roosevelt Park Historic District. Roosevelt Park is a small district with a limited number of contributing properties.
HP grant funds were used specifically to reroof the structure and to power wash and paint its exterior.
The applicant was aware of the conservation easement and its associated restrictions prior to purchasing the property.
There appears to be ample space on the site to allow new construction to occur without having to demolish the existing historic buildings.

In the event the City Council does recommend release of its interest in the ca. 1948 parsonage to allow a demolition permit to be requested, there would still be a one-year restraint of demolition from the denial date by the Historic Preservation Officer per Section 813 of the Zoning Ordinance and staff recommends including the following stipulations:

That the applicant repay the City the amount of $3,140.80, which, based on payment records, is the total amount of grant funds expended on the ca. 1948 parsonage.

That the Deed of Conservation Easement be amended to extend the term of the easement an additional 10 years.

That the ca. 1918 parsonage be preserved and its enclosed front porch reopened prior to the demolition of the ca. 1948 parsonage.

Financial Impact

There should be no financial impact to the City.

Concurrence/Previous Council Action

The Historic Preservation Commission heard the request on March 18, 2019 and recommended denial, by a vote of 4-2.

Location

717 E. Southern Ave.
Council District: 8

Discussion

Councilmember Garcia motioned to approve Item 110 per the June 14, 2019 Planning and Development Director memo and adopt the related ordinance.

Councilwoman Guardado seconded the motion.

Mayor Gallego noted Councilmember Garcia had been working on this issue and did not need a staff report.

Councilwoman Pastor thanked staff, Phoenix Historical Preservation Commission, the Crosier Village of Phoenix, and the Crosier Father and Brothers for their great work. She noted a majority of the historic district was in her neighborhood, and said she was glad to see the stipulation noted in the June 14, 2019 memo to increase the deed of the conservation easement by amending it and adding an additional 20 years. She commented she taught in that area, and added she appreciated the work contributed to Roosevelt Park.

Note: The following individuals submitted comment cards for the record

noting their position on Item 110.

Father Thomas Enneking - In Favor
Bill Scheel - Neutral

A motion was made by Councilmember Garcia, seconded by Councilwoman Guardado, that this item be approved per the June 14, 2019 Planning and Development Director memo and adopt the related ordinance. The motion carried by the following vote:

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

No: 0

Absent: 1 - Councilman DiCiccio

112 Public Hearing- Certificate of Appropriateness- Appeal of Historic Preservation Commission Decision - 333 W. Coronado Road in the Willo Historic District

Request to hold a public hearing of a Certificate of Appropriateness Decision by the Historic Preservation Commission (HPC) for 333 W. Coronado Road in the Willo Historic District due to an appeal by the owner/appellant submitted on May 24, 2019. The HPC upheld the decision of the Historic Preservation (HP) Hearing Officer to approve the Certificate of Appropriateness with four stipulations on March 6, 2019. Applicant has requested to continue the item and be heard at the Sept. 4, 2019 Formal agenda in order to be in attendance.

Summary
Application Number: HPCA-1700546
Applicant: Robert Russo, property owner
Request: After-the-fact approval of an approximately 6'9" tall CMU fence and 6'6" tall metal vehicular gate along 5th Avenue; and after-the-fact approval of an approximately 7'4" tall CMU fence along the alley; and a not yet built 294 square foot addition to the north side of the detached garage.

Staff Recommendation: Approve with four stipulations.
HP Hearing Officer Action: Approved per staff recommendation on March

6, 2019.
HPC Action: Uphold Hearing Officer Action by a vote of 4-2 on May 20, 2019.
Appellant: Robert Russo, property owner

HPC Stipulations
1. That the fence (approximately 6'9") and gate (approximately 6'6") along 5th Avenue, be reduced to 6' in height;
2. That the approximately 7'4" fence at the alley may remain, subject to zoning approval;
3. That the garage addition be at or below the height of the existing garage (which is 12' at its ridge);
4. That a clear and accurate plan set be submitted for final approval, including a clarified roof plan, correct elevation labels, and accurate roof heights on all applicable sheets.

Action Requested
Uphold, modify or reverse the Certificate of Appropriateness decision of the HPC.

Location
333 W. Coronado Road
Council District: 4

Discussion
Mayor Gallego asked if Tom Doescher, who submitted a comment card in favor of Item 112, if he would like to speak.

Mr. Doescher answered he did not wish to speak.

Vice Mayor Waring motioned to continue Item 112 to the Sept. 4, 2019 City Council formal meeting.

Councilwoman Pastor seconded the motion.

Mayor Gallego acknowledged Mr. Doescher for making it through the meeting, and said there needed to be a voice vote from Council because this was a request to continue.

A motion was made by Vice Mayor Waring, seconded by

Councilwoman Pastor, that this item be continued to the Sept. 4, 2019 City Council Formal Meeting. The motion carried by the following voice vote:

Yes:	8 -	Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Waring and Mayor Gallego
No:	0	
Absent:	1 -	Councilman DiCiccio

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

CITIZEN COMMENTS

Leonard Clark thanked Councilmember Garcia and the rest of Council for working together on creating an Ad-Hoc committee. He noted he was a proponent of a citzens' review board, and talked about how the make-up of that board should not necessarily be made up of only those who are anti-police or pro-police. He said he did not believe every officer was bad, but commented the culture of the work environment and sociological setup needed to be looked at.

Mayor Gallego asked for those who submitted a comment card for Citizen Comments to approach the microphone.

Amanda Knight stated she was constituent in Councilwoman Stark's District, and talked about the video involving the two police officers and the Ames family. She mentioned what Police Chief Jeri Williams said at the community meeting the previous night regarding the community's responsibility for change, and said she was a community member while asking what she could have done to prevent what occurred.

A woman spoke about a website that focused on a life skills program that works with trauma, and she said this gave information that could help the community and not just the police. She continued to mention different programs related to tools that could be used in the event of conflict. She talked about getting her life in order and having her own apartment, and thanked the Council for listening to

her.

Fred Linsenmeyer commented he was shocked at the foul language used at the meeting, and talked about the video regarding the two police officers and the Ames family. He discussed prior events that the Ames family were involved in, and suggested the family were thieves. He continued to talk about the Ames family, and made generalizations about those who live in west Phoenix.

Patricia Villa asked for justice, and mentioned her son passed away due to a drowning. She noted she did not file a lawsuit seven years ago when it happened, and talked about situations her family has had with police. She suggested new police officers were not trained properly, and asked Mayor Gallego to use the money in the Police Department budget for more training.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 7:17 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 19th day of June, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 4th day of March, 2020.

CITY CLERK