

July 1, 2016

The Phoenix City Council convened in formal session on Friday, July 1, 2016, at 9:03 a.m. in the Council Chambers.

CALL TO ORDER AND ROLL CALL

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

Absent: None

Also Present: City Manager Ed Zuercher, City Attorney Brad Holm, City Clerk Cris Meyer, Budget and Research Director Jeff Barton, Chief Financial Officer Denise Olson, Community and Economic Development Director Christine Mackay, Special Assistant to the City Manager Toni Maccarone, Planning and Development Director Alan Stephenson, and Traffic Engineer III Kerry Wilcoxon

Mr. DiCiccio, Mr. Valenzuela, and Vice Mayor Gallego arrived in the Council Chambers during the first portion of Citizen Comments. Ms. Pastor temporarily left the dais during Item 26. Mr. Waring temporarily left the dais during the omnibus motion for ordinances, resolutions, and new business and during Item 104.

The minutes of this meeting were submitted to Ms. Stark for review.

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

CITIZEN COMMENTS

Ms. Dianne Barker spoke about the benefits of working in an ethical culture such as further developing leadership skills, educational efforts, and best practices.

Vice Mayor Gallego and Mr. DiCiccio arrived in the Council Chambers.

Mr. Pat Vint felt it was important for Councilmembers to work for the citizens and city they represented.

Mr. Valenzuela arrived in the Council Chambers.

July 1, 2016

Mr. John Rusinek conveyed recent problems with people hiking the city's trails during times of extreme heat.

Mr. Terry Youngs explained he owned an automotive repair shop that often serviced the Police Department's undercover vehicles. He stated his employees had all completed background checks to ensure the safety of undercover officers. He asked for information about why his shop was no longer able to work with the Police Department.

An affidavit was presented to the Council by the City Clerk stating that 24 hours prior to the Council meeting, copies of the titles of Ordinances G-6182 through G-6194, S-42691, S-42708, and S-42751 through S-42799, and Resolutions 21454 through 21464 were available in the office of the City Clerk and therefore, the ordinances and resolutions could be read by title or agenda item only, pursuant to the 1969 Code as amended.

BOARDS AND COMMISSIONS

MOTION was made by Vice Mayor Gallego, **SECONDED** by Mrs. Williams to approve as corrected the following Boards and Commissions nominations as submitted by Mayor Stanton:

Deer Valley Village Planning Committee

- To appoint Ms. Balbir Grewal to serve a term to expire November 19, 2017

Development Advisory Board

- To reappoint Mr. Paul Gorraiz to serve a term to expire July 1, 2019
- To reappoint Mr. Derek Horn to serve a term to expire July 1, 2019
- To reappoint Mr. Richard Hudson to serve a term to expire July 1, 2019
- To reappoint Ms. Karlene Keogh-Parks to serve a term to expire July 1, 2019
- To reappoint Mr. Tony Motola to serve a second term to expire July 1, 2019

Laveen Village Planning Committee

- To appoint Ms. Linda Abegg to serve a term to expire November 19, 2017

Mayor's Commission on Disability Issues

- To appoint Ms. Rebecca Bailey to serve a term to expire July 1, 2019
- To appoint Mr. Jason Snead to serve a term to expire July 1, 2019
- To appoint Mr. James Deibler to serve a term to expire June 5, 2019
- To reappoint Mr. David Andreen to serve a term to expire June 5, 2019
- To reappoint Mr. Gregg Mossberger to serve a term to expire June 30, 2019

July 1, 2016

Neighborhood Block Watch Fund Oversight Committee

- To appoint Ms. Rosa Pastrana to serve a term to expire August 31, 2017

Phoenix Business and Workforce Development Board

- To appoint Mr. Delbert Hawk to serve a term to expire June 30, 2017
- To appoint Ms. Alineth Gamero-Hernandez to serve a term to expire June 30, 2019
- To reappoint Mr. Derek Anderson to serve a term to expire June 30, 2019
- To reappoint Mr. Frank Armendariz to serve a term to expire June 30, 2019
- To reappoint Mr. Andres Contreras to serve a term to expire June 30, 2019
- To reappoint Mr. Nick DePorter to serve a term to expire June 30, 2019
- To reappoint Mr. Travis Hardin to serve a term to expire June 30, 2019
- To reappoint Ms. Lucy Mailloux to serve a term to expire June 30, 2019
- To reappoint Ms. Beth Salazar to serve a term to expire June 30, 2019
- To reappoint Mr. Lorenzo Sierra to serve a term to expire June 30, 2019
- To reappoint Mr. Tim Stump to serve a term to expire June 30, 2019

Phoenix Employees' Deferred Compensation Board

- To reappoint Mr. Brian Moore to serve a term to expire September 30, 2019
- To reappoint Mr. David Nieto to serve a term to expire September 30, 2018

Phoenix Sister Cities Commission

- To reappoint Ms. Sandy Benson to serve a term to expire June 30, 2019
- To reappoint Ms. Misty Cisneros-Contreras to serve a term to expire June 30, 2019
- To reappoint Mr. Darren George to serve a term to expire June 30, 2019
- To reappoint Ms. Sue Lindmeier to serve a term to expire June 30, 2019
- To reappoint Mr. Josh Rawitch to serve a term to expire June 30, 2019
- To reappoint Mr. Jack Sestak to serve a term to expire June 30, 2019
- To reappoint Mr. Michael Sleseman to serve a term to expire June 30, 2019
- To reappoint Ms. Mary Wolf Francis to serve a term to expire June 30, 2019

Tourism and Hospitality Advisory Board

- To reappoint Mr. John Chan to serve a term to expire September 30, 2017
- To reappoint Mr. Jerry Harper to serve a term to expire September 30, 2017
- To reappoint Mr. Robert Hayward to serve a term to expire September 30, 2017
- To reappoint Mr. Jeff Moloznik to serve a term to expire September 30, 2017
- To reappoint Mr. Steve Moore to serve a term to expire September 30, 2017

Parks and Recreation Board

- To appoint Mr. Tony Moya to serve a term to expire April 6, 2021

July 1, 2016

Innovation District Steering Committee

- To appoint Mr. David Adame
- To appoint Dr. Holly Batsell
- To appoint Mr. David Allen
- To appoint Mr. Brandon Clarke
- To appoint Ms. Kristin Gubser
- To appoint Mr. Brad Jannenga
- To appoint Ms. Amy Lopez
- To appoint Mr. Lawrence Mandes
- To appoint Mr. Jeff Moloznik
- To appoint Ms. Jackie Roberts
- To appoint Ms. Krista Shepherd
- To appoint Mr. Mark Stratz
- To appoint Mr. Steven J. Tepper
- To appoint Oye Waddell
- To appoint Mr. Brad Woodman

Citizens Transportation Commission - as recommended by Mayor Stanton and Vice Mayor Gallego

- To appoint Mr. Patrick Brennan to serve a term to expire October 28, 2018

MOTION CARRIED UNANIMOUSLY.

ITEM 1.1

CITYWIDE

**DIRECTION ON CITY
SERVICES TAX AS
ADDITIONAL REVENUE
ALTERNATIVE FOR GENERAL
OBLIGATION BOND DEBT**

The Council heard request to direct the City Manager about whether to prepare any ordinance necessary to implement the addition to the City Services Tax on the water bill as an alternative in place of the increased property tax as recommended in Item 3.

Item 3 on the agenda was the City Manager's recommended increase to the property tax rate from \$1.82 to \$2.17 in order to raise a needed \$37 million in funding for General Obligation Bond debt service and to preserve and add General Fund services.

The City Services Tax additional alternative for GO Bond debt service was presented in the City Manager's Trial Budget in March and April. It would increase the monthly City Services Tax assessment by \$5.25 per single family

July 1, 2016

residential meters and commercial meters less than one inch, and \$33.50 per commercial meters of one inch or larger. Approximately 92 percent of meters fall into the \$5.25 monthly category. This would raise \$37 million annually.

If the Council directed the City Manager to implement the additional City Services Tax water bill assessment, an ordinance will be prepared for Council action at a special meeting on or after July 25, due to posting requirements, to be implemented September 1.

Alternatively, the Council could adopt the City Manager's recommended property tax rate of \$2.17.

MOTION was made by Mrs. Williams, **SECONDED** by Mr. Nowakowski that Item 1.1 be withdrawn. **MOTION CARRIED UNANIMOUSLY.**

Reverend Reginald Walton submitted a comment card in favor of Item 1.1; however, he did not wish to speak. Additionally, Ms. Greta Rogers submitted a comment card for the item; however, she did not indicate whether in favor or opposed and did not wish to speak.

The following individuals submitted comment cards in opposition to Item 1.1; however, they did not wish to speak:

- Ms. Dianne Barker
- Mr. Robert Flanagan
- Mr. Richard Rea
- Mr. Sean McCarthy

| | | |
|----------------------|-----------------|-----------------------------------|
| <u>ITEM 1</u> | CITYWIDE | <u>SUSPENSION OF RULES</u> |
|----------------------|-----------------|-----------------------------------|

The Council heard request to suspend the rules and change the order of business to permit the holding of a public hearing on the adoption of a tax levy ordinance. Suspension of the rules to change the order of business of the regular City Council meeting was required by Rule 7(b) of the City Council Rules.

MOTION was made by Vice Mayor Gallego, **SECONDED** by Ms. Pastor to suspend the rules and take Items 4 through 25, license applications, out of order before the budget-related items. **MOTION CARRIED UNANIMOUSLY.**

LIQUOR LICENSE APPLICATIONS

MOTION was made by Vice Mayor Gallego, **SECONDED** by Mrs. Williams that Items 4 through 25 be recommended for approval. **MOTION CARRIED UNANIMOUSLY.**

July 1, 2016

The following individuals submitted comment cards in favor of the items; however, they did not wish to speak:

- Mr. George Strom (applicant) - Item 4
- Mr. Najib Yousif (applicant) - Item 13
- Mr. Mik Milem (applicant) - Item 17
- Mr. Vince Parrott - Item 23
- Ms. Jean Taylor - Item 25
- Mr. Bobb Sudberry - Item 5
- Ms. Theresa Morse (applicant) - Item 15
- Mr. Troy Watkins (applicant) - Item 22
- Ms. Lometa Briggs (applicant) - Item 25
- Ms. Cathy Barrick - Item 25

ITEM 4 **DISTRICT 2** **LIQUOR LICENSE**
APPLICATION - PITA JUNGLE

The Council heard request for a Series 12, Restaurant-All Liquor on Premises, liquor license. Arizona State Application No. 12077636.

Applicant

Samer Alkhairi, Agent
Pita Jungle
20910 N. Tatum Blvd., Ste. 140
Zoning Classification: C-2

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

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 have been an operational Pita Jungle franchise location since 2009. Since our first day of opening we have been reliable, consistent operators of our establishment providing effective and responsible management of our food and beverage (liquor) offerings. We continue to monitor and train our staff with the proper and required practices of serving alcoholic beverages to our patrons."

July 1, 2016

Staff Recommendation

Staff recommended approval of this application.

ITEM 5

DISTRICT 3

**LIQUOR LICENSE
APPLICATION - SPECIAL
EVENT - KAITY'S WAY**

The Council heard request for a Series 15 - Special Event liquor license for the temporary sale of all liquors. There were no departmental objections and no protests.

Applicant

Bobbi Sudberry
Kaity's Way

Event Location

9440 N. 25th Ave.

Function

Dance Event

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

July 23, 2016 – 5:00 p.m. to 9:30 p.m. / 300 attendees

Staff Recommendation

Staff recommended approval of this application.

ITEM 6

DISTRICT 4

**LIQUOR LICENSE
APPLICATION - SPECIAL
EVENT - GRAND CANYON
MEN'S CHORALE**

The Council heard request for a Series 15 - Special Event liquor license for the temporary sale of all liquors. There were no departmental objections and no protests.

Applicant

Jonathan Short
Grand Canyon Men's Chorale

Event Location

502 W. Camelback Rd.

July 1, 2016

Function

Music Event

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

July 9, 2016 – 11:00 a.m. to 5:00 p.m. / 75 attendees

Staff Recommendation

Staff recommended approval of this application.

ITEM 7

DISTRICT 4

**LIQUOR LICENSE
APPLICATION - SPECIAL
EVENT - GRAND CANYON
MEN'S CHORALE**

The Council heard request for a Series 15 - Special Event liquor license for the temporary sale of all liquors. There were no departmental objections and no protests.

Applicant

Jonathan Short

Grand Canyon Men's Chorale

Event Location

502 W. Camelback Rd.

Function

Music Event

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

July 16, 2016 – 11:00 a.m. to 5:00 p.m. / 75 attendees

Staff Recommendation

Staff recommended approval of this application.

ITEM 8

DISTRICT 4

**LIQUOR LICENSE
APPLICATION - SPECIAL
EVENT - GRAND CANYON
MEN'S CHORALE**

The Council heard request for a Series 15 - Special Event liquor license for the temporary sale of all liquors. There were no departmental objections and no protests.

July 1, 2016

Applicant

Jonathan Short
Grand Canyon Men's Chorale

Event Location

502 W. Camelback Rd.

Function

Music Event

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

July 23, 2016 – 11:00 a.m. to 5:00 p.m. / 75 attendees

Staff Recommendation

Staff recommended approval of this application.

ITEM 9

DISTRICT 4

**LIQUOR LICENSE
APPLICATION - SPECIAL
EVENT - GRAND CANYON
MEN'S CHORALE**

The Council heard request for a Series 15 - Special Event liquor license for the temporary sale of all liquors. There were no departmental objections and no protests.

Applicant

Jonathan Short
Grand Canyon Men's Chorale

Event Location

502 W. Camelback Rd.

Function

Music Event

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

July 30, 2016 – 11:00 a.m. to 5:00 p.m. / 75 attendees

Staff Recommendation

Staff recommended approval of this application.

July 1, 2016

ITEM 10

DISTRICT 4

**LIQUOR LICENSE
APPLICATION - SPECIAL
EVENT - XAVIER COLLEGE
PREPARATORY ROMAN
CATHOLIC HIGH SCHOOL**

The Council heard request for a Series 15 - Special Event liquor license for the temporary sale of all liquors. There were no departmental objections and no protests.

Applicant

Maria Murphy-Fontes
Xavier College Preparatory Roman Catholic High School

Event Location

4710 N. 5th St.

Function

Dinner/Live & Silent Auction

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

November 11, 2016 – 5:30 p.m. to 12 Midnight / 600 attendees

Staff Recommendation

Staff recommended approval of this application.

ITEM 11

DISTRICT 4

**LIQUOR LICENSE
APPLICATION - CHEVRON**

The Council heard request for a Series 10, Off Sale-Beer and Wine, liquor license. Arizona State Application No. 10076770.

Applicant

JJ Bazzi, Agent
Chevron
3501 W. Camelback Rd.
Zoning Classification: C-2

This request was for a new liquor license for a convenience store that sold gas. This location was previously licensed for liquor sales as Speedsmart – Chevron and was currently operating with an interim permit.

July 1, 2016

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because: "I am a responsible retailer that will abide by the rules and laws of the City of Phoenix and State of Arizona. It's a convenient location for the community and I will be an active and responsible community member"

Staff Recommendation

Staff recommended approval of this application.

ITEM 12

DISTRICT 4

**LIQUOR LICENSE
APPLICATION - FLAVORS OF
INDIA**

The Council heard request for a Series 12, Restaurant-All Liquor on Premises, liquor license. Arizona State Application No. 12074936.

Applicant

Seema Sood, Agent
Flavors of India
4515 N. 16th St.
Zoning Classification: C-2

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

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 extensive experience in food service management along with

July 1, 2016

dealing with liquor sales. My employees are also very well trained. I am responsible and efficient when it comes to my business and I take the handling of liquor very seriously.”

Staff Recommendation

Staff recommended 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.

ITEM 13

DISTRICT 4

**LIQUOR LICENSE
APPLICATION - GRAND
STOP #2**

The Council heard request for a Series 9, Off Sale-All Liquor, liquor license. Arizona State Application No. 09070066.

Applicant

Najib Yousif, Agent

Grand Stop #2

3710 W. McDowell Rd.

Zoning Classification: C-1

This request was for an ownership and location transfer of a liquor license from Scottsdale for a convenience/liquor store. This location was currently licensed for liquor sales with a Series 10, Off Sale-Beer and Wine, liquor license.

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because: “We are personally qualified because of our previous ownership experience with liquor license astonishments all of the staff has had training as well.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “We are adding in liquor as a convenience for the neighbors that live in the community we

July 1, 2016

are just simply adding that component to our beer and wine license that we currently have.”

Staff Recommendation

Staff recommended approval of this application.

ITEM 14

DISTRICT 6

**LIQUOR LICENSE
APPLICATION - ESSENCE
BAKERY CAFE**

The Council heard request for a Series 12, Restaurant-All Liquor on Premises, liquor license. Arizona State Application No. 1207A641.

Applicant

William Allison, Agent
Essence Bakery Cafe
3830 E. Indian School Rd.
Zoning Classification: C-2

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

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because: “My wife, Chef Eugenia Theodosopoulos, and I have owned and operated a restaurant, Essence Bakery Cafe, at 3830 East Indian School Road, Phoenix, since 2013 and a sister restaurant in Tempe since 2007. Before opening the restaurants, we owned and operated a local catering business from 1994 to 2007. All of these businesses are/have been successful and contributors to the local food scene. We have demonstrated the ability to have responsible, well run restaurants with positive impacts on the area.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “The addition of liquor service to Essence Bakery Cafe will complement the existing food and business with another face that supports the Cafe and responds to

July 1, 2016

customer requests for the service. Our operations will continue to be responsible and an asset for the area.”

Staff Recommendation

Staff recommended approval of this application.

ITEM 15

DISTRICT 6

**LIQUOR LICENSE
APPLICATION - ORCHARD
POMELO LUCI'S SPLURGE**

The Council heard request for a Series 10, Off Sale-Beer and Wine, liquor license. Arizona State Application No. 10076771.

Applicant

Theresa Morse, Agent
Orchard Pomelo Luci's Splurge
7100 N. 12th St., Bldg. 2
Zoning Classification: C-1

This request was for a new liquor license for a market. This location was currently licensed for liquor sales with a Series 12, Restaurant-All Liquor on Premises, liquor license. This location required a Use Permit to allow packaged liquor sales within 300 feet of a residentially zoned property.

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 had experience operating a liquor licensed premises without any violations. All of my staff and myself will attend current alcohol awareness classes to ensure that we are aware of any changes in the laws. It is my utmost desire to create a safe and family friendly environment for the community to enjoy without having to travel to other cities for healthy and upscale dining. The marketplace will offer items not ordinarily offered at big box stores including health foods and many other specialty items.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “As

July 1, 2016

indicated above, it is my desire to build a network with the surrounding community so residents can enjoy a family oriented atmosphere that is upscale yet not so expensive for families to venture out and enjoy themselves. Based on my other business and support from our clientele I am confident that this marketplace will be an asset to the neighboring com”

Staff Recommendation

Staff recommended 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 prior to beginning operations.

ITEM 16

DISTRICT 7

**LIQUOR LICENSE
APPLICATION - SPECIAL
EVENT - DOWNTOWN
PHOENIX, INC.**

The Council heard request for a Series 15 - Special Event liquor license for the temporary sale of all liquors. There were no departmental objections and no protests.

Applicant

Samantha Jackson
Downtown Phoenix, Inc.

Event Location

67 W. Culver St.

Function

Food Festival

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

November 19, 2016 – 11:00 a.m. to 5:00 p.m. / 5,150 attendees

Staff Recommendation

Staff recommended approval of this application.

July 1, 2016

ITEM 17

DISTRICT 8

**LIQUOR LICENSE
APPLICATION - SPECIAL
EVENT - ARIZONA BURN
FOUNDATION, INC.**

The Council heard request for a Series 15 - Special Event liquor license for the temporary sale of all liquors. There were no departmental objections and no protests.

Applicant

Michael Milem
Arizona Burn Foundation, Inc.

Event Location

45 W. Buchanan St.

Function

Fashion Show/Silent Auction

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

July 16, 2016 – 5:00 p.m. to 11:00 p.m. / 400 attendees

Staff Recommendation

Staff recommended approval of this application.

ITEM 18

DISTRICT 2

**LIQUOR LICENSE
APPLICATION - COWBOYS
SALOON AND GRILL**

The Council heard request for a Series 12, Restaurant-All Liquor on Premises, liquor license. Arizona State Application No. 1207A463.

Applicant

Randy Nations, Agent
Cowboys Saloon and Grill
5310 E. High St., Bldg. A3 #115
Zoning Classification: C-2

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

The sixty-day limit for processing this application was July 1, 2016.

July 1, 2016

Public Opinion

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

Applicant's Statement

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

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

Staff Recommendation

Staff made no recommendation regarding this application at this time, pending the completion of the departmental reviews and the posting process.

Per a backup City Council Report, staff changed its recommendation to approval.

ITEM 19

DISTRICT 2

**LIQUOR LICENSE
APPLICATION - SHAKE SHACK**

The Council heard request for a Series 12, Restaurant-All Liquor on Premises, liquor license. Arizona State Application No. 1207A663.

Applicant

Andrea Lewkowitz, Agent
Shake Shack
15024 N. Scottsdale Rd., Ste. 180
Zoning Classification: C-2 PCD

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

Public Opinion

At the time this agenda was finalized, no protest or support letters were received, however the 20-day public comment period had not yet concluded.

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.

July 1, 2016

I have the capability, reliability and qualifications to hold a liquor license because: "Applicant is committed to upholding the highest standards. 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: "Shake Shack offers its guests a wide variety of customized delicious burgers, hot dogs, frozen custard, shakes and more in a modern-day neighborhood restaurant. Applicant would like to offer alcoholic beverages as an incident to the delicious meals served."

Staff Recommendation

Staff made no recommendation regarding this application at this time, pending the completion of the departmental reviews and the posting process.

Per a backup City Council Report, staff changed its recommendation to approval.

ITEM 20

DISTRICT 4

**LIQUOR LICENSE
APPLICATION - RAZAN
MARKET**

The Council heard request for a Series 10, Off Sale-Beer and Wine, liquor license. Arizona State Application No. 10076778.

Applicant

Andrea Lewkowitz, Agent
Razan Market
2848 N. 43rd Ave.
Zoning Classification: C-1

This request was for a new liquor license for a convenience store that did not sell gas. This location was previously licensed for liquor sales as Food 4 Less LLC until January 2016 and was currently operating with an interim permit.

Public Opinion

At the time this agenda was finalized, no protest or support letters were received, however the 20-day public comment period had not yet concluded.

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.

July 1, 2016

I have the capability, reliability and qualifications to hold a liquor license because: “Applicant is committed to upholding the highest standards for alcohol sales and service. Managers and staff are trained, or will be, in the techniques of legal and responsible sales and service.”

Staff Recommendation

Staff made no recommendation regarding this application at this time, pending the completion of the departmental reviews and the posting process.

Per a backup City Council Report, staff changed its recommendation to approval.

ITEM 21

DISTRICT 7

**LIQUOR LICENSE
APPLICATION -
KALEIDOSCOPE**

The Council heard request for a Series 12, Restaurant-All Liquor on Premises, liquor license. Arizona State Application No. 1207A664.

Applicant

Andrea Lewkowitz, Agent
Kaleidoscope
1 N. 1st St., Ste. 100
Zoning Classification: DTC – Business Core

This request was for a new liquor license for a restaurant. This location was previously licensed for liquor sales as Cartel Coffee Lab until May 2014 and did not have an interim permit.

Public Opinion

At the time this agenda was finalized, no protest or support letters were received, however the 20-day public comment period had not yet concluded.

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 business standards for product quality, customer service and community engagement. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service.”

July 1, 2016

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Kaleidoscope offers its guests 100% organic ingredients to dishes and juices offered on their health menu. Applicant would like to offer alcoholic beverages as an incident to the nourishing and cleansing meals offered."

Staff Recommendation

Staff made no recommendation regarding this application at this time, pending the completion of the departmental reviews and the posting process.

Per a backup City Council Report, staff changed its recommendation to approval.

ITEM 22

DISTRICT 7

**LIQUOR LICENSE
APPLICATION - THE
DRESSING ROOM**

The Council heard request for a Series 12, Restaurant-All Liquor on Premises, liquor license. Arizona State Application No. 1207A660.

Applicant

Troy Watkins, Agent
The Dressing Room
220 E. Roosevelt St.
Zoning Classification: DTC – West Evans Churchill

This request was for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and did not have an interim permit. This business was currently being remodeled with plans to open in September 2016.

Public Opinion

At the time this agenda was finalized, no protest or support letters were received, however the 20-day public comment period had not yet concluded.

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because: "I have been in the restaurant industry since 1988 and have worked for and been trained by the most reputable in the business. We have protocol and

July 1, 2016

training to have an awareness of those overserved and those we are serving. We understand the responsibilities involved with this priveledged license.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “We strive to create a community gathering space while serving & safe enviornment for all guests. Our prospering business will help increase revenue to the community and city.”

Staff Recommendation

Staff made no recommendation regarding this application at this time, pending the completion of the departmental reviews and the posting process.

Per a backup City Council Report, staff changed its recommendation to approval.

ITEM 23

DISTRICT 8

**LIQUOR LICENSE
APPLICATION - NICOLA
IMPORTS**

The Council heard request for a Series 4, Wholesaler, liquor license. Arizona State Application No. 04077035.

Applicant

Nicholas Bramini, Agent
Nicola Imports
4006 S. 23rd St., Ste. 2
Zoning Classification: A-1

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

Public Opinion

At the time this agenda was finalized, no protest or support letters were received, however the 20-day public comment period had not yet concluded.

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 experience in this field and an understanding of the responsibilities that come with this license. For the past 3 years I have assisted

July 1, 2016

in the running of this business and understand how important it is to manage inventory, sales, and the distribution of liquor. I am an upstanding citizen of AZ and a devoted husband and father with ties to this community that I love.”

Staff Recommendation

Staff made no recommendation regarding this application at this time, pending the completion of the departmental reviews and the posting process.

Per a backup City Council Report, staff changed its recommendation to approval.

ITEM 24

DISTRICT 8

**LIQUOR LICENSE
APPLICATION - PETER PIPER
PIZZA #1254**

The Council heard request for a Series 12, Restaurant-All Liquor on Premises, liquor license. Arizona State Application No. 1207A650.

Applicant

Nicholas Guttilla, Agent
Peter Piper Pizza #1254
5135 W. Baseline Rd.
Zoning Classification: C-1

This request was for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and did not have an interim permit. This business was currently under construction with plans to open in December 2016.

Public Opinion

At the time this agenda was finalized, no protest or support letters were received, however the 20-day public comment period had not yet concluded.

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because: “The applicant, Peter Piper, Inc. successfully and responsibly operates many liquor licenses at its various restaurants in Arizona. Peter Piper, Inc. holds its employees to a very high standard regarding responsible Title 4 compliance.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “Peter

July 1, 2016

Piper, Inc. d/b/a Peter Piper Pizza, is a responsible business owner and good neighbor that takes alcohol compliance very seriously. Customers have come to expect and enjoy alcohol and other beverages served with meal purchases at Peter Piper restaurants.”

Staff Recommendation

Staff made no recommendation regarding this application at this time, pending the completion of the departmental reviews and the posting process.

Per a backup City Council Report, staff changed its recommendation to approval.

BINGO LICENSE APPLICATIONS

ITEM 25

DISTRICT 2

**BINGO LICENSE
APPLICATION - AMERICAN
LEGION AUXILIARY IRVING
SELMER UNIT 107, INC.**

The Council heard request for a Class A Bingo License. State law required City Council approval before a State Bingo License could be issued.

Bingo License Types

Class A – gross receipts will not exceed \$15,600 per year

Class B – gross receipts will not exceed \$300,000 per year

Class C – anticipated gross receipts may exceed \$300,000 per year

Applicant

Lometa Briggs

American Legion Auxiliary Irving Selmer Unit 107, Inc.

20001 N. Cave Creek Rd.

Applicant’s projected use of net proceeds: “Veterans, homeless veterans, deployed military (care packages), donations to veterans, homeless, veterans children.”

Staff Recommendation

Staff recommended approval of this application.

July 1, 2016

ITEM 2

CITYWIDE

**PUBLIC HEARING ON
ADOPTION OF PROPERTY TAX
LEVY FOR 2016-2017 FISCAL
YEAR**

As required by State statute, the Council heard request to hold a public hearing prior to the adoption of a property tax levy for the City of Phoenix for 2016-2017.

City Manager Ed Zuercher presented the recommended property tax levy. He explained it would increase to a total of \$2.17 per \$100 of assessed value and create a total levy of \$238 million. He added this was the first rate increase since 1995 and it would ensure the City of Phoenix maintained its positive reputation with creditors.

Mr. Zuercher stated the two components of the City's budget involved debt services and the General Fund. He said the debt service aspect would ensure buildings for first responders, storm drains, parks, streets, and more were adequately maintained and functioning properly, and the General Fund budget covered the costs of services such as 9-1-1, police and fire response, libraries, and senior centers.

Mr. Zuercher explained the property tax pledge would provide long-term financial stability, and had preserved rating agencies' confidence about the City's ability to repay debts, leading to the highest credit rating of the six largest cities in the United States. He conveyed the population had grown by more than 500,000 people; the City had built two police stations, 14 fire stations, and 19 parks; and created more than 1,000 miles of streets since the last property tax increase in 1995. He explained the proposed levy was less than the levy adopted by the Council during fiscal years 2009-10 and 2010-11, and the average homeowner would pay an additional \$51 per year, almost \$100 less than what was paid by the typical homeowner in 2010.

Mr. Zuercher noted numerous community budget hearings during the previous months had shown overwhelming support of increasing the property tax rate to ensure uninterrupted services which were valued by city residents such as parks, youth services, library access, and first responder response. He concluded that the services adopted by the City Council for the 2016-17 budget would be funded by the levy and recommended Council approval of the property tax levy.

July 1, 2016

Mr. DiCiccio voiced his opposition to the property tax increase. He asked Mr. Zuercher to explain why a property tax increase was being recommended when property taxes were already being used for city services.

Mr. Zuercher responded the City Council made a policy-based decision during the economic recession to utilize money collected from the primary property tax to preserve services as best as possible. He explained that by allocating property tax money to the General Fund, less property tax funding was available to pay debt services. He further explained the City decided to use a reserve fund built from previous years' tax revenue to supplement funding to cover the City's debt services. He stated the recommended tax rate increase would still need to use some of the reserve fund money; however, the reserve fund was at the minimum amount acceptable to creditors.

Mr. DiCiccio asked if the City had high revenue and what the surplus was going in to fiscal year 2016-17. He also asked about the value of the tax increase.

Mr. Zuercher responded the City's revenue was the highest it had been as it had recovered from pre-recession levels. He stated the property tax would generate \$37 million for the current fiscal year. Additionally, he explained the \$60 million surplus from one-time expenses was allocated to restoring employees' compensation and adding new services.

Mr. DiCiccio reiterated his opposition to the property tax increase and voiced he would have preferred to eliminate non-strategic services until the City developed a strategic financial plan.

Mrs. Williams asked for additional information about how the floating tax worked in previous years. Additionally, she asked if staff knew what impact it would have on the reserve fund.

Mr. Zuercher responded the floating tax rate was a frequent subject of discussion. He stated the Council voted to keep the property tax rate fixed the previous 20 years; however, the last six years utilized a floating tax rate and used the reserve funding. He confirmed staff was aware the reserve fund would be depleted to the minimum acceptable level.

Mrs. Williams felt the City's responsibility was to maintain and develop infrastructure and ensure the public's safety. She stated some items that didn't seem to be related to public safety actually contributed to a safe city. She gave an example of how youth programs kept young citizens occupied, and Police and Fire personnel would need to be increased if these programs were eliminated. She commented each Councilmember had different priorities based on his or her

July 1, 2016

district's needs, but felt it was important to ensure the City maintained its high credit rating and low interest rates on projects.

Mr. Nowakowski explained the Council made the decision to postpone implementing a property tax increase for many years because the City's residents needed financial assistance during the economic recession. He added employees took pay cuts to ensure minimum services were maintained, and felt it was time to implement the increase since the economy had improved.

Mr. Waring asked for a comparison between the budgets for fiscal years 2015-16 and 2016-17. He also asked what percentage of the change would be attributed to restoring concessions for employees.

Budget and Research Director Jeff Barton explained the 2016-17 budget was \$50 million more than the 2015-16 budget, a 5.7 percent increase. He explained restoring pay would cost \$20 million and increased pension costs attributed to \$36 million.

Mr. Waring stated the \$37 million property tax increase would go toward pay and pension costs. He felt citizens were being unfairly taxed with increases to the water rate, airport and parking fees, and sales fees. He spoke about various expenses he opposed including organizational memberships, lobbyist fees, and public relation fees. He concluded he would have preferred to cut funds instead of increasing the tax rate.

Ms. Pastor voiced her opposition to raising taxes, but asked what would happen to the City's current credit rating if the reserve fund fell below a \$75 million threshold.

Chief Financial Officer Denise Olson explained the reserve fund maintained the City's financial credibility as it demonstrated to creditors the City's intention to pay debt services over an extended period of time. She explained a reduction in reserve funding could lead to higher property taxes in the future or cutting city services as there would be no financial flexibility without the reserve fund. She further explained the reserve fund demonstrated the City's liquidity to creditors, leading to a lower interest rate when money was borrowed.

Mr. Zuercher clarified a better credit rating allowed the City to have a lower cost of borrowing. He explained the amount in the reserve fund was an appropriate amount to keep ratings high and interest rates low. He concluded reserve funds were not unusual for cities.

Mrs. Williams asked if the proposed policy had a safeguard in place to protect homeowners in the event home values rebounded quickly.

July 1, 2016

Ms. Olson responded a limitation on the assessed values of houses would not allow the tax rate to increase more than five percent annually.

Ms. Pastor reiterated the City's reserve fund needed to be \$75 million to ensure the City had a high credit rating. She asked if it was possible for the City to pay more in interest fees if the tax rate increase was not approved.

Mr. Zuercher confirmed that was correct and added the City will still use the reserve fund to pay debt services to limit the tax rate increase. He added that if the reserve was not used, the property tax rate would need to be further increased to cover costs. He concluded the reserve fund allowed the City protection and flexibility in the event of unforeseen or undesirable situations.

Mayor Stanton opened the public hearing.

Mr. Pat Vint spoke in opposition to the item and did not feel it was necessary to increase City employees' compensation.

Mr. John Rusinek thought it was unnecessary to increase the tax rate when there was money in the reserve fund.

Ms. Greta Rogers thought the first property tax rate increase in 21 years was much needed. She explained she attended eight community budget hearings, during which 94 percent of people spoke in favor of the tax rate increase. She concluded the City made promises to restore employees' compensation six years ago and felt attrition would be high if the restorations were not approved.

Former Councilman Michael Johnson supported the item because the funds were necessary to support the approved 2016-17 budget.

Mr. Robert Flanagan voiced his opposition to the item as he felt taxes and fees kept increasing.

Ms. Charlene Tarver explained the community supported the property tax increase. She feared there would be deficits to parks and recreational services if the tax levy was not approved.

Mr. Rob Robinson voiced his opposition to a tax levy and asked the Council to spend money wisely.

Mr. Brent Kleinman explained he did not want to pay additional taxes, but found it necessary to proactively collect money and maintain city services. He

July 1, 2016

added everybody used city services and it would be difficult to collect on a higher tax rate if the reserve was depleted.

Mr. Todd Hoffman spoke in opposition to a tax levy.

Ms. Channel Powe spoke in favor of the approved budget and the transparent public hearing process. She supported money being spent on after-school programs and the police body camera project.

Mr. James McGarrahan was opposed to the property tax levy but supported restoring concessions to police and fire personnel.

Ms. Dianne Barker opposed the tax increase.

Former Councilman Craig Tribken felt there was a need to approve the tax levy and fund the budget. He feared there would soon be no funding for overflow shelters and the number of homeless individuals would increase.

Reverend Reginald Walton felt the tax levy was necessary to fund police body cameras and other essential services.

Mr. Neal Haddad supported the tax levy as it would make the City less vulnerable to economic fluctuations. He added the property tax rate would still be lower than the average rate among other large cities.

Ms. Kirsten Peterson Johnsen supported the tax levy as it would adequately fund the budget for services that served residents.

Ms. Alice Bazlen supported the tax levy and felt it was important to fund the approved budget.

Ms. Janet Traylor supported the item and felt a reserve fund was important for a healthy economy.

Ms. Judy Guilds felt it was important to fund projects throughout the city with the tax levy.

Mr. Gary Egan felt Phoenix provided some of the best services with the lowest tax rate. He supported the tax levy and commended management on making it the first one in 20 years.

Mayor Stanton commented Ms. Jenny Strickland submitted a comment card in support of the item; however, she was no longer present to speak.

July 1, 2016

Mr. Richard Rea spoke positively of the community budget hearings and restoring employee concessions. He supported the tax levy as it would keep the City's credit rating high.

Mr. Britt London and Mr. Darrell Kriplean donated their speaking time to Mr. Ken Crane. Mr. Crane felt it was necessary to approve the tax levy to prevent freezing police hiring. He added numerous citizens supported the item and thought floating the tax rate was a sensible solution.

Mr. Cory Gregory donated his speaking time to Mr. Steve Beuerlein. Mr. Beuerlein explained there was overwhelming support of the property tax levy. He added employees took concessions for six years to avoid a tax increase. He concluded not approving the proposed levy would freeze hiring when the departments were already answering additional calls with fewer employees.

Mr. Benjamin Taylor voiced his support of the item.

Reverend Jarrett Maupin supported the item, but suggested an exemption to those living in poverty as the additional cost will be difficult for some to pay.

Mr. Sean McCarthy was opposed to the item. He stated those who paid taxes in full would have difficulty doing so.

The following individuals submitted comment cards in favor of a property tax levy; however, they did not wish to speak:

- Ms. Dana Medlin
- Ms. Margaret Dietrich
- Mr. Adrian Gallegos
- Mr. Alex Greea
- Mr. Anthony Volpe
- Mr. Daniel Comach
- Mr. Demetrius LaVant
- Mr. Ed Boubrlein
- Mr. Emilio Rivera
- Mr. Greg Garcia
- Mr. James Deibler
- Mr. Jon Duffy
- Mr. Joshua Stevens
- Mr. Marcus Steele
- Mr. William Whitakes
- Ms. Donna Reiner
- Ms. Tenique Broughton
- Mr. Alberto J. Jaramillo
- Mr. Andres Guerrero
- Mr. Charles C. Ciconi
- Mr. David Alex Kingman
- Mr. Don Jongewaard
- Mr. Eddy Beuerlein
- Mr. Ernesto F. Mata
- Mr. Hugo Gonzalez
- Mr. Jesse Nettles
- Mr. Joseph Moreno
- Mr. Justin S. White
- Mr. Ray Maione
- Mr. Ygnacio A. Renteria

Ms. Cynthia Macluskie submitted a comment card in opposition to a property tax levy; however, she did not wish to speak.

July 1, 2016

Noting there was nobody else present to speak, Mayor Stanton closed the public hearing.

ITEM 3 **CITYWIDE** **ORDINANCE S-42797 -
ADOPTION OF PROPERTY TAX
LEVY FOR 2016-2017 FISCAL
YEAR**

The Council heard request to adopt an ordinance levying separate amounts to be raised for primary and secondary property tax levies upon each one hundred dollars (\$100.00) of the assessed valuation of the property subject to taxation within the City of Phoenix for the fiscal year ending June 30, 2017.

The ordinance provided for a primary property tax levy of \$146,710,553 (a General Fund revenue source) equating to a rate of \$1.3359 per \$100 of assessed valuation, including \$0.08 for maintenance of parks and playgrounds and \$0.3359 for the operation and maintenance of libraries; and an estimated secondary property tax levy of \$91,602,120 (used only for debt service) equating to a rate of \$0.8341 per \$100 of assessed valuation. The ordinance provided for a combined property tax rate of \$2.1700 per \$100 of assessed valuation.

MOTION was made by Mr. Nowakowski, **SECONDED** by Mrs. Williams that Item 3 be adopted.

Mayor Stanton commented he would be supportive of the motion because one of the City's priorities was keeping high quality services. He explained nearby cities and counties had floated the property tax rate during times of economic duress; however, Phoenix had not adjusted the rate for more than 21 years which provided more than \$200 million in tax relief to residents. He explained approving the floating tax rate today would keep the tax burden lower than it was in 2010. He stated the City had eliminated unnecessary spending, adopted pension reforms to save taxpayers \$1.1 billion over 20 years, and eased the burden on taxpayers. He concluded the City was making strategic investments in public safety and felt the budget was responsible and would provide vital services.

Mr. Waring reiterated his opposition to the tax levy as he felt those who verbally supported the increase represented a small portion of taxpayers. He suggested the Sport Facility Fund be utilized to avoid the tax levy. Additionally, he disliked how the City was experiencing record revenue yet still proposed a tax levy. Lastly, he spoke in opposition to certain line items on the budget including lobbyist fees and increasing pension costs.

July 1, 2016

Vice Mayor Gallego thanked the citizens who attended the budget hearings for participating in the budget process. She explained certain costs could be paid for from funding sources other than the General Fund, such as the cost of body cameras coming from various court funds. She explained many of the costs in the budget did not align with her personal views and said she would not be supporting the item.

Ms. Stark voiced her support of restoring employees' concessions. She felt lobbyist fees and various procurements needed to be reevaluated. Due to many of her constituents not supporting the tax increase, she expressed her willingness to have special sessions to further discuss the budget, but said she would not be supporting the item currently proposed.

Mr. DiCiccio disliked how Phoenix had a high revenue and surplus, yet still proposed a tax levy. He suggested staff evaluate which expenditures were not critical for the city.

Mayor Stanton asked what would happen if the tax levy was not approved at today's meeting.

City Manager Ed Zuercher responded the Council had previously adopted the 2016-17 budget which set a certain level of spending for the fiscal year. He explained the property tax levy was necessary to give the City resources to implement the budget. If the item did not pass, the Council would need to reevaluate the budget and find other revenue sources. He further added all hiring and non-life and non-safety spending would be frozen.

Mr. Waring stated there were items that could be cut from the budget. He recalled a list of new expenditures totaling \$44 million and thought cutting those would cover the \$37 million deficit.

Mr. Zuercher stated a list totaled \$44 million; however, it was from current expenditures. He stated all new spending totaled roughly \$9.5 million. He reiterated if the tax levy did not pass all spending would be frozen except for the contracts to restore employees' pay as previously negotiated in May.

Mr. Waring explained if all new spending was frozen there would still be a \$26 million deficit. He reiterated the importance of reevaluating the budget and voiced his support of taking time to look for additional savings. He asked if there was \$25 million in efficiency savings available in the \$1.22 billion budget and when a vote on the new budget could occur.

July 1, 2016

Mr. Zuercher said the City had always adopted the levies to fund the budget. He stated the Council could return next week to vote on the property tax levy as well as the second budget.

City Attorney Brad Holm stated the City Code required the adoption of a tax levy sufficient to fund the budget. He added adopting the levy was an administrative decision that needed to be resolved before July 26, 2016 to avoid additional hearings to reevaluate the budgets.

Mr. Waring thought it would be important to have a discussion about the budget items with the firm deadline. He felt the finality of the deadline would allow for a more fiscally responsible budget.

SUBSTITUTE MOTION was made by Mr. DiCiccio, **SECONDED** by Mr. Waring that Item 3 be denied and the Council reevaluated the 2016-17 budget and property tax levy until a special session to be held on June 22, 2016.

Mrs. Williams expressed her concern about having a new process without the community exposure and input the current budget hearing process received.

Mayor Stanton commented he would not be supporting the substitute motion as he supported the original motion based on the reasoning he provided earlier.

| | | |
|------------|---------|---|
| Roll Call: | Ayes: | DiCiccio, Stark, Waring |
| | Nays: | Nowakowski, Pastor, Valenzuela, Williams, Vice Mayor Gallego, Mayor Stanton |
| | Absent: | None |

MOTION FAILED.

Mayor Stanton clarified that due to the substitute motion failing, the Council was now considering the original motion made by Mr. Nowakowski to approve the property tax levy.

Mr. Waring was concerned the property tax levy was not unanimously supported by the Councilmembers and therefore was not unanimously supported by the community.

Mr. Nowakowski was proud of the City of Phoenix and felt the services provided by employees changed lives. He commended employees and citizens who had made sacrifices in previous years. He concluded the important programs could not continue without the funding sources and believed the

July 1, 2016

additional tax would be beneficial in the future as it would help to mold future leaders.

Ms. Pastor explained she participated in various City programs when she was a child. She believed she knew her neighborhood's desires and would be supporting the item as it would allow the opportunity to teach leadership skills to youth. She also felt safety was important because neighborhoods could only thrive when residents felt safe in their communities.

Mr. Valenzuela felt it was important to look at the return on various investments made by the City. For example, he explained the \$1 million in lobbyist and government relations costs helped to ensure the City earned over \$120 million in grants. He supported the budget as the costs of the investments were less than the grant money the City received from the expenditures. He thanked City employees and City management for providing high-quality services.

Mr. Waring felt a return on investment was a great thing to evaluate, but felt similar arguments could be made for each line item.

MOTION was made by Mrs. Williams, **SECONDED** by Ms. Pastor to call for the previous question.

| | | |
|------------|---------|---|
| Roll Call: | Ayes: | Nowakowski, Pastor, Valenzuela, Williams, Vice Mayor Gallego, Mayor Stanton |
| | Nays: | DiCiccio, Stark, Waring |
| | Absent: | None |

MOTION CARRIED.

Mayor Stanton stated City Council Rules required the Council to now immediately vote on the underlying motion made by Mr. Nowakowski.

| | | |
|------------|---------|--|
| Roll Call: | Ayes: | Nowakowski, Pastor, Valenzuela, Williams, Mayor Stanton |
| | Nays: | DiCiccio, Stark, Waring, Vice Mayor Gallego |
| | Absent: | None |

MOTION CARRIED.

The Council took a short break at 12:03 p.m. and reconvened at 12:12 p.m.

July 1, 2016

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

MOTION was made by Vice Mayor Gallego, **SECONDED** by Mrs. Williams that Items 26 through 106 be adopted except for Items 26, 27, 32, 41, 42, 44, 50, 58, 76.2, 90, and 104.

| | | |
|------------|---------|--|
| Roll Call: | Ayes: | DiCiccio, Nowakowski, Pastor, Stark, Valenzuela, Williams, Vice Mayor Gallego, Mayor Stanton |
| | Nays: | None |
| | Absent: | Waring |

MOTION CARRIED.

| | | |
|-------------------------|-----------------|--|
| <u>ITEM 27.1</u> | CITYWIDE | ORDINANCE S-42799 - SETTLEMENT OF CLAIMS RE: KS STATEBANK AND ARIZONA OFFICE TECHNOLOGIES, INC. |
|-------------------------|-----------------|--|

The Council heard request to authorize the City Manager, or his designee, to enter into a settlement agreement with all parties and for all claims in the matters captioned KS StateBank v. City of Phoenix, Arizona Superior Court, Maricopa County, Cause No. CV2016-007512, and Arizona Office Technologies, Inc. v. City of Phoenix, Arizona Superior Court, Maricopa County, Cause No. CV2016-007525. It was further requested the City Controller be authorized to disburse funds in the amount of \$975,000.00 for purposes of this ordinance.

| | | |
|-----------------------|-------------------|--|
| <u>ITEM 28</u> | DISTRICT 4 | RESOLUTION 21454 - ISSUANCE OF ONE OR MORE SERIES OF UP TO \$30,000,000 OF THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF PHOENIX, ARIZ., TAX-EXEMPT AND/OR TAXABLE MULTIFAMILY HOUSING REVENUE BONDS (3RD AND INDIAN SCHOOL ASSISTED LIVING PROJECT), SERIES 2016 |
|-----------------------|-------------------|--|

The Council heard request to adopt a resolution granting approval of the proceedings under which The Industrial Development Authority of the City of

July 1, 2016

Phoenix, Ariz., (the “Phoenix IDA”) had previously resolved to issue up to \$30,000,000 of Multifamily Housing Revenue Bonds (the “Revenue Bonds”) for use by 3rd and Indian School Assisted Living Facility LLC (the “Borrower”), a Delaware limited liability company, to:

- a) finance acquisition, construction, renovation, improvement, and equipping of multifamily housing, assisted living, and memory care facilities (the “Project”), and
- b) pay certain costs related to the issuance of the Revenue Bonds.

Location

The facilities will be located at 4000 N. 3rd Ave. in Phoenix. The City of Phoenix Street Transportation Department indicated that it did not anticipate any traffic safety issues to arise from the project.

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

Concurrence/Previous Council Action

The Phoenix IDA Board previously resolved to issue the Revenue Bonds at its meeting held on June 16, 2016.

This Project fell within the parameters of the resolution endorsing main elements of the Phoenix IDA’s 2015-2016 plan adopted by the City Council at its Formal meeting on October 21, 2015.

ITEM 29

OUT OF CITY

**RESOLUTION 21455 -
ISSUANCE OF ONE OR MORE
SERIES OF UP TO \$14,000,000
OF THE INDUSTRIAL
DEVELOPMENT AUTHORITY
OF THE CITY OF PHOENIX,
ARIZ., TAX-EXEMPT AND/OR
TAXABLE EDUCATION
FACILITY REVENUE AND
REFUNDING BONDS (KIPP
TECH VALLEY CHARTER
SCHOOL PROJECT), SERIES
2016**

The Council heard request to adopt a resolution granting approval of the proceedings under which The Industrial Development Authority of the City of

July 1, 2016

Phoenix, Ariz., (the "Phoenix IDA") had previously resolved to issue up to \$14,000,000 of Education Facility Revenue and Refunding Bonds (the "Revenue Bonds") for use by KIPP Tech Valley Charter School (the "Borrower"), a New York nonprofit corporation, to:

- a) refund previous Phoenix IDA bonds used to finance acquisition, construction, improvement, and/or equipping of education facilities;
- b) finance acquisition, construction, improvement, and/or equipping of additional education facilities ([a] and [b] together, the "Project"); and
- c) pay certain costs related to the issuance of the Revenue Bonds.

Location

The existing facilities were located at 1 Dudley Heights and 4-10 Dudley Heights in Albany, New York. The additional facilities will be located at 321 Northern Boulevard in Albany, New York. Elected officials from Albany provided the Phoenix IDA their support of this project.

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

Concurrence/Previous Council Action

The Phoenix IDA Board previously resolved to issue the Revenue Bonds at its meeting held on June 16, 2016.

This Project fell within the parameters of the resolution endorsing main elements of the Phoenix IDA's 2015-2016 plan adopted by the City Council at its Formal meeting on October 21, 2015.

ITEM 30

CITYWIDE

**ORDINANCE S-42752 -
ARMORED CAR PICK-UP AND
DELIVERY SERVICES -
MARICOPA COUNTY SERIAL
16092-S - REQUIREMENTS
CONTRACT**

The Council heard request to authorize the City Manager, or his designee, to enter into an agreement with Dunbar Armored, Inc. for armored car pick-up and delivery services. It was further requested the City Controller be authorized to disburse funds related to this item.

July 1, 2016

This agreement will be utilized to provide armored car pick-up and delivery services to secure transport of cash and other negotiable documents citywide by way of armored car. These services will be acquired on an as-needed basis.

Procurement Results

The contract awarded by Maricopa County was solicited in a similar competitive bidding process as the City’s procurement code. The contract was fair and reasonable and compared to other City contracts for similar services.

Contract Term

The initial term will begin at the time of Council approval and end on May 31, 2017. Provisions of the contract included the option for four, one-year extensions through May 31, 2021 which may be exercised by the City Manager, or his designee.

Financial Impact

The aggregate contract value, including option years, will not exceed \$875,000 (including applicable taxes) with an estimated annual expenditure of \$175,000. Funds were available in the various departments’ budgets.

ITEM 31

CITYWIDE

**ORDINANCE S-42753 -
CARRIER AND BROADBAND
PROVIDER SERVICES -
STATE CONTRACT
ADSP014-00004241**

The Council heard request to authorize the City Manager, or his designee, to enter into a contract with CenturyLink Communications, LLC; Integra Telecom Holdings Inc.; Cox Arizona Telcom LLC; AT&T; and Level 3 Communications to provide telecommunication services to all City departments. It was further requested the City Controller be authorized to disburse all funds related to this item.

The telecommunication lines, circuits and services were used to satisfy a variety of needs across the City to allow communications to occur in many forms, such as internet, phone lines, data circuits, and distributed denial of service protection. The usage of these technologies was critical to the operations of all City departments.

Procurement Results

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo citing the request to adopt the State of Arizona Contract ADSP014-00004241. The contract awarded by the State of Arizona, a public procurement agency, was solicited in the same or

July 1, 2016

similar steps as the City would have under its own procurement code. The contract pricing was fair and reasonable and compared to previous City contracts for similar services.

Contract Term

The initial one-year contract term will begin upon Council approval and end on June 30, 2017. Provisions of the contract included an option to extend the term of the contract up to three years, in one-year increments, which may be exercised by the City Manager, or his designee.

Financial Impact

The aggregate contract value, including all option years, will not exceed \$22,080,000 with an estimated annual expenditure of \$5,520,000. Funds were available in all City departments' budgets.

ITEM 33

CITYWIDE

**ORDINANCE S-42755 -
IFB 16-210 VARIOUS METALS –
REQUIREMENTS CONTRACT**

The Council heard request to authorize the City Manager, or his designee, to enter into a contract with Southwest Steel Sales, LLC to provide various metals for various City departments. It was further requested the City Controller be authorized to disburse all funds related to this item over the life of the contract in an amount not to exceed \$400,000.

The various metals were used to fabricate, maintain and/or repair grates, handrails, fences, etc., to Citywide departments on an as-needed basis. The primary departments using the contract would be the Street Transportation and Parks and Recreation departments at locations throughout the city. The requested materials were critical to citywide facility operations.

Procurement Results

IFB 16-210 Various Metals was conducted in accordance with Administrative Regulation 3.10. The solicitation notification was distributed to 30 vendors. There were two offers received by the Procurement Division on April 15, 2016. One offer was deemed non-responsive.

| <u>Bidder</u> | <u>Bid Price</u> |
|----------------------------|------------------|
| Southwest Steel Sales, LLC | \$2,616.68 |

The solicitation used cooperative purchasing language authorizing the resulting contracts to be open to members of the Strategic Alliance for Volume Expenditures (SAVE) for their use at their discretion.

July 1, 2016

Contract Term

The initial three-year contract term will begin on or about July 1, 2016 and end on June 30, 2019. Provisions of the contract included an option to extend the term of the contract up to two additional years, which may be exercised by the City Manager, or his designee.

Financial Impact

The aggregate contract value, including all option years, will not exceed \$400,000 (including applicable taxes) with an estimated annual expenditure of \$80,000. Funds were available in various City departments' budgets.

ITEM 34

CITYWIDE

**ORDINANCE S-42756 -
STATE OF ARIZONA
ADSP013-040553 TRAINING
AND PROFESSIONAL
DEVELOPMENT SERVICES**

The Council heard request to authorize the City Manager, or his designee, to access State of Arizona Cooperative Contract ADSP013-040553 with AGTS, Inc. for an aggregate amount not to exceed \$40,000 to provide City staff with procurement and contract administrative training. The Procurement Code and Administrative Regulation 3.10 will be part of the curriculum as part of a Citywide effort to improve staff's contract administration capacity.

Procurement Results

The contract awarded by the State of Arizona was solicited in a similar competitive bidding process as the City's procurement code. The contract was fair and reasonable and compared to other City contracts for similar services.

Contract Term

The State of Arizona contract term will begin on July 1, 2016 and will end on June 30, 2017.

Financial Impact

Expenditures against this contract will not exceed \$40,000 (including applicable taxes). Funds were available in the Finance Department's budget.

July 1, 2016

ITEM 35

CITYWIDE

**ORDINANCE S-42757 -
STATE OF ARIZONA
ADSP016-117816 – USED
AUTOMOTIVE FLUID
COLLECTION AND
DISPOSAL – REQUIREMENTS
CONTRACT**

The Council heard request to authorize the City Manager, or his designee, to allow the use of the State of Arizona contract with Safety-Kleen. It was further requested the City Controller be authorized to disburse all funds related to this item.

The City generated a significant amount of used automotive fluids from the maintenance and repair of vehicles and equipment that needed to be properly disposed of. The used fluids included motor oil, transmission fluids, anti-freeze, and other miscellaneous automotive lubricants. There were 34 facilities that needed the collection and disposal services citywide, primarily in the Public Works, Water Services and Aviation departments.

Procurement Results

The contract awarded by the State of Arizona was the result of a competitive solicitation (ADSP016-00005794). Under the Intergovernmental Agreement with the State of Arizona, the City of Phoenix may use its agreements when it was beneficial for the City to do so. The contract pricing was fair and reasonable and compared to other City contracts for similar goods and services.

Contract Term

The State of Arizona contract was awarded on December 10, 2015 and will end on December 9, 2016, with the option for four, one-year extensions through December 9, 2020.

Financial Impact

The expenditures against this contract will not exceed \$116,800 (including applicable taxes) with estimated annual expenditures of \$23,360. Funds were available in all City departments' budgets.

July 1, 2016

ITEM 36

CITYWIDE

**ORDINANCE S-42758 -
FY 2016-17 LEGAL
REPRESENTATION SERVICES
CONTRACTS**

The Council heard request to authorize the City Manager, or his designee, to enter into contracts with the individuals listed below to provide legal representation services to indigent defendants in Phoenix Municipal Court for Fiscal Year (FY) 2016-17. It was further requested the City Controller be authorized to disburse funds pursuant to the contracts in the total amount not to exceed \$3,664,500.

Name

1. Bami Adelayo
2. Caroline Aeed
3. Simone Atkinson
4. Amy E. Bain
5. Dan Ballecer
6. Alexander S. Benezra
7. Aaron Black
8. Jocquese Blackwell
9. Diana Braaten
10. Percival R. Bradley
11. Courtney Boyd
12. Tamara Brooks-Primera
13. Jay F. Brown
14. Matthew A. Buesing
15. Michael A. Burkhart
16. Susan Cahill
17. Kristopher Califano
18. Randall Callender
19. Kathleen N. Carey
20. Michelle Carson
21. Catherine Carter
22. Celeste Casey
23. Reginald Cooke
24. Samuel Costanzo
25. Ted J. Crews
26. Jennifer M. Dalton
27. L. James Davis
28. Marvin L. Davis
29. Daniela De La Torre
30. Michael J. Dew

July 1, 2016

31. Otilia M. Diaz
32. Stephanie Ehrbright
33. Nicole Farnum
34. Jacob Faussette
35. Nicholis Faussette
36. Nathan Foundas
37. Tara L. Fuller
38. Lynn Gibson
39. W. Clifford Girard
40. Alex D. Gonzalez
41. Ursula H. Gordwin
42. Carmen Gosselin
43. Nora Greer
44. Samantha Herd
45. Laurie A. Herman
46. Anca D. Iacob
47. Candace H. Kent
48. Sheri M. Lauritano
49. Slade Lawson
50. Matthew A. Marner
51. Maxine Marshall
52. Charles M. McNulty
53. Charles Meshel
54. Wendy Mendelson
55. Melvin Morris
56. Taras Naum
57. Mark A. Nermyr
58. Tara A. Parascandola
59. Thomas Parascandola
60. Gregory T. Parzych
61. Jelena Radovanov
62. Michael M. Ricard
63. Edward M. Robinson
64. Michael S. Ryan
65. Ana Maribet Sanchez
66. Eric Sellers
67. Chad Shell
68. Scott Silva
69. Manuel S. Silvas
70. Kristin J. Stewart
71. John P. Tatz
72. David Teel
73. James Tinker
74. Ashley Traher

July 1, 2016

- 75. J. Michael Traher
- 76. James T. Van Bergen
- 77. David Ward
- 78. Michael Wicks
- 79. Alan H. Zimmerman

Procurement Results

On May 27, 2016 the City of Phoenix Public Defender Review Committee met to review the resumes and applications of attorneys for provision of legal defense services in Phoenix Municipal Court. The review process included applications from current contract holders as well as attorneys seeking to obtain a contract for the first time. The Committee created and approved a list of attorneys who met the minimum qualification requirements and who would be eligible for consideration for a contract in the event an opening occurred. The approved list contained more names than the number of available contracts due to the necessity of having attorneys available in the event an unexpected opening occurred during the course of the contract year. This procedure facilitated continuity in providing legal services and minimized delay in processing and resolution of cases.

Contract Term

Contract period was for one year starting July 1, 2016 and ending June 30, 2017.

Financial Impact

These contracts will have a financial impact of up to \$3,664,500. Funds were available in the Public Defender’s Office operating budget.

ITEM 37

CITYWIDE

**ORDINANCE S-42759 -
IFB 16-213 EVENT EQUIPMENT
RENTAL SERVICES –
REQUIREMENTS CONTRACT**

The Council heard request to authorize the City Manager, or his designee, to enter into a contract with Pro EM Party and Event Rentals to provide the rental of event equipment of various materials and labor for pre-scheduled events for the Parks and Recreation Department. Upcoming events included: Junior Lifeguard Olympics (Aquatics event) in July; Fabulous Phoenix 4th Festival event in July; Latino Institute-Ready Set Phoenix Kids Get Fit (Health and Fitness event) in October and the Electric Light Parade event in December. It was further requested the City Controller be authorized to disburse all funds related to this item over the life of the contract in an amount not to exceed \$80,000.00.

July 1, 2016

Procurement Results

IFB 16-213 was conducted in accordance with Administrative Regulation 3.10. There was one offer received by the Procurement Division on April 22, 2016.

| <u>Bidder</u> | <u>Bid Price</u> |
|---------------------------------|------------------------------------|
| Pro EM Party and Events Rentals | Total Group I Price - \$5,160.56 |
| | Total Group II Price - \$100.64 |
| | Total Group III Price - \$1,012.21 |
| | Total Group IV Price - \$482.99 |
| | Total Group V Price - \$58,662.07 |
| | Total Group VI Price - \$821.36 |
| | Total Group VII Price - \$993.07 |

The Deputy Finance Director recommended that the offer from Pro EM Party and Event Rentals be accepted as the lowest priced, responsive and responsible offeror. The price received was fair and reasonable based on a previous contract.

Contract Term

The initial three-year contract term will begin on or about October 1, 2016 and end September 30, 2019. Provisions of the contract included an option to extend the contract up to two additional years, which may be exercised by the City Manager, or his designee.

Financial Impact

The aggregate contract value, including all options years, will not exceed \$80,000.00 with an estimated annual expenditure of \$16,000.00. Funds were available in the Parks and Recreation Department's budget.

ITEM 38

CITYWIDE

**ORDINANCE S-42760 -
HOUSING REHABILITATION
CONTRACTORS QUALIFIED
VENDORS LIST**

The Council heard request to authorize the City Manager, or his designee, to approve a Qualified Vendors List (QVL) for a three-year period for eligible contractors to participate in Housing Rehabilitation Programs. It was further requested the City Controller be authorized to disburse \$5.9 million in annual grant allocations or \$17.7 million in three years, for all funds related to this item.

July 1, 2016

The Neighborhood Services Department (NSD) managed Housing Rehabilitation projects that enhanced the quality of life for low-to-moderate income residents by rehabilitating single-family and multi-family housing units, addressing health and safety hazards, and promoting conservation, sustainability, and energy efficiency to support and revitalize communities. Housing Rehabilitation projects were annually funded by the U.S. Department of Housing and Urban Development (HUD), the U.S. Department of Energy (DOE), local utility providers, and the Arizona Community Action Association.

Procurement Results

A Request for Qualifications (RFQ) was issued on April 1, 2016 to establish a QVL for eligible contractors to receive bid opportunities for NSD Housing Rehabilitation projects. Each proposal was reviewed by a selection committee comprised of NSD staff. Based upon the results of the evaluation criteria, the committee recommended the following firms be added to the Housing Rehabilitation Contractors QVL:

- American Technologies, Inc.
- Birk Development, LLC
- Blackhawk Construction, LLC
- Boyjin Development
- Cholla Managing Group
- Connor Michael Electric
- Contractors Inc., Dba Infinite Electricity
- Femcon
- G & G Specialty Contractors, Inc.
- Gecko Home Services, LLC
- Grant & Sons Construction Co., LLC
- Recon Restoration
- Star Aluminum Co.

The QVL will be modified to accurately reflect a sufficient and effective pool of eligible contractors as needed.

Concurrence/Previous Council Action

The Neighborhoods, Housing and Development Subcommittee unanimously voted to recommend City Council approval of this item on May 17, 2016.

July 1, 2016

ITEM 39

CITYWIDE

**ORDINANCE S-42708 -
EXTEND AND AMEND
PROFESSIONAL SERVICES
AGREEMENT WITH MOLERA
ALVAREZ LLC**

(Continued from June 22, 2016) - The Council heard request to authorize the City Manager, or his designee, to amend and extend Professional Services Agreement No. 139598-0 with Molera Alvarez LLC for a contract term not to exceed one year beginning August 1, 2016; and to authorize the City Controller to disburse funds in an amount not to exceed \$185,270.

In 2014, City Council authorized a Professional Services Agreement with Molera Alvarez to represent and advance the trade promotion, Foreign Direct Investment, and tourism interests of the City of Phoenix in Mexico. This agreement had proven to be a success as demonstrated by the achievements of the established Key Performance Indicators (KPIs), most notably 14 inbound/outbound trade missions, representation at 32 expositions, 52 trade leads/prospects, six cooperation agreements, Foreign Direct Investment (FDI) locates (TAP Royal and Project Sweet), the establishment of the ProMexico office in Phoenix, and implementing and managing the shared Arizona State Trade and Investment Office with the Arizona Commerce Authority in Mexico City.

The City of Phoenix established a recognized leadership position in Mexico as it related to key relationships and economic opportunity. To further this momentum, staff was proposing to extend the contract with Molera Alvarez for Trade Development Representative Services and to amend the scope of work to further elevate our leadership position, leverage the success to date, and position the City of Phoenix for increased economic opportunity with Mexico.

The contract extension will consist of original elements of the scope of work including:

- Identify, qualify and support trade and sales opportunities with Mexico of both products and services for Phoenix companies.
- Identify enhanced supply chain opportunities for Phoenix companies looking to expand their Mexican sourcing programs.
- Fully support the preparation and implementation of visitation programs for City of Phoenix inbound missions of elected officials, business leaders and private companies pursuing trade.
- Provide an in-market expert in Mexico City as well as available resources in Phoenix to administer the work.

July 1, 2016

The proposed amendment to the scope of work will include the following:

- Continue physical presence in Mexico City.
- Expand dedicated Mexican resource footprint to include a presence in the City of Hermosillo, Sonora.
- Implement robust Business-to-Business trade missions to the following cities: Mexico City and Hermosillo, Guadalajara, Queretaro, Tijuana and Monterrey.
- Implement a targeted reverse trade mission program with the following cities: Mexico City and Hermosillo, Guadalajara.
- Develop and deploy a comprehensive “Doing Business in Phoenix” Roadshow to the following locations: Mexico City, Hermosillo, Queretaro, Tijuana, Guadalajara, Monterrey, Sinaloa and Chihuahua.
- Develop and launch a focused “Mexico NOW” Forum series for the following sectors: Infrastructure, Aerospace, Medical Devices and Information Technology.
- Expand strategic attendance at nine targeted Mexican expositions and conferences.

Mexico remained the top trading partner for the Phoenix Metro region and experienced record exports to Mexico for three consecutive years, 2013 (\$2.7 billion), 2014 (\$3.6 billion) and 2015 (\$4.0 billion estimated). In comparison, for the years 2005 to 2012, the Phoenix Metro region yearly exports to Mexico averaged \$1.2 billion.

Financial Impact

Funds were available in the Community Reinvestment Fund in the Community and Economic Development Department’s CIP budget.

ITEM 40

DISTRICT 8

**ORDINANCE S-42761 -
ENTER INTO AGREEMENT
WITH METROWEST
DEVELOPMENT LLC FOR 2ND
AVE. AND 3RD AVE. -
MCKINLEY PARCEL**

The Council heard request to authorize the City Manager, or his designee, to enter into a disposition and purchase agreement and other agreements as necessary (collectively, the “Agreement”) with Metrowest Development LLC, or its City-approved designee (“Developer”), for the disposition of three Neighborhood Services Department (NHD) owned parcels located between 2nd Avenue and 3rd Avenue on the north side of McKinley Street in Downtown Phoenix.

July 1, 2016

Procurement Results

In June 2015, the Community and Economic Development Department (CEDD) issued a Request for Proposals (RFP) for the disposition and redevelopment of three vacant parcels located between 2nd and 3rd Avenues, on the north side of McKinley Street (the "Site"). The rankings for all four proposers were as follows:

| <u>Proposer</u> | <u>Ranking</u> |
|---------------------------|----------------|
| Metrowest Development LLC | 1 |
| StarkJames | 2 (tied) |
| The Empire Group | 2 (tied) |
| artHAUS Projects | 3 |

The Developer submitted a proposal to redevelop the Site as McKinley Court, which included the redevelopment of the existing 40-unit McKinley Court at 815 N. 3rd Ave., adjacent to the north of the Site, which the Developer and their partners already owned. The Developer, along with ownership partners Silvergate Development and Pathfinder Partners, proposed to develop and construct a market-rate residential development consisting of approximately 90 apartment and/or condominium residences. Ground-level residences would be located along 3rd Avenue, and amenity and/or retail space would be provided along McKinley Street. Parking spaces will be provided in the below-grade structure with all vehicular access from the alley. In addition, the Developer proposed on-street parking on 3rd Avenue north of McKinley Street, providing additional shade and on-street parking that was largely absent from the neighborhood.

Located in the Roosevelt Historical District, the proposed development retained the historic streetscape and character of the neighborhood by including walk-up porches on each townhouse as well as vehicular access to garages through the alley. Assembled with the parcels associated with the existing McKinley Court, the proposed development met the goals and objectives for new residential development of a variety of housing types in the Roosevelt neighborhood. Likewise, the proposal was consistent with the neighborhood's objective of providing a balance of housing, offering both "for sale" townhouse opportunities as well as market-rate rental apartments, and providing housing options for 100 to 200 area residents.

Contract Term

The term of the Agreement will be for approximately four years, at estimated completion of the Project. Staff negotiated the following business terms for the Agreement with the Developer:

July 1, 2016

- Developer will execute a Purchase and Sale Agreement (PSA) within six months of City Council authorization.
- Developer will purchase the Site for \$570,000, including \$310,000 for the East Parcels and \$260,000 for the West Parcel.
- The East Parcel will be developed with approximately six town homes, within 15 months of the Open Escrow Date. The Developer will satisfy all requirements for issuance of building permits, pay all applicable fees, and obtain all building permits, and subsequently will close escrow on the East Parcel.
- The West Parcel will be developed with approximately 90 apartments, within 18 months of the Open Escrow Date. The Developer will satisfy all requirements for issuance of building permits, pay all applicable fees, and obtain all building permits for West Parcel, and subsequently will close escrow on the West Parcel.
- Developer will complete construction on both the East and West Parcels no later than 24 months after starting each parcel.

The Agreement may contain additional terms and conditions deemed necessary by City staff.

Location

The development was located at 808 N. 2nd Ave. and 801 N. 3rd Ave.

Concurrence/Previous Council Action

On June 21, 2016 the Neighborhoods, Housing and Development Subcommittee recommended City Council approval of this item by a vote of 4-0.

ITEM 43

**DISTRICTS 1, 8 AND
OUT OF CITY**

**ORDINANCE S-42764 -
IFB 16-052 VARIOUS AVIATION
DOORS AND ACCESSORIES -
REQUIREMENTS CONTRACT**

The Council heard request to authorize the City Manager, or his designee, to enter into a contract with DH Pace Company Inc. to provide various doors and accessories to the Aviation Department for an amount not to exceed \$1,175,000.00 over the life of the contract. It was further requested the City Controller be authorized to disburse all funds related to this item.

The contract will be for interior and exterior hollow metal doors, wood doors and fiberglass reinforced polyester doors and accessories. These doors will be used for new construction as well as replacement for worn-out or damaged doors around Phoenix Sky Harbor, Phoenix Deer Valley and Phoenix Goodyear airports.

July 1, 2016

Procurement Results

Invitation for Bids (IFB) 16-052 was conducted in accordance with Administrative Regulation 3.10. One offer was received by the Procurement Division on May 6, 2016. The offer submitted by DH Pace Company Inc. was deemed to be fair and reasonable based on the market and previous contract pricing.

| <u>Bidder</u> | <u>Estimated Annual Cost</u> |
|----------------------|------------------------------|
| DH Pace Company Inc. | \$235,211.00 |

Contract Term

The initial three-year term will begin on or about July 1, 2016 and end on June 30, 2019. Provisions of the contract will include an option to extend the contract up to two additional years, which may be exercised by the City Manager, or his designee.

Financial Impact

The aggregate value, including all option years, will not exceed \$1,175,000 with an estimated annual expenditure of \$235,000. Funds were available in the Aviation Department's budget.

ITEM 45

CITYWIDE

**APPROVAL TO ISSUE RFP
FOR FY 2016-17 TOURISM AND
HOSPITALITY ADVISORY
BOARD FUNDS**

The Council heard request to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for the Fiscal Year 2016-17 Tourism and Hospitality Advisory Board (THAB) funds.

THAB served as a mechanism for evaluating projects to be funded by the Sports Facilities Fund. The 14-member Board was comprised of eight hoteliers (one from each Council District), two at-large members from hospitality-related industries, two Citywide representatives, one non-voting representative from City staff and a non-voting member from the Greater Phoenix Convention and Visitors Bureau (also known as Visit Phoenix).

THAB sought proposals for projects and/or programs to enhance the tourism and hospitality industry in the City of Phoenix. Based on the June 1, 2016 recommendation from the Downtown, Aviation and Redevelopment (DAR) Subcommittee, the THAB Board will evaluate RFPs targeting 2017 NCAA Final Four efforts, based on the following criteria:

July 1, 2016

| Criteria | Points |
|--|--------------|
| Strength of Proposal: | 375 Points |
| <ul style="list-style-type: none"> • Promote the City of Phoenix as a destination • Attract visitors to Phoenix through special events, multiple-day events, programs or projects • Promote general tourism for Phoenix • Generate hotel room-night bookings | |
| Funding Request/Scope of Work (How Funds Will be Used): | 325 Points |
| <ul style="list-style-type: none"> • Proposers must provide details about how proposed special events, multiple-day events, programs or projects will attract visitors to the City of Phoenix | |
| Proposer Qualifications and Experience: | 250 Points |
| Overall Responsiveness to RFP: | 50 Points |
| Total: | 1,000 Points |

Advertising for the RFP will be placed on the City of Phoenix website and in four publications: Arizona Business Gazette, Arizona Informant, Prensa Hispana and the Record Reporter. The RFP will be issued by August 1, 2016. A formal recommendation for award of a new contract will be presented no later than November 30, 2016.

The funding source for a contract or contracts to be awarded through this RFP process was the Sports Facilities Fund. In previous years, the funding level was \$500,000. The DAR Subcommittee recommended dedicating \$250,000 to the THAB process, redirecting the remaining \$250,000 to be used internally by City departments for Final Four-related costs.

Concurrence/Previous Council Action

This item was recommended for City Council approval by the Downtown, Aviation and Redevelopment Subcommittee by a vote of 2-1 on June 1, 2016.

ITEM 46

CITYWIDE

**ORDINANCE S-42766 -
RFQ 16-237 POLYGRAPH
EXAMINATION SERVICES**

The Council heard request to authorize the City Manager, or his designee, to enter into contracts with Victor Bell and Copper Star Polygraph to provide

July 1, 2016

polygraph examination services for the Phoenix Police Department. It was further requested the City Controller be authorized to disburse all funds related to this item.

Firms selected will provide polygraph examination services on an as-needed basis for testing candidates (civilian, sworn and reserves) for employment and the re-testing of candidates when deemed necessary.

Procurement Results

RFQ 16-237 Polygraph Examinations Services was conducted in accordance with Administrative Regulation 3.10. There were two responses received by the Procurement Division on April 29, 2016.

The responses were scored by a three-member evaluation committee based on the following criteria: Statement of Qualifications (400 points), Statement of Work (300 points), Key Personnel (200 points) and References (100 points). The firms were chosen using a qualifications-based selection process and their scores were as follows:

| <u>Firm</u> | <u>Points</u> |
|-----------------------|---------------|
| Victor Bell | 1,000 points |
| Copper Star Polygraph | 940 points |

Contract Term

The initial three-year contract term will begin on or about July 1, 2016 and end on June 30, 2019. Provisions of the contract included an option to extend the term of the contract up to two additional years, which may be exercised by the City Manager, or his designee.

Financial Impact

The aggregate contract value, including all option years, will not exceed \$400,000 with an estimated annual expenditure of \$80,000. Funds were available in the Police Department's budget.

ITEM 47

CITYWIDE

**ORDINANCE S-42767 -
RFQ 17-015 -
PRE-EMPLOYMENT AND
CRITICAL INCIDENT
PSYCHOLOGICAL
EVALUATIONS**

The Council heard request to authorize the City Manager, or his designee, to enter into contracts with Arizona Police Psychology, PLLC and Jeni McCutcheon, Psy.D, PLLC to provide pre-employment and critical incident psychological

July 1, 2016

evaluations for the Phoenix Police Department. It was further requested the City Controller be authorized to disburse all funds related to this item.

Firms selected will provide pre-employment and critical incident psychological evaluations on an as-needed basis to prescreen applicants and to assess employees' fitness for duty. All services will be performed by licensed psychologists who will work closely with the Police Employment Services Bureau.

Procurement Results

RFQ 17-015 Pre-Employment and Critical Incident Psychological Evaluations was conducted in accordance with Administrative Regulation 3.10. There were two responses received by the Procurement Division on June 3, 2016.

The responses were reviewed by the Procurement Officer and the firms were chosen using a qualifications-based selection process and ranked as follows to establish a list of qualified vendors:

| <u>Firm</u> | <u>Ranking</u> |
|---------------------------------|----------------|
| Jeni McCutcheon, Psy.D, PLLC | 1 |
| Arizona Police Psychology, PLLC | 2 |

Contract Term

The initial three-year contract term will begin on or about July 1, 2016 and end on June 30, 2019. Provisions of the contract may include an option to extend the term of the contract up to two additional years, which may be exercised by the City Manager, or his designee.

Financial Impact

The aggregate contract value, including all option years, will not exceed \$775,000 with an estimated annual expenditure of \$155,000. Funds were available in the Police Department's budget.

ITEM 48

CITYWIDE

**ORDINANCE S-42768 -
ACCEPT AND DISBURSE
RENEWED VICTIM OF CRIME
ACT (VOCA) GRANT FUNDS**

The Council heard request to authorize the City Manager, or his designee, to apply for and accept up to \$809,919 in Victim of Crime Act (VOCA) grant renewal funds from the Arizona Department of Public Safety. It was further requested the City Treasurer be authorized to accept, and the City Controller authorized to disburse, the funds associated with this item.

July 1, 2016

The Fire Department supported VOCA's mission of providing victim services, and received VOCA grant funding for many years. VOCA funds will allow the Fire Department to continue to fund staff positions which provided direct services to victims of crime including domestic and sexual violence, human trafficking, elder abuse and secondary victims of homicide. Services were designed to help victims address immediate emotional and physical needs, stabilize their lives following victimization, navigate the criminal justice system, and increase their measure of safety and security in alignment with the City's Domestic Violence Roadmap and Human Trafficking Compass Plan.

Contract Term

The grant period was October 1, 2016 to September 30, 2017. The Fire Department received \$818,004 in VOCA grant funding for an initial grant period of October 1, 2015 to September 30, 2016, and was now seeking \$809,919 in renewal funds for October 1, 2016 to September 30, 2017. The renewal process was not a competitive process.

Financial Impact

VOCA funds required recipients to contribute a 20-percent match of the total project cost of \$1,012,399. The Fire Department will provide a match of 8,238 hours through in-kind volunteer service, with a value of \$202,480 to satisfy the 20-percent project cost match requirement.

Concurrence/Previous Council Action

On June 24, 2015, the Parks, Arts, Transparency and Education Subcommittee unanimously recommended approval to apply for and accept VOCA grant funds.

ITEM 49

OUT OF CITY

**ORDINANCE S-42769 -
ENTER INTO LEASE
AGREEMENT WITH CITY OF
TEMPE FOR ONE AMBULANCE**

The Council heard request to authorize the City Manager, or his designee, to enter into a lease agreement for up to one year, with the City of Tempe, for one City of Phoenix Fire Department ambulance. It was further requested the City Treasurer be authorized to accept, and the City Controller authorized to disburse, funds required under the lease. The lease rate will be one dollar per month.

The City of Tempe requested the short-term lease of one Phoenix Fire Department ambulance in order to fulfill State of Arizona Department of Health Services requirements for a "Certificate of Necessity." A "Certificate of Necessity" was required for a jurisdiction to operate ambulance services.

July 1, 2016

Phoenix fire and emergency medical services will not be impacted by the lease of this vehicle.

Contract Term

The initial six-month contract term will begin on or about August 1, 2016. Provisions of the contract included an option to extend the term of the contract up to an additional six months, which may be exercised by the City Manager, or his designee.

Financial Impact

The ambulance will be leased to the City of Tempe for a monthly charge of one dollar in accordance with A.R. 4.21. The City of Phoenix will not incur any costs associated with the lease.

ITEM 51

CITYWIDE

**APPROVAL OF
NEIGHBORHOOD BLOCK
WATCH OVERSIGHT
COMMITTEE RECOMMENDED
CHANGES TO THE 2017
GRANT APPLICATION AND
PROGRAM PROCESS**

The Council heard request to authorize the City Manager, or his designee, to approve the Neighborhood Block Watch Oversight Committee's recommended changes to the 2017 Neighborhood Block Watch (NBW) grant application and program process.

The Neighborhood Block Watch Grant Program (NBWGP) Oversight Committee reviewed and approved requests to change/update the Block Watch grant application and program process at its May 5, 2016 and June 2, 2016 meetings. The Oversight Committee recommended the changes to be effective for the 2017 grant application and program which will open on November 1, 2016.

The following changes were recommended by the NBW Oversight Committee.

1. Change/update the following capped items:
 - Flashlights - change prior cap of \$200 per item to \$25 per item.
 - Laptops, computers, tablets, or notebooks - change prior cap of \$500 per item to a maximum of \$1,000 per grant, \$500 per item, and no more than two items total.

July 1, 2016

2. Add the following capped items:
 - Regular Copy Printers - place on capped item list at \$500 total.
 - Room/Facility Rental Fees - place on capped item list at \$1,000 total.
 - Youth Clothing/Uniforms - place on capped item list at \$1,000 total.
 - Promotional Items - place on capped item list at \$3,000 total.
3. Add the following items to the Prohibited List:
 - Weed killers and chemicals.
4. Add the following required language to the grant application:
 - Each group is limited to two grant application entries within the identical geographic boundaries. One for the group and one with a partner.
 - Any items that are purchased with Phoenix Block Watch grant funds must be labeled “funded with Phoenix NBWGP funds” when reasonable and prudent.
 - Requests for funding for new lighting fixtures must provide a map or detailed description on the location of the installation.
 - City of Phoenix employees cannot be grant signers in their capacity as City employees.
5. Change to grant application scoring criteria:
 - Currently grantees must score five or more points on a grant application to be funded. Recommended change that grantees must score 5.25 or more points on a grant application to be funded.

The Council heard request to approve the total annual funding amount for all grant applications be increased from \$1,250,000 to \$1,500,000.

Ms. Sherry Dudek submitted a comment card in favor of Item 51; however, she did not wish to speak.

ITEM 52

CITYWIDE

**ORDINANCE S-42770 -
ENTER INTO AN AGREEMENT
WITH THE ARIZONA CRIMINAL
JUSTICE COMMISSION FOR
THE 2017 FULL SERVICE
FORENSIC CRIME
LABORATORY GRANT
PROGRAM**

The Council heard request to authorize the City Manager, or his designee, to authorize the Police Department to apply for, accept funds, and enter into an agreement with the Arizona Criminal Justice Commission (ACJC), for the 2017 Full Service Forensic Crime Laboratory Program (CLAB). ACJC grant funding was up to a maximum amount of \$200,000. It was further requested the City

July 1, 2016

Treasurer be authorized to accept, and the City Controller authorized to disburse, all funds related to this item.

ACJC announced CLAB grant funding on an annual basis during the month of July with the deadline to submit the grant application in August. The Police Department received continual funding under this grant for more than 15 years. The Laboratory Services Bureau will use the grant funding to provide overtime and related fringe benefits, equipment, supplies and training for laboratory staff. Staff will use the overtime to process evidence associated with criminal investigations. The equipment and supply items were critical to support the continued operations of the Laboratory Services Bureau. These resources helped to meet the growing needs of case processing and will ensure federal requirements were met regarding forensic analysis.

Contract Term

The funding period was one year from the date of execution of the grant documents.

ITEM 53

CITYWIDE

**ORDINANCE S-42771 -
ENTER INTO AN AGREEMENT
WITH THE ARIZONA HIGH
INTENSITY DRUG
TRAFFICKING AREA
INVESTIGATIVE SUPPORT
CENTER FOR A NEW CIVILIAN
POLICE DEPARTMENT
POSITION**

The Council heard request to authorize the City Manager, or his designee, to authorize the Police Department to enter into an agreement with the Arizona High Intensity Drug Trafficking Area (HIDTA) Investigative Support Center (ISC) to accept funds up to a maximum amount of \$600,000 to create and fill one new temporary civilian Police Department position. It was further requested the City Treasurer be authorized to accept, and the City Controller authorized to disburse, all funds related to this item.

The Police Department partnered with HIDTA for more than 10 years to reduce drug trafficking. The Arizona HIDTA ISC was a combined federal, state, local, and tribal intelligence and information sharing initiative. The Arizona HIDTA ISC was one of 59 Intelligence and Investigative Support Centers that helped identify new trends, develop threat assessments, de-conflict targets and events, and manage cases.

July 1, 2016

The agreement was to fund a temporary full-time Criminal Intelligence Analyst position, with an approximate annual salary and benefits of \$88,315, to be assigned to the Arizona HIDTA for a period of not less than two years.

Contract Term

The funding period will be for two years effective August 1, 2016 through June 30, 2018, with the option to amend for three extensions of two years each, for a total of six additional years.

Financial Impact

This agreement will reimburse for the salary and 25 percent of the fringe benefits, approximately \$59,082 annually, and the remaining portion of the fringe benefits, approximately \$29,233 annually, will be absorbed by the Homeland Defense Bureau within the Police Department's budget.

ITEM 54

DISTRICT 8

**ORDINANCE S-42772 -
FAA REIMBURSABLE
AGREEMENT FOR THE
PLANNING/DESIGN OF
NAVIGATIONAL AIDS FOR
NORTH RUNWAY KEEL
REPLACEMENT**

The Council heard request to authorize the City Manager, or his designee, to execute a Reimbursable Agreement (Agreement) with the Federal Aviation Administration (FAA) for the North Runway FAA navigation facilities impacted by the reconstruction of the center portion (keel) of the North Runway at Phoenix Sky Harbor International Airport. It was further requested the City Controller be authorized to disburse the necessary funds related to this item.

The project involved FAA engineering support, design, and project management services during the construction for the removal and replacement of concrete pavement for the North Runway. Because of the concrete removal, FAA navigation facilities will be impacted and will need to be restored once project work was complete. The project may include some preliminary work such as technical consultations, engineering, environmental review, site visits/planning meetings, feasibility assessments, project planning, scope definition, development of cost estimates, development of design packages, and any procurement of long lead items, if required. Under the Agreement, FAA staff would perform this preliminary work, and the City would reimburse the FAA for its costs.

July 1, 2016

Financial Impact

Reimbursement to the FAA under the Agreement will not exceed \$1,500,000. Funds were available in the Aviation Department's Capital Improvement Program budget. Aviation anticipated a grant from the Federal Aviation Administration Airport Improvement Program.

ITEM 55

DISTRICT 7

**ORDINANCE S-42773 -
IFB 16-233 EVAPORATIVE
COOLERS**

The Council heard request to authorize the City Manager, or his designee, to enter into a contract with Ferguson HVAC/Air Cold for the purchase of two evaporative coolers, in an amount not to exceed \$99,473.66 (including taxes). It was further requested the City Controller be authorized to disburse all funds related to this item.

These coolers will replace two inoperable units at the 91st Avenue Wastewater Treatment Plant. The facility ran continuously causing the electrical cabinets and control panels to create a lot of heat. The units fed air into the building to cool the motor control center and control panels inside the facility.

Procurement Results

Invitation for Bids (IFB) 16-233 was conducted in accordance with Administrative Regulation 3.10. There were two offers received by the Procurement Division on May 6, 2016.

| <u>Vendors</u> | <u>Price</u> |
|--------------------------|--------------|
| Ferguson HVAC / Air Cold | \$90,430.60 |
| United Metal Products | \$91,194.00 |

Financial Impact

The contract value will not exceed \$99,473.66. Funds were available in the Water Services Department's Capital Improvement Program budget.

ITEM 56

DISTRICT 7

**ORDINANCE S-42774 -
RFA 16-250 – COMPOST
FACILITY EQUIPMENT
PURCHASE**

The Council heard request to authorize the City Manager, or his designee, to enter into a contract with Bejac Corporation to purchase composting equipment, in an amount not to exceed \$470,900. It was further requested the City Controller be authorized to disburse all funds related to this item.

July 1, 2016

The Public Works Department will begin operating a composting facility in late 2016. To divert waste from the landfill and produce a quality compost product at the facility, the Komptech Hurrifex Material Separator was essential for the removal of contaminants, such as stones and plastics from the compost product.

Procurement Results

Bejac Corporation was the exclusive dealer for the Komptech product line in California and in Arizona. In accordance with Administrative Regulation 3.10, a sole source procurement determination memo was approved by the Finance Department, for the Komptech equipment, parts, services, and support.

Financial Impact

The contract will not exceed \$470,900. Funds were available in the Public Works Department's budget.

Location

The composting facility was located at the 27th Avenue Transfer Station at 27th Avenue and Lower Buckeye Road.

ITEM 57

**DISTRICT 7 AND OUT
OF CITY**

**ORDINANCE S-42775 -
GRANT ACCESS EASEMENT
TO SRP ALONG LAVEEN AREA
CONVEYANCE CHANNEL**

The Council heard request to authorize the City Manager, or his designee, to grant an access easement to Salt River Project (SRP) for purposes of providing vehicular and pedestrian access to SRP for maintenance of existing electrical facilities.

SRP had 500 KV transmission lines and towers within a 105-foot easement on City-owned property, south of the Salt River, along the Laveen Area Conveyance Channel. The easement granted SRP the right to enter the property to erect, construct, reconstruct, replace, repair, maintain and use their facilities. The City rechanneled the flow of water causing SRP the inability to cross the channel for access to their facilities, within the parameters of their easement, with large utility trucks for maintenance when water was in the channel. Street Transportation staff and SRP agreed that an access easement along the channel will sufficiently restore access to SRP's facilities. The access easement contained other terms and conditions to ensure there were no conflicts for operation and maintenance of the channel.

July 1, 2016

Location

The access easement was located along the Laveen Area Conveyance Channel from Baseline Road to the Salt River, and was made up of Assessor Parcel Numbers 104-84-007C, 104-84-007E, 105-84-014E, 104-84-014D, 104-84-011J, 104-84-013T and 104-84-013V.

ITEM 59

CITYWIDE

**ORDINANCE S-42777 -
IFB 16-137 MAINTENANCE
AND REPAIR OF PASSENGER
BOARDING BRIDGES -
REQUIREMENTS CONTRACT**

The Council heard request to authorize the City Manager, or his designee, to enter into a contract with Oxford Electronics d.b.a. Oxford Airport Technical Services to provide the Aviation Department with maintenance and repair of passenger boarding bridges, on an as-needed basis in an amount not to exceed \$1,250,000. It was further requested the City Controller be authorized to disburse all funds related to this item.

This contract will provide inspection, maintenance, and replacement parts on apron drive bridges, ground power systems, and other equipment associated with the passenger boarding bridges.

Procurement Results

Invitation for Bid (IFB) 16-137 was conducted in accordance with Administrative Regulation 3.10. Offers from two companies were received by the Procurement Division on April 22, 2016.

| Bidder | Bid Price |
|---|--------------|
| Oxford Electronics d.b.a. Oxford Airport Technical Services | \$117,308.48 |
| Elite Line Services Inc. | \$163,110.56 |

Contract Term

The initial three-year year contract term will begin on July 1, 2016 and end on June 30, 2019. Provisions of the contract included an option to extend the term of the contract up to two additional years, which may be exercised by the City Manager, or his designee.

Financial Impact

The aggregate contract value, including all option years, will not exceed \$1,250,000 with an estimated annual expenditure of \$250,000. Funds were available in the Aviation Department's budget.

July 1, 2016

ITEM 60

CITYWIDE

**ORDINANCE S-42778 -
IFB 16-201 BLANK OUT
SIGNS - REQUIREMENTS
CONTRACT**

The Council heard request to authorize the City Manager, or his designee, to enter into a contract with SES America for the purchase of blank out signs including assemblies and related spare parts for use at citywide intersections. It was further requested the City Controller be authorized to disburse all funds related to this item over the life of the contract in an amount not to exceed \$1,625,000.

This contract will provide signing of left- or right-turn restrictions to prevent vehicles from turning into the intersection. The blank out signs were used so that the turn restriction or Light Rail train warning signs were visible when the condition was met requiring the signage block to display. The blank out signs were consistent and complied with the Federal Manual on Uniform Traffic Control Devices approved by the State of Arizona for use on all roads within the State.

Procurement Results

IFB 16-201 was conducted in accordance with Administrative Regulation 3.10. There were three offers received by the Procurement Division on April 22, 2016.

| <u>Bidder</u> | <u>Bid Price</u> |
|---|------------------|
| SES America | \$179,362.00 |
| Wells Sign Manufacturing & Distribution, Inc. | \$255,425.00 |
| Clark Transportation Solutions | \$298,660.00 |

Contract Term

The initial three-year contract term will begin on or about August 1, 2016 and end July 31, 2019. Provisions of the contract included an option to extend the contract up to two additional years, which may be exercised by the City Manager, or his designee.

Financial Impact

The aggregate contract value, including all option years, will not exceed \$1,625,000 with an estimated annual expenditure of \$325,000. Funds were available in the Street Transportation Department's budget.

July 1, 2016

ITEM 61

CITYWIDE

**ORDINANCE S-42779 -
NATIONAL IPA 120377 - HEAVY
EQUIPMENT, PARTS,
ACCESSORIES, SUPPLIES
AND RELATED SERVICES**

The Council heard request to authorize the City Manager, or his designee, to use National Intergovernmental Purchasing Alliance (National IPA) Contract 120377 with Caterpillar to purchase equipment in an amount not to exceed \$1,769,243. Purchases will be made through the local Caterpillar dealer, Empire Southwest. It was further requested the City Controller be authorized to disburse all funds related to this item.

Staff was requesting Caterpillar equipment for the Public Works and Water Services departments. The equipment included five wheel loaders: three will replace aging units at the 27th Avenue and North Gateway Transfer Stations, a fourth loader will be used at the new 27th Avenue composting facility, and the fifth unit will replace an aging tractor at the 91st Avenue Water Treatment Plant. Wheel loaders were motorized mobile shovels that moved heavy material, including trash and recycling materials, maintained access to roads and stacked material 10 feet high.

Procurement Results

The City will use a cooperative contract established by the City of Tucson through a competitive bidding process. National IPA was established through a collaborative effort of public agencies with the specific purpose of reducing procurement costs and leveraging group volume and membership. The discount offered under the National IPA contract was the same discount that the City would receive if a solicitation was issued. By utilizing the cooperative contract, the time to acquire the equipment was reduced.

Contract Term

The National IPA contract was awarded on May 2, 2012 and will end on May 1, 2017.

Financial Impact

Expenditures will not exceed \$1,769,243. Funds were available in Public Works and Water Services departments' budgets.

July 1, 2016

ITEM 62

CITYWIDE

**ORDINANCE S-42780 -
STATE OF ARIZONA
ADSPO15-093361, MEDIUM
AND HEAVY DUTY CAB AND
CHASSIS - REQUIREMENTS
CONTRACT**

The Council heard request to authorize the City Manager, or his designee, to allow use of the State of Arizona contract with Freightliner of Arizona, LLC in an amount not to exceed \$980,403, over the life of the contract. It was further requested the City Controller be authorized to disburse all funds related to this item.

The Public Works Department needed to acquire cab chassis equipment and trucks to replace equipment lost to accidents, damage, or age of equipment. There was an immediate need for one rear-load refuse truck. The purchase of additional cab chassis equipment and trucks will be made on an as-needed basis over the life of the contract.

Procurement Results

The contract awarded by the State of Arizona was the result of a competitive solicitation (ADSPO14-063242). Under an Intergovernmental Agreement with the State of Arizona, the City of Phoenix may use its agreements when it was beneficial for the City to do so. The contract pricing was fair and reasonable and compared to other City contracts for similar goods and services.

Contract Term

The State of Arizona contract was awarded on January 15, 2014 and will end on January 14, 2017, with the option for two one-year extensions through January 14, 2019.

Financial Impact

Expenditures against this contract will not exceed \$980,403 with estimated annual expenditures of \$326,801. Funds were available in the Public Works Department's budget.

July 1, 2016

ITEM 63

OUT OF CITY

**ORDINANCE S-42781 -
AUTHORIZATION TO SELL A
5.7-ACRE UNECONOMIC
REMNANT OF CITY-OWNED
LAND TO TKR
ENTERPRISES INC.**

The Council heard request to authorize the City Manager, or his designee, to sell approximately 5.7 acres of City-owned property, considered an uneconomic remnant and located outside the City of Phoenix limits, to TKR Enterprises Inc. for \$67,000. It was further requested the City Treasurer be authorized to accept, and the City Controller authorized to disburse, funds related to this item.

The Burlington Northern Santa Fe Railroad operated an active rail line that bifurcated 877 acres of City-owned property, creating an odd-shaped 5.7-acre uneconomic remnant along the west side of the active rail line with no legal roadway access. TKR owned the adjacent property west of the 5.7 acres, and was interested in buying the remnant property for purposes of assemblage, and for accessing the railroad that was aligned along the east side of their property. The 5.7 acres consisted of 2.9 acres, identified by APN 501-43-023B, in addition to 2.8 acres of underlying fee encumbered by the active rail line. Both the City-owned property and TKR property were located within the Military Airport and Ancillary Military Facility zoning overlays.

The City-owned property will be conveyed by a Special Warranty Deed, subject to an avigation easement and deed restrictions prohibiting specific land uses. Additionally, TKR agreed to record an avigation easement and deed restrictions on their 154-acre site. The avigation easements and deed restrictions will remain in place until such time Luke ceased active military flight operations. Luke was notified of the pending sale and had no objections as future development of the entire site will be required to adhere to avigation easements, deed restrictions and applicable state laws to ensure compatibility with the active military airfield. Sale of the property was not subject to Federal Aviation Administration approval.

Financial Impact

The revenue of \$67,000, less applicable costs related to the sale, was based on appraised value reviewed and approved by Finance/Real Estate staff.

Location

The remnant property was located north of Olive Avenue and west of Litchfield Road at the alignment of 143rd Avenue.

July 1, 2016

Mr. Tod Dickey submitted a comment card in favor of Item 63; however, he did not wish to speak.

ITEM 64

CITYWIDE

**ORDINANCE S-42782 -
CONTRACT FOR QUALITY
CONTROL ANALYST FOR
CUSTOMER CARE AND
BILLING SYSTEM UPGRADE**

The Council heard request to authorize the City Manager, or his designee, to enter into a contract with Intoollect LLC for quality control analyst services, for an amount of \$164,800. It was further requested the City Controller be authorized to disburse all funds related to this item.

Third-party quality control analyst services were needed for the Customer Care and Billing (CC&B) upgrade project. The CC&B upgrade project was a large, multi-year project to upgrade the system used for utility billing and tax collection for the City Services Bill. The upgraded system will improve customer self-service options, streamline utility billing processes, improve customer service, and enhance system security and stability. A stable and supportable platform was necessary for the City's continued ability to collect revenue via the City Services Bill.

An independent quality control analyst will help ensure the City was receiving a quality product from the contracted project implementer. The large scope and cost of the CC&B project made this a critical role for the project, helping to protect the City's investment with the upgrade, and helping to ensure a successful implementation for the City and the public who will use the system.

Procurement Results

On May 12, 2016 the Information Technology Services Department released a Request for Proposals for a quality control analyst for the CC&B upgrade project. Nine vendors responded. A panel of representatives from different City departments reviewed responses and recommended four firms for interviews. Interviews were performed, with Intoollect LLC selected as the most qualified. Scores for top-three proposers are shown below.

| <u>Bidder</u> | <u>Score</u> |
|-----------------------|--------------|
| Intoollect LLC | 1,000 |
| LCS Technologies | 811 |
| Emtec Global Services | 797 |

Contract Term

The contract term will be for one year from July 5, 2016 to July 4, 2017.

July 1, 2016

Financial Impact

The contract was for an amount not to exceed \$164,800. Funds were available in the Water Services Department's Capital Improvement Program budget.

ITEM 65

DISTRICT 1

**ORDINANCE S-42783 -
WS85010052 - DEER VALLEY
AQUIFER STORAGE AND
RECOVERY WELL PROGRAM –
CA & I SERVICES**

The Council heard request to authorize the City Manager, or his designee, to enter into a contract with Carollo Engineers Inc. (Phoenix) to provide construction administration and inspection (CA & I) services for the Deer Valley Aquifer Storage and Recovery Well Program. It was further requested the City Controller be authorized to disburse funds related to this item.

The project consisted of construction of an Aquifer Storage and Recovery Well. This type of well could pump water up from the aquifer when water was needed for supply, and it could also pump water down into the aquifer during low-demand periods to store water, which could then later be pumped back up during high-demand periods. The well was drilled and the project was moving forward into the phase of constructing the well head and installing equipment necessary to operate the well. The well was located at the Deer Valley Water Treatment Plant.

Carollo Engineers Inc. will provide services for construction and post-construction phases of the project. Services may have included, but were not limited to: provide consultation and advice to the City, review all contractor submittals, review alternate construction methods proposed by contractor, conduct pre-final and final inspection of the completed project, issue certificates of construction completion, and perform an orderly closeout of the project. Once construction was complete, Carollo Engineers Inc. will produce record drawings and a final construction report.

Procurement Results

Carollo Engineers Inc. was selected for this project using a qualifications-based selection process in accordance with Title 34 of the Arizona Revised Statutes. Scoring and selection were made in conjunction with Design Services.

July 1, 2016

Contract Term

The project was expected to take approximately 365 calendar days to complete.

Financial Impact

Carollo Engineers Inc.'s fee under this contract will not exceed \$451,380.27 including all subconsultant and reimbursable costs. Funding for these services was available in the Water Services Department's Capital Improvement Program budget using Water Revenue Fund 0051 and Water Development Fees Fund 0054.

ITEM 66

DISTRICT 1

**ORDINANCE S-42784 -
WS85010052 - DEER VALLEY
AQUIFER STORAGE AND
RECOVERY WELL PROGRAM –
CMAR CONSTRUCTION
SERVICES**

The Council heard request to authorize the City Manager or his designee, to enter into a contract with Felix Construction Company (Coolidge) to provide Construction Manager at Risk (CMAR) Guaranteed Maximum Price (GMP) preparation services in support of the Deer Valley Aquifer Storage and Recovery Well Program. It was further requested the City Controller be authorized to disburse all funds related to this item.

The project consisted of construction of an Aquifer Storage and Recovery Well. This type of well could pump water up from the aquifer when water was needed for supply, and it could also pump water down into the aquifer during low-demand periods to store water which could then later be pumped back up during high-demand periods. The well was drilled and the project was moving forward into the phase of constructing the well head and installing equipment necessary to operate the well. The well was located at the Deer Valley Water Treatment Plant.

Felix Construction Company will assume the risk of delivering the project through a Guaranteed Maximum Price contract. Felix Construction Company will be responsible for construction means and methods, participate with the City in a process to set goals for local and Small Business Enterprise participation and implement the local and Small Business Enterprise process. Felix Construction Company will also be required to solicit bids from pre-qualified subcontractors to perform the work using the City's subcontractor selection process. Felix Construction Company may also compete to self-perform limited amounts of work.

July 1, 2016

Procurement Results

Felix Construction Company was chosen for this project using a qualifications-based selection process in accordance with Title 34 of the Arizona Revised Statutes. Scoring and selection were made in conjunction with the CMAR Design Services for this project.

Contract Term

The project was expected to take approximately 365 calendar days to complete.

Financial Impact

Felix Construction Company's fee will not exceed \$21,232, including all subconsultant, subcontractor and reimbursable costs. Funding for these services was available in the Water Services Department's Capital Improvement Program budget using Water Revenue Fund 0051 and Water Development Fees Fund 0054.

ITEM 67

**DISTRICTS 1, 8 AND
OUT OF CITY**

**ORDINANCE S-42785 -
AVIATION DEPARTMENT
STORM WATER CONSULTING
SERVICES**

The Council heard request to authorize the City Manager, or his designee, to enter into a contract with CDM Smith Inc. (Phoenix) to provide storm water pollution prevention program services for the City of Phoenix Aviation Department and to execute contract options as necessary. It was further requested the City Controller be authorized to disburse all funds related to this item.

It was further requested the City Manager, or his designee, be authorized 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 the disbursement of funds. Utility services included: electrical, water, sewer, natural gas, telecommunications, cable television, and railroads and other modes of transportation. This authorization excluded any transaction involving an interest in real property.

The consulting firm will provide storm water pollution prevention program services in accordance with the 2015 Environmental Protection Agency's Multi-Sector General Permit (MSGP), the current and pending update of the Arizona Department of Environmental Quality's MSGP, and the City's Municipal Separate Storm Sewer System (MS4) Permit. Services may be provided at

July 1, 2016

Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport and Phoenix Goodyear Airport.

Procurement Results

CDM Smith Inc. was selected for this process using a qualifications-based selection process in accordance with Title 34-603 of the Arizona Revised Statutes. Per ARS Title 34, the City was not to release the scoring of proposers until a contract was awarded. Top-three rankings follow.

| Firm | Ranking |
|--|---------|
| CDM Smith Inc. | 1 |
| AMEC Foster Wheeler Environment and Infrastructure | 2 |
| SWPPP Managers LLC | 3 |

Contract Term

This contract was for a period of two years with three one-year extension options, which may be exercised by the City Manager, or his designee.

Financial Impact

CDM Smith Inc.'s fee under the contract will not exceed \$400,000 annually, which included all subconsultant and reimbursable costs. Funds for the first contract year were available in various operating budgets as follows:

| Airport | Fund Center | Amount |
|--|-------------|-----------|
| Phoenix Sky Harbor International Airport (PHX) | 6663111072 | \$280,000 |
| Phoenix Deer Valley Airport (DVT) | 6663112072 | \$80,000 |
| Phoenix Goodyear Airport (GYR) | 6663113072 | \$40,000 |
| | Total: | \$400,000 |

ITEM 68

DISTRICT 2

**ORDINANCE S-42786 -
ENTER INTO A DEVELOPMENT
AGREEMENT WITH CAVE
BUTTES DEVELOPMENT
PARTNERS, LLC**

The Council heard request to authorize the City Manager, or his designee, to negotiate and enter into a development agreement, and to execute any other instruments or documents necessary, with Cave Buttes Development Partners, LLC to construct roadway infrastructure for Deer Valley Road, between Cave Creek Road and Black Mountain Boulevard, to its ultimate configuration. It was further requested the City Controller be authorized to disburse all funds related to this item.

July 1, 2016

Cave Buttes Development Partners, LLC (“Developer”) acquired 410 acres of land on the northwest corner of Deer Valley Road and Black Mountain Boulevard. The land was planned to be developed starting in 2017 as single-family detached homes, as well as a public elementary school estimated to serve 1,300 students. As part of its development requirements, the Developer was required to provide complete half-street improvements along its frontage along both Deer Valley Road and Black Mountain Boulevard, including necessary drainage structures and traffic signals.

The City’s interest in participating with the Developer for Deer Valley Road improvements was based on significant efficiencies gained in the completion of Deer Valley Road between Cave Creek Road and Black Mountain Boulevard for area residents, Reach 11 users, the adjacent school, and other street users. In addition, the proposed improvements will bring the existing infrastructure in the area to current City standards and address traffic issues experienced along this stretch. The roadway improvements will be designed and constructed by the Developer pursuant to the City’s approval. Construction was anticipated to start in spring 2017 and be completed within 9-12 months.

The City’s participation will be generally limited to funding the remaining half-street improvements along the south side of Deer Valley Road and necessary roadway improvements on the north side of Deer Valley Road from Cave Creek Road east to the eastern boundary of the city of Phoenix Water Reclamation Plant property. This agreement implemented a public/private partnership that will result in efficient and economical delivery of necessary roadway infrastructure and enhance access to the Reach 11 recreation area, which was a City of Phoenix park only accessible via Deer Valley Road.

Financial Impact

The City’s portion of costs associated with the improvements of roadway infrastructure, including design, construction, and administration for pavements, sidewalk, box culverts, traffic-signals, and street lights will not exceed \$6,000,000. In addition to conducting design and construction of the roadway, the Developer will be responsible for paying the impact fee and/or providing impact fee infrastructure in lieu of impact fees pertaining to its development. Appropriate Impact Fees funds and amounts will be further determined and approved by the Planning and Development Department. Funding for the City’s portion of the costs was available in the Street Transportation Department’s Capital Improvement Program Budget.

Location

Improvements will be performed on Deer Valley Road between Cave Creek Road and Black Mountain Boulevard.

July 1, 2016

ITEM 69

DISTRICT 2

**ORDINANCE S-42787 -
ENTER INTO A MAINTENANCE
AGREEMENT WITH DESERT
RIDGE COMMUNITY
ASSOCIATION**

The Council heard request to authorize the City Manager, or his designee, to enter into a Maintenance Agreement with Desert Ridge Community Association (“Association”) for the installation and maintenance of a community monument wall. The wall was a distinguishing element of the Desert Ridge community and was, in part, required by the Desert Ridge Comprehensive Signage Guidelines.

The Desert Ridge Community Association planned to install a community monument wall within public street right-of-way. The Association identified the southwest corner of East Pinnacle Peak Road and North Tatum Boulevard as the location for the wall. The Association planned to pay for all costs associated with the installation, liability maintenance, repair, replacement, and removal of the wall, including repair and/or replacement of the box culvert where the wall will rest in the event of damage caused by the wall.

The City’s participation in the maintenance agreement will include review and approval of the location, plans, and specifications for the wall to ensure compliance with City standards, rules, and regulations. The maintenance agreement defined the terms and conditions for the wall and the requirements for utilization of portions of street right-of-way and public easements to ensure proper operation and maintenance of the box culvert and related infrastructure.

ITEM 70

DISTRICT 2

**ORDINANCE S-42788 -
WS85010051 - AQUIFER
STORAGE AND RECOVERY
WELL 278 - CONSTRUCTION
ADMINISTRATION AND
INSPECTION SERVICES**

The Council heard request to authorize the City Manager, or his designee, to enter into an agreement with Brown and Caldwell Inc. to provide construction administration and inspection services in support of the Aquifer Storage and Recovery Well 278 project. It was further requested the City Controller be authorized to disburse all funds related to this item.

The project consisted of construction of an Aquifer Storage and Recovery Well. This type of well could pump as well as recharge the aquifer. It could also pump water into the aquifer during low-demand periods to store water, which

July 1, 2016

could then later be pumped back up during high-demand periods. The well was located at 4902 E. Ashler Hills Drive.

Brown and Caldwell Inc.'s services included attending meetings, preparing a Project Management Plan, preparing a Site Health and Safety Plan, communicating with affected residents regarding the project, data analysis and reporting, inspection services and coordination with the contractor, subcontractor and subconsultants.

Procurement Results

Brown and Caldwell Inc. was selected for this project using a qualifications-based selection process in accordance with Title 34 of the Arizona Revised Statutes. Scoring and selection were made in conjunction with Design Services for this project.

Contract Term

The term of this contract was expected to coincide with the duration of construction, which was expected to be completed by March 31, 2017.

Financial Impact

Brown and Caldwell Inc.'s fee for these services will not exceed \$175,000 including all subconsultant and reimbursable expenses. Funding was available in the Water Services Department's Capital Improvement Program budget using Water Revenue Fund 0051 and Water Development Fees Fund 0054.

ITEM 71

DISTRICT 2

**ORDINANCE S-42789 -
WS85320024 - UNION HILLS
WATER TREATMENT PLANT
REHABILITATION 2016 -
DESIGN SERVICES**

The Council heard request to authorize the City Manager, or his designee, to enter into a contract with Wilson Engineers LLC (Phoenix) to provide design services for the Union Hills Water Treatment Plant Rehabilitation 2016 project. It was further requested the City Controller be authorized to disburse all funds related to this item.

It was further requested the City Manager, or his designee, be authorized 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 the disbursement of funds. Utility services included, but were not limited to: electrical, water, sewer, natural gas, telecommunications, cable television,

July 1, 2016

railroads and other modes of transportation. This authorization excluded any transaction involving an interest in real property.

This project will be delivered in two phases. The first phase was the evaluation phase, which will focus primarily on identifying and prioritizing the various items that will define the second phase (implementation phase). Based on the information obtained during the evaluation, the Water Services Department will be able to determine the approach for Construction Manager at Risk (CMAR) design-phase services.

Wilson Engineers LLC's services included study and evaluation; data collection and preparation of conceptual report; develop conceptual demolition plan; provide conceptual drawings and rehabilitation plans; and design services of the Union Hills Water Treatment Plant in an effort to prioritize equipment/systems for rehabilitation.

Procurement Results

Wilson Engineers LLC was selected for this project using a qualifications-based selection process in accordance with Title 34 of the Arizona Revised Statutes. Per ARS Title 34, the City was not to release the scoring of proposers until a contract was awarded. Top-three rankings follow.

| <u>Firm</u> | <u>Ranking</u> |
|----------------------|----------------|
| Wilson Engineers LLC | 1 |
| Carollo Engineers | 2 |
| NCS Engineers | 3 |

Contract Term

The term of this contract was for the life of the project design, which was expected to be completed within two years.

Financial Impact

Wilson Engineers LLC's fee under this contract will not exceed \$945,649 including all subconsultant and reimbursable costs. Funds were available in the Water Services Department's Capital Improvement Program budget.

ITEM 72

**DISTRICTS 2, 6, 7
AND 8**

**ORDINANCE S-42790 -
CONSTRUCTION CONTRACT
AWARDS DURING CITY
COUNCIL SUMMER RECESS**

The Council heard request to authorize the City Manager, or his designee, to award contracts for five critical construction projects during the City Council summer recess to provide the contractors with a significantly earlier start on each

July 1, 2016

of these projects. It was further requested the City Controller be authorized to disburse all funds related to these items.

The Water Services, Neighborhood Services, and Street Transportation departments identified the following projects as urgently needed and already having tight schedules. The projects were scheduled to bid in late June or early July 2016. The projects and corresponding cost estimates were as follows:

| <u>Item</u> | <u>Project Number</u> | <u>Project Name</u> |
|-------------|-----------------------|---|
| Item 1 | WS90100099-1 | 91st Avenue Wastewater Treatment Plant Drilling and Installation of Industrial Use Water Wells, Not to Exceed \$1,800,000 |
| Item 2 | ND30140005-1 | Smith Park Improvements, Not to Exceed \$75,000 |
| Item 3 | WS85509001-1 | Area Bounded By (ABB): Maricopa Freeway to Buckeye Road and 7th Avenue to Central Avenue Water Infrastructure Improvements, Not to Exceed \$4,800,000 |
| Item 4 | ST89330159-1 | High Intensity Activated Crosswalk (HAWK) - Desert Foothills Parkway and Central Avenue Crossings, Not to Exceed \$445,000 |
| Item 5 | ST89360026-1 | Intelligent Transportation System (ITS) Fiber Optic Backbone Phase B Sonoran Ring, Not to Exceed \$1,100,000 |

Procurement Results

The City Engineer and the Street Transportation Department will recommend award of contracts by the City Manager to the respective lowest responsive, responsible bidders or best-qualified firm during the summer recess for the projects listed above.

Financial Impact

Funds were available in the Water Services, Neighborhood Services, and Street Transportation departments' budget using the following funds:

| <u>Item</u> | <u>Source of Funds</u> |
|-------------|--|
| Item 1 | Wastewater Revenue (Fund 0090) SROG CIP (Fund 0400) |

July 1, 2016

- Item 2 Community Development Block Grant (CDBG) 2014
- Item 3 Water Revenue (Fund 0051)
- Item 4 Federal Aid (Fund 1020)
 Arizona Highway User Revenue (Fund 0007)
- Item 5 Federal Aid (Fund 1020)
 2006 Bonds – Street Improvement (Fund 3383)
 Arizona Highway User Revenue (Fund 0007)

SBE/DBE Report

The Small Business Enterprise (SBE) goal/Disadvantaged Business Enterprise (DBE) subcontractor participation availability set on the construction projects was as follows:

| <u>Item</u> | <u>SBE / DBE Goal</u> |
|-------------|--|
| Item 1 | A 1% SBE goal was established for this project. |
| Item 2 | Good faith outreach efforts required. No goal/availability was established for this project. |
| Item 3 | A 10% SBE goal was established for this project. |
| Item 4 | A 2.53% DBE goal was established for this project. |
| Item 5 | A 4.77% DBE goal was established for this project. |

Location

The projects were in the following locations:

| <u>Item</u> | <u>Location</u> |
|-------------|--|
| Item 1 | 5615 S. 91st Ave. |
| Item 2 | 4030 W. Sherman St. |
| Item 3 | Area Bounded By: Maricopa Freeway and Buckeye Road to 7th Avenue and Central Avenue |
| Item 4 | Central Avenue and Olympic Drive intersection; and Desert Foothills Parkway between Desert Trumpet Road and Thistle Landing Drive |
| Item 5 | The “Sonoran Loop ITS Ring” was approximately 19 miles within the City of Phoenix right-of-way. The general route was as follows: <ul style="list-style-type: none">•Deer Valley Road/Cave Creek Road to Smokehouse Trail/Cave Creek Road•Dove Valley Road/North Valley Parkway to Sonoran Desert Drive/Cave Creek Road |

July 1, 2016

ITEM 73

CITYWIDE

**ORDINANCE S-42791 -
IGA WITH MARICOPA COUNTY
FOR MAINTENANCE
SERVICES ON SHARED
ROADWAY RIGHT-OF-WAY**

The Council heard request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the Maricopa County Department of Transportation (“MCDOT”) to establish procedures for implementing a cooperative process that would allow volunteers to perform clean-up activities on specific roadway segments where right-of-way was owned by both the City of Phoenix and Maricopa County. It was further requested the City designees be authorized to enter into separate Letters of Agreement (“LOAs”) for specific roadway segments where right-of-way was owned by both parties.

The City of Phoenix and Maricopa County each had a program that allowed volunteers to perform clean-up activities along roadways. The Street Transportation Department managed the City’s Adopt-A-Street Program that covered more than 500 miles of adoptable roads. MCDOT had the Adopt-A-Highway Program that allowed groups to adopt a stretch of County roadway and to make a commitment to pick up trash along the roadside.

There were several locations throughout Phoenix where shared roadway right-of-way existed due to annexations. To facilitate clean-up activities in these locations, the City and MCDOT desired to develop and implement a cooperative process that will allow for maintenance activities to be performed on these roadway segments by volunteers to the programs.

ITEM 74

OUT OF CITY

**ORDINANCE S-42792 -
AV41000072 FAA - PHOENIX
GOODYEAR AIRPORT
MASTER PLAN UPDATE -
DESIGN SERVICES**

The Council heard request to authorize the City Manager, or his designee, to enter into a contract with Armstrong Consultants Inc. to provide planning and design services to update the existing Phoenix Goodyear Airport Master Plan. It was further requested the City Controller be authorized to disburse all funds related to this item.

It was further requested the City Manager, or his designee, be authorized to take all action deemed necessary to execute all utilities-related design and

July 1, 2016

construction agreements, licenses, permits, and requests for utility services related to the development, design, and construction of the project and to include the disbursement of funds. Utility services included: electrical, water, sewer, natural gas, telecommunications, cable television, and railroads and other modes of transportation. This authorization excluded any transaction involving an interest in real property.

A Master Plan was prepared for Phoenix Goodyear Airport in 2007. Since that time, the City of Phoenix Aviation Department completed a number of projects at the airport including a runway shift and other facility improvements. The Master Plan Study needed to be updated to reflect new facilities, current projections of airport activity, new environmental and other regulatory constraints, and to plan for an appropriate mix of land uses to support projected aviation and non-aviation needs and the long-term financial health of the airport.

Armstrong Consultants Inc.'s services included, but were not limited to: project management, develop a community involvement program, complete an inventory of existing facilities, develop a forecast of future aviation demand levels, assess community land use goals, develop the Airport Layout Plan drawings, and update the Capital Improvement Plan.

Procurement Results

Armstrong Consultants Inc. was selected for this process using a qualifications-based selection process in accordance with Title 34 of the Arizona Revised Statutes. Per ARS Title 34, the City was not to release the scoring of proposers until a contract was awarded. Top-three rankings follow.

| <u>Proposer</u> | <u>Ranking</u> |
|----------------------------|----------------|
| Armstrong Consultants Inc. | 1 |
| HNTB | 2 |
| Mead & Hunt | 2 |

Contract Term

The services under this contract were expected to be completed within two years.

Financial Impact

Armstrong Consultants Inc.'s fee under this contract will not exceed \$611,363.77, which included all subconsultant and reimbursable costs. Staff anticipated reimbursement from the Federal Aviation Administration (FAA). Funds were available in the Aviation Department's Capital Improvement Program budget.

July 1, 2016

ITEM 75

DISTRICT 7

**ORDINANCE S-42793 -
INTERGOVERNMENTAL
AGREEMENT WITH MARICOPA
COUNTY FOR MARICOPA
TRAIL SEGMENT 9**

The Council heard request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with Maricopa County (County) for design and construction of the Maricopa Trail Segment 9 between 83rd Avenue and Avondale Boulevard in the Tres Rios Wetlands Project. The County will act as the lead agency on all elements of work for the project including trail construction, signage, and trail maintenance.

The Maricopa Trail was a 315-mile regional trail system designed to meet three goals: provide a shared use, non-motorized trail system to connect Maricopa County Regional Parks; link metropolitan areas, provide municipal trails, communities and neighborhoods with regional, non-motorized multimodal corridors; and provide open space corridors to protect natural and cultural resources from development. Segment 9 of the Maricopa County Trail will provide a connection from the City of Phoenix (City) South Mountain Park to Estrella Mountain Regional Park.

Financial Impact

The agreement had no financial impact to the City of Phoenix. The Maricopa Trail Park Foundation, a 501(c)(3) nonprofit organization, will provide funding for the construction and maintenance of the trail.

Indemnification

As part of the IGA, the City and County agreed to save and hold harmless, defend and indemnify each other from claims resulting from either's negligent or wrongful acts or omissions. Per City Code 42-20 (B), indemnification of another public entity required approval from the City Council.

ITEM 76

CITYWIDE

**ORDINANCE S-42794 -
RFP8000176634 WORK AND
ASSET MANAGEMENT
PROFESSIONAL SUPPORT –
REQUIREMENTS CONTRACT**

The Council heard request to authorize the City Manager, or his designee, to enter into a contract with Process Solutions Assurance LLC to provide technical support for the Oracle Work Asset Management (WAM) application for the Water

July 1, 2016

Services Department. It was further requested the City Controller be authorized to disburse all funds related to this item.

Contractor will provide operations, functional and engineering support for the Oracle WAM application. Contractor will assist staff in configuring, customizing, and optimizing the maintenance activities workflow. Contractor will also assist staff with data migration and mapping process strategies to allow WAM data to be used by other applications to develop asset risk modeling, to forecast asset rehabilitation, and to develop replacement life cycles.

Procurement Results

Request for Proposals (RFP) 8000176634 Work and Asset Management Professional Support was conducted in accordance with Administrative Regulation 3.10. There were two offers received by the Water Services Procurement Section on April 27, 2016.

A five-member evaluation committee scored the proposals based on the following criteria: Experience of Prime Firm, Key Personnel and Subconsultants (250), Technical Expertise in Oracle Work and Asset Management Application (250), Understanding Water Utility Asset Management Program (250), Description of Services (150), and Proposal Fees (100).

Contract Term

The initial three-year contract term will begin on or about July 2, 2016 and end on July 1, 2019. Provisions of the contract will include an option to extend the term of the contract up to two additional years, which may be exercised by the City Manager, or his designee.

Financial Impact

The aggregate contract value, including all option years, will not exceed \$500,000 (including applicable taxes). Funds were available in the Water Services Department's Capital Improvement Program budget.

ITEM 76.1

CITYWIDE

ORDINANCE S-42798 - ADMINISTRATIVE CORRECTION TO ORDINANCE S-42689, NEW RATES AND COMPENSATION

The Council heard request to amend Ordinance S-42689, new rates and compensation for City of Phoenix employees, to correct an administrative error in Section 15(f). The first sentence of Section 15(f) will be struck as noted below:

July 1, 2016

- (f) ~~Employees designated as Unit 3 in the Schedule II for each fiscal year may be paid up to a maximum of forty (40) hours of accumulated vacation time, one time per calendar year, after accumulating a minimum of one hundred twenty (120) hours of vacation leave, contingent upon the use of forty (40) hours of vacation/compensatory time during the same calendar year.~~ Effective July 2, 2018, employees designated as Unit 3 in the Schedule II for each fiscal year may be paid up to a maximum of forty (40) hours of accumulated vacation time twice per calendar year, after accumulating a minimum of one hundred twenty (120) hours of vacation leave, contingent upon the use of forty (40) hours of vacation/compensatory time during the same calendar year.

This change ensured Ordinance S-42689 conformed to the 2016-2019 Memorandum of Understanding between the City of Phoenix and the American Federation of State, County and Municipal Employees, AFSCME 2960 representing Unit 3 employees.

PLANNING AND ZONING MATTERS

ITEM 77

DISTRICT 1

**FINAL PLAT - PYRAMID PEAK -
160031 - 1200 FEET NORTH OF
THE NORTHWEST CORNER OF
DYNAMITE BOULEVARD AND
PYRAMID PEAK PARKWAY**

Plat # 160031
 Project # 14-1265
 Name of Plat: Pyramid Peak
 Owner(s): Lennar Arizona, Inc.
 Engineer(s): Coe & Van Loo Consultants, Inc.
 Request: A 228-Lot Residential Plat

It was recommended that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicated the streets and easements as shown to the public.

Concurrence

The final plat was reviewed by the Planning and Development Department in accordance with the provisions of Section 32-21 of the Phoenix City Code and was approved on June 10, 2016.

July 1, 2016

ITEM 78

DISTRICT 2

**FINAL PLAT - SAGEWOOD
PHASE 1-F - 160051 -
SOUTHWEST CORNER OF
EAST MAYO BOULEVARD AND
NORTH TATUM BOULEVARD**

Plat # 160051
Project # 15-2682
Name of Plat: 06-2086
Owner(s): Sagewood Phase 1-F
Engineer(s): David Evans and Associates, Inc.
Request: A 4-Lot Commercial Subdivision Plat

It was recommended that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicated the streets and easements as shown to the public.

Concurrence

The final plat was reviewed by the Planning and Development Department in accordance with the provisions of Section 32-21 of the Phoenix City Code and was approved on June 6, 2016.

ITEM 79

DISTRICT 3

**FINAL PLAT - ACACIA COURT -
160037 - 300 FEET EAST OF
NORTHEAST CORNER OF
11TH AVENUE AND
LAWRENCE LANE**

Plat # 160037
Project # 15-2682
Name of Plat: Acacia Court
Owner(s): Sell Family Revocable Trust
Engineer(s): D&M Engineering
Request: A 6-Lot Residential Plat

It was recommended that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicated the streets and easements as shown to the public.

Concurrence

The final plat was reviewed by the Planning and Development Department in accordance with the provisions of Section 32-21 of the Phoenix City Code and was approved on June 10, 2016.

July 1, 2016

ITEM 80

DISTRICT 3

**FINAL PLAT - LOOKOUT
MOUNTAIN VILLAS - 160013 -
APPROXIMATELY 170 FEET
WEST OF THE NORTHWEST
CORNER OF 18TH STREET
AND WINCHCOMB DRIVE**

Plat # 160013
Project # 14-1622
Name of Plat: Lookout Mountain Villas
Owner(s): BZ Development
Engineer(s): Clouse Engineering
Request: A 12-Lot Residential Plat

It was recommended that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicated the streets and easements as shown to the public.

Concurrence

The final plat was reviewed by the Planning and Development Department in accordance with the provisions of Section 32-21 of the Phoenix City Code and was approved on June 13, 2016.

ITEM 81

DISTRICT 3

**FINAL PLAT - VALENZUELA -
160028 - 1405 EAST SHANGRI
LA ROAD**

Plat # 160028
Project # 02-3567
Name of Plat: Valenzuela
Owner(s): Matthew Valenzuela
Engineer(s): John P. Nebrich; Telephone (480) 893-1357
Request: A 2-Lot Residential Plat

It was recommended that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicated the streets and easements as shown to the public.

Concurrence

The final plat was reviewed by the Planning and Development Department in accordance with the provisions of Section 32-21 of the Phoenix City Code and was approved on June 13, 2016.

July 1, 2016

ITEM 82

DISTRICT 6

**FINAL PLAT - 16TH STREET &
OCOTILLO - 160007 -
SOUTHWEST CORNER OF
16TH STREET AND OCOTILLO
ROAD**

Plat # 160007

Project # 14-2659

Name of Plat: 16th Street & Ocotillo

Owner(s): Watt New Leaf – 16 Ocotillo, LLC

Engineer(s): Matthew J. Mancini, P.E. – Hoskin-Ryan Consultants, Inc.

Request: A 22-Lot Residential Plat

It was recommended that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicated the streets and easements as shown to the public.

Concurrence

The final plat was reviewed by the Planning and Development Department in accordance with the provisions of Section 32-21 of the Phoenix City Code and was approved on June 8, 2016.

ITEM 83

DISTRICT 6

**FINAL PLAT - 2015 ON
50TH TOWNHOMES - 160042 -
NORTHEAST CORNER OF
50TH STREET AND PALM
LANE**

Plat # 160042

Project # 05-502

Name of Plat: 2015 on 50th Townhomes

Owner(s): Pacific Rim 51st Street Apartments, LP

Engineer(s): David J. Buchli, R.L.S., Buchli Engineers, Inc.

Request: A 55-Lot Residential Plat

It was recommended that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicated the streets and easements as shown to the public.

Concurrence

The final plat was reviewed by the Planning and Development Department in accordance with the provisions of Section 32-21 of the Phoenix City Code and was approved on June 14, 2016.

July 1, 2016

ITEM 84

DISTRICT 6

**FINAL PLAT - CITRUS
SQUARE - 160052 - EAST OF
36TH STREET NORTH OF
EARLL DRIVE**

Plat # 160052
Project # 16-1421
Name of Plat: Citrus Square
Owner(s): Tslam Services, LLC
Engineer(s): Mike Hook, Hook Engineering, Inc.
Request: A 4-Lot Residential Plat

It was recommended that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicated the streets and easements as shown to the public.

Concurrence

The final plat was reviewed by the Planning and Development Department in accordance with the provisions of Section 32-21 of the Phoenix City Code and was approved on June 14, 2016.

ITEM 85

DISTRICT 6

**FINAL PLAT - ENCLAVE 31
SUBDIVISION - 160041 -
150 FEET NORTH OF THE
NORTHWEST CORNER OF
EAST WHITTON AVENUE AND
NORTH 31ST STREET**

Plat # 160041
Project # 15-1144
Name of Plat: Enclave 31 Subdivision
Owner(s): 3602 Development LLC
Engineer(s): Land Development Team, LLC
Request: A 5-Lot Residential Subdivision Plat

It was recommended that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicated the streets and easements as shown to the public.

Concurrence

The final plat was reviewed by the Planning and Development Department in accordance with the provisions of Section 32-21 of the Phoenix City Code and was approved on June 3, 2016.

July 1, 2016

ITEM 86

DISTRICT 6

**FINAL PLAT - LOTS 1 & 2 OF
LIV FIFTIETH - 150007 -
SOUTHEAST CORNER OF
50TH STREET AND CHANDLER
BOULEVARD**

Plat # 150007
Project # 10-3729
Name of Plat: Lots 1 & 2 of LIV Fiftieth
Owner(s): IPA North 50th, LLC
Engineer(s): Terrascope Consulting, LLC
Request: A 2-Lot Commercial Plat

It was recommended that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicated the streets and easements as shown to the public.

Concurrence

The final plat was reviewed by the Planning and Development Department in accordance with the provisions of Section 32-21 of the Phoenix City Code and was approved on June 8, 2016.

ITEM 87

DISTRICT 6

**FINAL PLAT - MOUNTAIN
PARK COMMUNITY CHURCH -
160065 - 48TH STREET AND
FRYE ROAD**

Plat # 160065
Project # 15-1715
Name of Plat: Mountain Park Community Church
Owner(s): Mountain Park Community Church
Engineer(s): AW Land Surveying, LLC
Request: A 1-Lot Commercial Subdivision Plat

It was recommended that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicated the streets and easements as shown to the public.

Concurrence

The final plat was reviewed by the Planning and Development Department in accordance with the provisions of Section 32-21 of the Phoenix City Code and was approved on June 14, 2016.

July 1, 2016

ITEM 88

19 DISTRICT 6

**FINAL PLAT - VERONA HILLS -
150107 - EAST OF 48TH
STREET NORTH OF
ROOSEVELT STREET**

Plat # 150107
Project # 14-335
Name of Plat: Verona Hills
Owner(s): Funk Family Enterprises
Engineer(s): Bruce R. Heyse, R.L.S. – BRH Surveying, LLC
Request: A 19-Lot Residential Plat

It was recommended that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicated the streets and easements as shown to the public.

Concurrence

The final plat was reviewed by the Planning and Development Department in accordance with the provisions of Section 32-21 of the Phoenix City Code and was approved on June 13, 2016.

ITEM 89

DISTRICT 8

**FINAL PLAT - VISTAL -
PHASE 1 - RESIDENTIAL
COMMUNITY - 150046 - EAST
OF 7TH STREET ON THE
SOUTH SIDE OF DOBBINS
ROAD**

Plat # 150046
Project # 00-3791
Name of Plat: Vistal – Phase 1 – Residential Community
Owner(s): MGC Properties, LLC
Engineer(s): Richard D. Tabor, R.L.S.
Request: A 204-Lot Residential Plat

It was recommended that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicated the streets and easements as shown to the public.

Concurrence

The final plat was reviewed by the Planning and Development Department in accordance with the provisions of Section 32-21 of the Phoenix City Code and was approved on June 13, 2016.

July 1, 2016

| | | | |
|----------|-----|--|---|
| Easement | (h) | RD DESGIN TEAM, INC., Easement was for public utility purposes for property located at 2303 North 29th street. FN 160035 | 8 |
|----------|-----|--|---|

| | | |
|-----------------------|-------------------|--|
| <u>ITEM 92</u> | DISTRICT 2 | RESOLUTION 21456 - ABANDONMENT OF EASEMENT - V160026A - <u>4555 EAST MAYO BOULEVARD</u> |
|-----------------------|-------------------|--|

The Council heard request to abandon the following easements as the area was being replatted.

On April 14, 2016 LCS Development requested the abandonment of the public water, sewer, drainage, refuse collection, and emergency and service vehicle easements on the private accessway on a portion of Lot 1 and on Lot 3 of the plat "Sagewood at Desert Ridge", Book 1005, Page 27, MCR, both addressed 4555 East Mayo Boulevard, APN 212-39-932 and 212-39-934; the public utility easements adjacent to the same private accessway; the temporary drainage easement on Lot 3 per the same plat; and the 40-foot water and sewer easement on Lot 3 between the private accessway and the parcel addressed 4325 East Mayo Boulevard, APN 212-39-935

Final Plat No. 160051 under the name of Sagewood Phase 1-F was to be recorded concurrently with this resolution.

The resolution of abandonment and the subdivision plat were to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed was that the resolution was recorded first; then the plat was recorded second. Recording in this manner will satisfy the stipulation to record concurrently.

Financial Impact

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

Concurrence

This application did not have the Abandonment Hearing Officer's recommendation, as the formal application procedure did not apply (REF: City Code Sec.31-68).

July 1, 2016

ITEM 93

DISTRICT 4

**RESOLUTION 21457 -
ABANDONMENT OF
RIGHT-OF-WAY - V150011A -
NORTH 3RD STREET AND
EAST THOMAS ROAD**

The Council heard request to abandon the following right-of-way as it was no longer needed.

On May 20, 2015, the Abandonment Hearing Officer considered the application of Earl, Curley and Lagarde, P.C., to abandon the alley right-of-way bounded by 2nd and 3rd Streets, Catalina Drive, and Thomas Road.

Financial Impact

A fee was also collected as part of this abandonment in the amount of \$10,000.

Concurrence

Following established review procedures, no objections to the Hearing Officer's recommendation were received from City Council or other parties.

ITEM 94

DISTRICT 6

**RESOLUTION 21458 -
ABANDONMENT OF
EASEMENT - V160012A -
NORTH 61ST STREET AND
NORTH CHOLLA LANE**

The Council heard request to abandon the following easements as they were no longer needed.

On February 19, 2016 Rod Cullum of Cullum Homes requested the abandonment of the 15-foot Hiking Easement on the parcel addressed 5265 N. 61st Street, APN 172-12-029, Lot 6, and the Public Access Easements on Tract A (APN 172-12-031) and on the Private Drive Tract B, aka 61st Street, APN 172-12-032, per the plat Cholla Heights, Book 330, Page 44, MCR.

Financial Impact

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

July 1, 2016

Concurrence

This application did not have the Abandonment Hearing Officer's recommendation, as the formal application procedure did not apply (REF: City Code Sec. 31-68).

ITEM 95

DISTRICT 6

**RESOLUTION 21459 -
ABANDONMENT OF
EASEMENT - V160034A -
2015 NORTH 50TH STREET**

The Council heard request to abandon the following easement as the area was being replatted.

On May 11, 2016 Anthony Miachika of Pacific Rim Property Investments requested the abandonment of the Water Easement, Sewer Easement, Refuse Collection Easement, and Emergency and Service Vehicle Easement on the private accessway on the parcel addressed 2015 North 50th Street, APN 126-21-220, and dedicated per the plat Orangedale City Homes, Book 828, Page 19, MCR.

Final Plat No. 160042 under the name of 2015 On 50th Townhomes was to be recorded concurrently with this resolution.

The resolution of abandonment and the subdivision plat were to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed was that the resolution was recorded first; then the plat was recorded second. Recording in this manner will satisfy the stipulation to record concurrently.

Financial Impact

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

Concurrence

This application did not have the Abandonment Hearing Officer's recommendation, as the formal application procedure did not apply (REF: City Code Sec.31-68).

July 1, 2016

ITEM 96

DISTRICT 6

**RESOLUTION 21460 -
ABANDONMENT OF
RIGHT-OF-WAY - V150046A -
NORTH 32ND STREET AND
EAST CAMPBELL AVENUE**

The Council heard request to abandon the following right-of-way as it was no longer needed.

On November 10, 2015, the Abandonment Hearing Officer considered the application of 32nd and Campbell Investments, LLC, to abandon the 20-foot L-shaped alley right-of-way on the northeast corner of 32nd Street and Campbell Avenue, along with the north seven feet of Campbell Avenue adjacent to the parcel addressed 4515 North 32nd Street, APN 170-21-036A.

Financial Impact

A fee was also collected as part of this abandonment in the amount of \$1,522.80.

Concurrence

City Council heard the opposition's appeal on February 3, 2016 and added stipulations, which were met.

ITEM 97

DISTRICT 7

**RESOLUTION 21461 -
ABANDONMENT OF
EASEMENTS - V160005A -
7205 WEST BUCKEYE ROAD**

The Council heard request to abandon the following easements as they were no longer needed.

On January 22, 2016 Jay Ohanesian, c/o Ted Luther of Cole Design Group requested the abandonment of easements located on the parcel addressed 7205 West Buckeye Road, APN 104-30-001K. The applicant requested to abandon the 10-foot sidewalk easements shown on Map of Dedication Book 1020 and Page 29, adjacent to Buckeye Road and 71st Avenue, and two drainage easements dedicated per Ordinance S-35903 along Buckeye Road.

Financial Impact

Pursuant to Phoenix City Code Article 5, Section 31-64(e) as the City acknowledged the public benefit received by the generation of additional revenue from the private tax rolls and by the elimination of third party general liability claims against the city, maintenance expenses, and undesirable traffic patterns,

July 1, 2016

also replatting of the area with alternate roadways and new development as sufficient and appropriate consideration in this matter.

Concurrence

This application did not have the Abandonment Hearing Officer’s recommendation, as the formal application procedure did not apply (REF: City Code Sec. 31-68).

| | | |
|-----------------------|-------------------|--|
| <u>ITEM 98</u> | DISTRICT 8 | RESOLUTION 21462 - ABANDONMENT OF RIGHT-OF-WAY - V150069A - SOUTH 2ND AVENUE AND WEST BUCHANAN STREET |
|-----------------------|-------------------|--|

The Council heard request to abandon the following right-of-way as it was no longer needed.

On January 27, 2016 the Abandonment Hearing Officer considered the application of Jeff DeBenon of Arizona Public Service to abandon a portion of the West Buchanan Street and South 2nd Avenue right-of-way adjacent to the parcels addressed 114 West Buchanan Street, APN 112-23-932, and 499 South 2nd Avenue, APN 112-23-931.

Financial Impact

A fee was also collected as part of this abandonment in the amount of \$12,600.

Concurrence

Following established review procedures, no objections to the Hearing Officer’s recommendation were received from City Council or other parties.

| | | |
|------------------------|-------------------|---|
| <u>ITEM 100</u> | DISTRICT 2 | ORDINANCE G-6184 - AMEND CITY CODE - REZONING APPLICATION Z-8-16-2 – APPROXIMATELY 180 FEET WEST OF THE NORTHWEST CORNER OF 29TH STREET AND BEVERLY LANE |
|------------------------|-------------------|---|

The Council heard request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-8-16-2 for the R-3 (Multiple Family Residence) zoning district located approximately 180 feet west of the northwest

July 1, 2016

corner of 29th Street and Beverly Lane to remove the special permit and allow Single-Family Residential.

ITEM 101

DISTRICT 2

**ORDINANCE G-6185 -
AMEND CITY CODE -
REZONING APPLICATION
Z-10-16-2 – NORTHEAST
CORNER OF 71ST STREET
AND TIERRA BUENA LANE**

The Council heard request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-10-16-2 for the PUD (Planned Unit Development) zoning district located at the northeast corner of 71st Street and Tierra Buena Lane to allow a mix of uses including multifamily residential.

ITEM 102

DISTRICT 2

**ORDINANCE G-6186 -
AMEND CITY CODE -
REZONING APPLICATION
Z-237-J-85-3(2) –
APPROXIMATELY 1,300 FEET
SOUTH AND 110 FEET EAST OF
THE SOUTHEAST CORNER OF
TATUM BOULEVARD AND CAVE
CREEK ROAD**

The Council heard request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-237-J-85-3(2) for the C-2 PCD SP (Intermediate Commercial Planned Community District Special Permit) district located approximately 1,300 feet south and 110 feet east of the southeast corner of Tatum Boulevard and Cave Creek Road to allow for a Massage Establishment and all underlying uses in C-2.

ITEM 103

DISTRICT 4

**ORDINANCE G-6187 -
AMEND CITY CODE -
REZONING APPLICATION
Z-19-16-4 – NORTHEAST
CORNER OF CENTRAL
AVENUE AND INDIANOLA
AVENUE**

The Council heard request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix,

July 1, 2016

by adopting Rezoning Application Z-19-16-4 for the WU T6:7 MT (Walkable Urban Code Transect T6:7 Midtown Transit Oriented Development District) zoning district located at the northeast corner of Central Avenue and Indianola Avenue to allow multifamily residential.

ITEM 105

DISTRICT 7

**ORDINANCE G-6189 -
AMEND CITY CODE -
REZONING APPLICATION
Z-7-16-7 – APPROXIMATELY
150 FEET WEST OF THE
NORTHWEST CORNER OF
31ST AVENUE AND YUMA
STREET**

The Council heard request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-7-16-7 for the C-3 (General Commercial) zoning district located approximately 150 feet west of the northwest corner of 31st Avenue and Yuma Street to allow for Office Warehouse.

ITEM 106

DISTRICT 7

**ORDINANCE G-6190 -
AMEND CITY CODE -
REZONING APPLICATION
Z-16-16-7 – APPROXIMATELY
720 FEET NORTH OF THE
NORTHWEST CORNER OF
71ST AVENUE AND
ROOSEVELT STREET**

The Council heard request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-16-16-7 for the A-1 (Light Industrial) zoning district located approximately 720 feet north of the northwest corner of 71st Avenue and Roosevelt Street to allow for Light Industrial uses including manufacturing and storage.

Mr. Shane Allfman submitted a comment card in favor of Item 106; however, he did not wish to speak.

July 1, 2016

ITEM 26

CITYWIDE

**ORDINANCE S-42691 -
CONTRACT WITH DICKINSON
WRIGHT PLLC FOR LEGAL
SERVICES**

(Continued from June 22, 2016) - The Council heard request to authorize the City Attorney through the City Manager to enter into a legal services agreement with Dickinson Wright PLLC (Dickinson Wright) to provide outside legal counsel to the City. Dickinson Wright will provide legal services related to claims in the matter captioned Phoenix Rent-A-Car, LLC; Saban Rent-A-Car, LLC v. City of Phoenix. It was further requested the City Controller be authorized to disburse funds in an amount not to exceed \$250,000.00 for purposes of this ordinance.

Funds were available in the Finance Department's budget.

Mr. Waring returned to the dais.

Ms. Pastor left the dais.

MOTION was made by Vice Mayor Gallego, **SECONDED** by Mrs. Williams that Item 26 be adopted.

| | | |
|------------|---------|--|
| Roll Call: | Ayes: | Nowakowski, Stark, Valenzuela, Williams, Vice Mayor Gallego, Mayor Stanton |
| | Nays: | DiCiccio, Waring |
| | Absent: | Pastor |

MOTION CARRIED.

Ms. Pastor returned to the dais.

ITEM 27

CITYWIDE

**ORDINANCE S-42751 -
PAYMENT ORDINANCE
\$7,281,414.75**

The Council heard request to authorize the City Controller to disburse funds in an aggregate amount not to exceed \$7,281,414.75 for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts.

MOTION was made by Vice Mayor Gallego, **SECONDED** by Mrs. Williams that Item 27 be adopted except for Items 27(P) and 27(T).

July 1, 2016

Ms. Dianne Barker felt it was important to ensure environmental laws were being upheld.

Mr. John Rusinek requested the Clean Air Act be followed by all vendors.

Mr. Pat Vint submitted a comment card on the item; however, he did not indicate whether in favor or opposed.

| | | |
|------------|---------|--|
| Roll Call: | Ayes: | DiCiccio, Nowakowski, Pastor, Stark, Valenzuela, Waring, Williams, Vice Mayor Gallego, Mayor Stanton |
| | Nays: | None |
| | Absent: | None |

MOTION CARRIED UNANIMOUSLY, noting Item 27 was now adopted in part as Items 27(P) and 27(T) had not yet been acted upon.

ITEM 27(P)

CITYWIDE

**ORDINANCE S-42751 -
PAYMENT ORDINANCE
\$7,281,414.75**

The Council heard request to authorize the City Controller to disburse funds in an aggregate amount not to exceed \$7,281,414.75 for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts.

- p) 15,000.00 To National Association of City Transportation Officials, request payment authority for payment of 2016 National Association of City Transportation Officials membership dues. NACTO offered its members valuable interaction with other cities while providing a forum for a unified urban voice in U.S. transportation policy. Membership was important to efficient and effective service delivery and the operation of the Street Transportation Department and was approved by the Transportation and Infrastructure Subcommittee on May 24, 2016.

July 1, 2016

MOTION was made by Vice Mayor Gallego, **SECONDED** by Mrs. Williams that Item 27(P) be adopted.

| | | |
|------------|---------|--|
| Roll Call: | Ayes: | Nowakowski, Pastor, Stark, Valenzuela, Williams, Vice Mayor Gallego, Mayor Stanton |
| | Nays: | DiCiccio, Waring |
| | Absent: | None |

MOTION CARRIED, noting Item 27 was now adopted in part as Item 27(T) had not yet been acted upon.

| | | |
|--------------------------|-----------------|---|
| <u>ITEM 27(T)</u> | CITYWIDE | ORDINANCE S-42751 - PAYMENT ORDINANCE \$7,281,414.75 |
|--------------------------|-----------------|---|

The Council heard request to authorize the City Controller to disburse funds in an aggregate amount not to exceed \$7,281,414.75 for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts.

- t) 17,000.00 To Scripps Media, Inc., doing business as Phoenix KNXV TV, request payment authority to provide digital advertising, such as web banner ads, to educate residents about waste diversion and recycling, for the Public Works Department.

MOTION was made by Vice Mayor Gallego, **SECONDED** by Mrs. Williams that Item 27(T) be adopted.

| | | |
|------------|---------|--|
| Roll Call: | Ayes: | Nowakowski, Pastor, Stark, Valenzuela, Williams, Vice Mayor Gallego, Mayor Stanton |
| | Nays: | DiCiccio, Waring |
| | Absent: | None |

MOTION CARRIED, noting Item 27 was now adopted in full.

Mrs. Williams realized she requested to hold Item 90 from the omnibus motion; however, she meant to withhold Item 99.

MOTION was made by Mrs. Williams, **SECONDED** by Ms. Pastor that Item 99 be reconsidered. **MOTION CARRIED UNANIMOUSLY.**

July 1, 2016

Mayor Stanton commented Item 99 will be reconsidered in numerical order with the remainder of the items withheld from the omnibus motion.

| | | |
|-----------------------|-----------------|---|
| <u>ITEM 32</u> | CITYWIDE | <u>ORDINANCE S-42754 - CONTRACT AWARD FOR AUDIT SERVICES FOR SELF-INSURANCE TRUSTS</u> |
|-----------------------|-----------------|---|

The Council heard request to authorize the City Manager, or his designee, to enter into an agreement with Heinfeld, Meech & Co. P.C. to provide audit services for the Health Care Benefits Trust, Long-Term Disability Trust and Risk Management Trust. It was further requested the City Controller be authorized to disburse all funds related to this item.

State Statute 11-981 required that an annual audit be performed by an external auditor for any self-insured health, disability or accident programs.

Procurement Results

Bids were solicited from the 11 firms that comprised the Qualified Vendors List issued by City Audit Department. Two proposals were received. An evaluation panel assessed the submittals based on price (33%), experience/expertise and breadth of the firm (34%), and education and experience of assigned staff (33%). A total of 100 points were possible.

| <u>Proposer</u> | <u>Points</u> |
|----------------------------|---------------|
| Heinfeld, Meech & Co. P.C. | 98 |
| CliftonLarsonAllen | 92 |

Contract Term

The contract term will begin July 2, 2016. Provisions of the contract included the option for five, one-year extensions through fiscal year 2022, which may be exercised by the City Manager, or his designee, upon mutual agreement between the City and Heinfeld, Meech & Co., P.C.

Financial Impact

The aggregate contract value, including option years, will not exceed \$375,000 with an estimated first year annual expenditure of \$49,500. Funds were available in the Health Care Benefits Trust, the Long-Term Disability Trust, and the Risk Management Trust.

MOTION was made by Vice Mayor Gallego, **SECONDED** by Ms. Pastor that Item 32 be adopted.

Ms. Dianne Barker would prefer if more than two people bid on the item.

July 1, 2016

| | | |
|------------|---------|--|
| Roll Call: | Ayes: | DiCiccio, Nowakowski, Pastor, Stark, Valenzuela, Waring, Williams, Vice Mayor Gallego, Mayor Stanton |
| | Nays: | None |
| | Absent: | None |

MOTION CARRIED UNANIMOUSLY.

ITEM 41

CITYWIDE

**ORDINANCE S-42762 -
HOMELESS YOUTH SERVICES
CONTRACT AWARD**

The Council heard request to authorize the City Manager, or his designee, to contract for the provision of Workforce Innovation and Opportunity Act (WIOA) with Valley of the Sun YMCA to provide homeless youth services; and to authorize the City Controller to disburse WIOA funds in the amount up to \$190,500 from the State of Arizona Department of Economic Security (ADES) for the period of July 1, 2016 through June 30, 2017.

The Valley of the Sun YMCA will assist eligible homeless youth in Phoenix with completing secondary or postsecondary education and/or succeeding in employment. In compliance with WIOA Section 129 (C), the homeless youth services must span a broad continuum of services with comprehensive case management and guidance to meet each participant's individual needs, including:

- Providing an objective assessment of the academic level, skill levels, and service needs of each participant, which assessment shall include a review of basic skills, occupational skills, prior work experience, employability, interests, aptitudes, supportive service needs, and development needs of the participant.
- Developing service strategies for each participant that shall identify career pathways that include education and employment goals, appropriate achievement objectives, and appropriate services for the participant taking into account the assessment conducted.
- Providing:
 - Activities leading to the attainment of a secondary school diploma or its recognized equivalent or a recognized postsecondary credential;
 - Preparation of postsecondary educational and training opportunities;
 - Strong linkages between academic learning and occupational learning;
 - Preparation for unsubsidized employment opportunities; and

July 1, 2016

- Effective connections to intermediaries with strong links to the job market and local and regional employers.

These funds will be used to provide a minimum 85 percent of funding to out-of-school youth aged 16 to 24 and a maximum of 15 percent to in-school youth aged 14 to 21, for up to 80 youth.

The Phoenix Business and Workforce Development (PBWD) Board was responsible for the programmatic and fiscal oversight of the WIOA youth program. The current contract will end on June 30, 2016 and approximately 30 existing youth clients will transition to Valley of the Sun YMCA.

Procurement Results

The City of Phoenix issued a Request for Proposals (RFP) on April 18, 2016 with proposals due May 17, 2016. Community and Economic Development Department staff reviewed the Valley of the Sun YMCA's proposal, which was the sole proposal received for this RFP, and determined it was responsive.

Concurrence

The Phoenix Business and Workforce Development Board recommended approval on June 9, 2016.

Mrs. Williams stated there were no YMCAs located in her district. She wanted to ensure youth in her area would be involved with the services.

Community and Economic Development Director Christine Mackay said it will be a citywide effort. She explained the Department will be working with the contractors to ensure all districts were involved.

Mayor Stanton suggested the contractors meet with the Councilmembers to get some insight on how to best serve the districts.

Ms. Mackay thought Mayor Stanton's suggestion was a great idea.

MOTION was made by Mrs. Williams, **SECONDED** by Vice Mayor Gallego that Item 41 be adopted.

| | | |
|------------|---------|--|
| Roll Call: | Ayes: | DiCiccio, Nowakowski, Pastor, Stark, Valenzuela, Waring, Williams, Vice Mayor Gallego, Mayor Stanton |
| | Nays: | None |
| | Absent: | None |

MOTION CARRIED UNANIMOUSLY.

July 1, 2016

ITEM 42

**CITYWIDE AND OUT
OF CITY**

**ORDINANCE S-42763 -
ACCEPT AND DISBURSE
STRENGTHENING WORKING
FAMILIES GRANT FUNDS**

The Council heard request to authorize the City Manager, or his designee, to accept and disburse \$4 million in Strengthening Working Families Grant funds from the U.S. Department of Labor. It was further requested the City Treasurer be authorized to accept, and the City Controller authorized to disburse, the funds.

The City of Phoenix submitted a proposal to the U.S. Department of Labor in March 2016. On June 15, 2016 the Department of Labor announced a Strengthening Working Families Grant award to the City of Phoenix, and its partners, in the amount of \$4 million.

The funding will deliver workforce and ancillary support services to 600 parents living primarily in Maryvale and Mesa with the flexibility of serving greater Maricopa County. The project will recruit, train and assist low-income parents with dependent children who qualified for Head Start, Temporary Assistance for Needy Families (TANF) and/or Workforce Innovation and Opportunity Act programs in securing and retaining employment in targeted middle-to-high-skilled H-1B visa occupations, specifically in healthcare, information technology and business.

Utilizing a coordinated case-management approach, the project aimed to achieve sustainable systemic change by implementing and improving system coordination between City and County workforce, Head Start, TANF and child care organizations. The project will remove barriers to training encountered by low-income parents, specifically access to quality child care and navigation of the complex systems to access the services they needed, by offering cohort training through the college district and customized support services leading to job placement in middle-to-high-skilled H-1B occupations or jobs that promoted movement along a career pathway.

The interdisciplinary team will be comprised of:

- ARIZONA@WORK American Job Centers in the City of Phoenix and Maricopa County
- City of Phoenix Community Economic Development Department
- City of Phoenix Human Services Department (Head Start and Community Action programs)
- Maricopa County Human Services Department (Head Start)
- Maricopa County Community College District

July 1, 2016

- Arizona Department of Economic Security Child Care Administration
- MAXIMUS Human Services
- Association for Supportive Child Care.

As part of implementation of the grant, staff will issue two solicitations for training providers and a data management system.

As part of the scope of work, funds will be allocated to ARIZONA@WORK – Maricopa County and MAXIMUS, Inc. to fund specific grant positions for case management and employer outreach and recruitment for job placement. This portion of the grant will not exceed \$500,000 over the course of the grant.

For successful grant performance, 5.5 temporary positions were requested. The grant was a four-year term with the following approximate budget breakdown:

Year 1: \$500,000
 Year 2: \$1,500,000
 Year 3: \$1,500,000
 Year 4: \$500,000

MOTION was made by Vice Mayor Gallego, **SECONDED** by Mrs. Williams that Item 42 be adopted.

| | | |
|------------|---------|--|
| Roll Call: | Ayes: | DiCiccio, Nowakowski, Pastor, Stark, Valenzuela, Williams, Vice Mayor Gallego, Mayor Stanton |
| | Nays: | Waring |
| | Absent: | None |

MOTION CARRIED.

ITEM 44

DISTRICT 8

**ORDINANCE S-42765 -
 RFA 16-133 AIRPORT
 CONCESSION
 CONSULTANTS -
REQUIREMENTS CONTRACT**

The Council heard request to authorize the City Manager, or his designee, to enter into an agreement with Airport Concession Consultants Inc. for Airport Concessions Disadvantaged Business Enterprise (ACDBE) Program compliance monitoring services. It was further requested the City Controller be authorized to disburse all funds related to this item.

July 1, 2016

The services provided by Airport Concession Consultants Inc. (ACC Inc.) were jointly managed by the Equal Opportunity and Aviation departments. ACC Inc. will be responsible for providing on-call support to City staff in the monitoring of airport concessionaire compliance with the U.S. Department of Transportation Title 49 Code of Federal Regulations (CFR) Part 23 governing airport concessions, and tracking and reporting concession employee retention utilizing a customized proprietary software database created for Phoenix Sky Harbor International Airport.

Procurement Results

Airport Concession Consultant (ACC) was the consultant for the Federal Aviation Administration (FAA) that drafted the Joint Venture Guidance that provided the guidelines for how to count the participation of DBE firms under joint venture agreements at all airports within the United States. ACC was also the nationally recognized subject matter expert that possessed the database for the tracking, monitoring, and reporting of concession employee retention at Phoenix Sky Harbor airport.

Contract Term

The initial three-year contract term will begin on or about July 1, 2016 and end on June 30, 2019. Provisions of the contract will include an option to extend the term of the contract up to two additional years, which may be exercised by the City Manager, or his designee.

Financial Impact

The aggregate contract value, including all option years, will not exceed \$500,000 (including applicable taxes) with an estimated annual expenditure of \$100,000. Funds were available in the Aviation Department's operating budget.

MOTION was made by Vice Mayor Gallego, **SECONDED** by Mrs. Williams that Item 44 be adopted.

| | | |
|------------|---------|--|
| Roll Call: | Ayes: | Nowakowski, Pastor, Stark, Valenzuela, Williams, Vice Mayor Gallego, Mayor Stanton |
| | Nays: | DiCiccio, Waring |
| | Absent: | None |

MOTION CARRIED.

July 1, 2016

ITEM 50

CITYWIDE

**ORDINANCE G-6182 -
AMEND CITY CODE –
PERTAINING TO SCRAP
METAL DEALERS AND
REINSTATE SCRAP METAL
DEALER LICENSING**

The Council heard request to amend Phoenix City Code (PCC), Chapter 19 to conform to certain provisions of state law pertaining to scrap metal and to reinstate scrap metal dealer licensing.

In September 2013, the Arizona State Legislature passed a law requiring scrap metal dealers to register with the State, preempting City licensing for scrap metal dealers. The City stopped licensing scrap metal dealers in 2013. In 2014, an amendment to state law was approved by the legislature clarifying that cities may have licensing systems for scrap metal dealers if they included background checks and fingerprinting.

The Police Department recommended reinstating licensing and making the following modifications to PCC, Chapter 19 for scrap metal dealers to conform to changes in state law since 2013:

- Require all scrap metal transactions to be reported, eliminating existing reporting thresholds.
- Require payment by check or money order by mail to the seller's physical address for non-ferrous transactions greater than \$300, and payment for air conditioning coils for any amount (no threshold), conforming to exemptions to State law.
- Prohibit the transaction of municipal storm grates.

If the reinstatement of scrap metal licensing was approved and enacted by City Council, businesses that had an active City scrap metal dealer license in September 2013 will be provided with instruction on relicensing procedures. Additionally, new license application procedures will be available to all stakeholders on the City Clerk Department's License Services website.

Public Outreach

The Police Department sent notices to scrap metal dealers within the City of Phoenix informing them of the proposed changes.

Concurrence/Previous Council Action

The Public Safety and Veterans Subcommittee unanimously recommended City Council approval of the proposed reinstatement of scrap metal dealer

July 1, 2016

licensing and the proposed changes to the PCC related to scrap metal at its April 13, 2016 meeting.

MOTION was made by Vice Mayor Gallego, **SECONDED** by Mrs. Williams that Item 50 be adopted.

| | | |
|------------|---------|--|
| Roll Call: | Ayes: | DiCiccio, Nowakowski, Pastor, Stark, Valenzuela, Williams, Vice Mayor Gallego, Mayor Stanton |
| | Nays: | Waring |
| | Absent: | None |

MOTION CARRIED.

| | | |
|-----------------------|-------------------|--|
| <u>ITEM 58</u> | DISTRICT 8 | <u>ORDINANCE S-42776 - IFB 16-247 EVENT EQUIPMENT RENTAL SERVICES – REQUIREMENTS CONTRACT</u> |
|-----------------------|-------------------|--|

The Council heard request to authorize the City Manager, or his designee, to enter into a contract with Pro EM Party and Event Rentals, LLC to provide the rental of event equipment including tents, tables, chairs, and miscellaneous items to support special events at Phoenix Sky Harbor International Airport through 2019, including the Fiesta and Cactus Bowls game team arrivals. The City of Phoenix will also host the 2017 Men’s Final Four College Basketball Championship and services will include delivery and setup, tent structure permitting, and equipment take-down and pickup. It was further requested the City Controller be authorized to disburse all funds related to this item over the life of the contract in an amount not to exceed \$175,000.00.

Procurement Results

Invitation for Bid (IFB) 16-247 was conducted in accordance with Administrative Regulation 3.10. There was one offer received by the Procurement Division on May 13, 2016.

| <u>Bidder</u> | <u>Bid Price</u> |
|--|------------------------------------|
| Pro EM Party and Events Rentals LLC | Total Group I Price - \$758.18 |
| | Total Group II Price - \$5,503.57 |
| | Total Group III Price - \$1,359.34 |
| | Total Group IV Price - \$605.84 |

July 1, 2016

The Deputy Finance Director recommended that the offer from Pro EM Party and Event Rentals be accepted as the lowest-priced, responsive and responsible offeror. The price received was fair and reasonable based on a previous contract. In a separate Request for Council Action, the Parks and Recreation Department requested approval of a contract with Pro EM Party and Event Rentals for similar services; however, these were separate procurement processes due to the additional insurance requirements required for contractors who worked at the airport, and the unique airport security procedures, and therefore the contracts could not be combined.

Contract Term

The initial three-year contract term will begin about October 1, 2016 and end September 30, 2019. Provisions of the contract included an option to extend the contract up to two additional years, which may be exercised by the City Manager, or his designee.

Financial Impact

The aggregate contract value, including all options years, will not exceed \$175,000 with an estimated annual expenditure of \$35,000. Funds were available in the Aviation Department’s operating budget.

MOTION was made by Vice Mayor Gallego, **SECONDED** by Ms. Pastor that Item 58 be adopted.

| | | |
|------------|---------|--|
| Roll Call: | Ayes: | Nowakowski, Pastor, Stark, Valenzuela, Williams, Vice Mayor Gallego, Mayor Stanton |
| | Nays: | DiCiccio, Waring |
| | Absent: | None |

MOTION CARRIED.

ITEM 76.2

CITYWIDE

**RFP 16-225 UNIFIED CITY
SERVICES CARD AND/OR
SECONDARY MUNICIPAL ID
CARD**

The Council heard request to authorize the City Manager, or his designee, to interview and begin negotiations with SF Global LLC, to provide, at no cost to the City, a Unified City Services Card and/or Secondary Municipal ID card for residents. Additionally, City staff would work over the summer to develop policies for use of the card. Both of these items will be brought back to City Council for consideration and action on August 31, 2016. The objective was to

July 1, 2016

enter into a contract dependent upon successful completion of the procurement process and negotiations with SF Global LLC.

On December 16, 2015 City Council directed staff to conduct an RFI and RFP process to determine interest of private-sector companies to partner with the City to create, at no cost to the City, a Unified City Services and/or Secondary Municipal ID card. Staff conducted both processes with the deadline for the RFP on May 20, 2016.

SF Global's RFP response offered a three-year, phased-in approach. In the first year, SF Global was proposing to create and issue a Secondary ID. In the second year, they were proposing to add a debit card feature to the Secondary ID. And in the third year, SF Global was proposing to expand the program into a Unified City Services Card, combining all City services cards into one card.

SF Global was recommending that the identification required to get a card would be those options listed on the Arizona Department of Motor Vehicles secondary ID list. The company also was recommending the cost of the card be \$25 for adults aged 18-64, and \$20 for seniors aged 65 and older and youth 17 years old and younger.

Procurement Results

RFP 16-225 Unified City Services Card and/or Secondary Municipal ID Card was conducted in accordance with Administrative Regulation 3.10. One offer was received by the Procurement Division on May 20, 2016.

The proposal was reviewed by an eight-member evaluation committee based on the following criteria: Technical Approach, Pricing, Company History and Experience, Key Personnel, References and Sample Cards.

MOTION was made by Mr. Nowakowski, **SECONDED** by Ms. Pastor that Item 76.2 be approved.

City Attorney Brad Holm explained the City's transparency policy was in effect and cautioned speaking about the evaluation process, scope of the RFP, or particular terms and conditions of the contract. He explained that because the procurement process had not yet completed, speaking about those topics could potentially taint the evaluation committee's positions. He clarified it was acceptable to speak about the policy behind the item.

Ms. Cyntia Domenzain Mejia supported the item as she felt a municipal ID card could provide security for citizens when interacting with police.

July 1, 2016

Mr. Stanford T. Prescott supported the item and stated it would allow parents to engage in their children's schools and allow people access to city services.

Ms. Teodora Mejia Casper was fearful undocumented citizens would be detained when interacting with the police. She supported the item and felt it was important for all citizens in Phoenix.

Ms. Mary Moore supported the item and thought it would create a safer and more inclusive city.

Special Assistant to the City Manager Toni Maccarone stated staff will interview the proposer, enter in to negotiations if appropriate, and develop policies on the topic over the summer before returning to the Council in August.

Mr. Waring opposed the item because he felt it would be costly and not provide the police with much information when interacting with an individual. He felt the initial intention of the card was to combine all city services on one card, but the current topic would act as a second form of identification. He sympathized with those who were unable to obtain a state-issued identification card, but felt the topic should be handled by the federal government.

City Manager Ed Zuercher stated the Council directed staff to investigate options that were cost neutral to the City.

Ms. Maccarone clarified respondents were asked to either create a municipal identification card, a municipal identification card with a debit card function, or a unified city services card. She explained Information Technology staff determined a unified city services card would cost approximately \$5 million, but respondents were required to submit a plan that was cost neutral to the City. She clarified the only costs for the item would be in staff time.

Ms. Stark asked if there was still the potential to save money with the item.

Ms. Maccarone stated there was.

Mr. Nowakowski asked if the card could serve as a form of identification as well as a combined city services card.

Ms. Maccarone responded the proposer could submit that idea as long as it was cost neutral to the City.

Mr. Valenzuela voiced his support of the item.

July 1, 2016

The following individuals submitted comment cards in favor of the item; however, they did not wish to speak:

- Ms. Abril Castaneda
- Ms. Ana Armenta
- Ms. Berta Rita
- Ms. Gabriela Hernandez
- Ms. Jennifer Hernandez
- Ms. Karyna Jaramillo Rodriguez
- Ms. Maria Gloria Rodriguez
- Ms. Maxima Guerrero
- Ms. Sandra Weir
- Mr. Alexander Merida Castillo
- Mr. Fredian Tuyisenge
- Mr. James Deibler
- Mr. Jose Sanchez
- Mr. Ricky Gonzalez
- Ms. Adriana Garcis Maximeliano
- Ms. Audisey Alvarado
- Ms. Channel Powe
- Ms. Iliana Pacheco
- Ms. Karen Marguez
- Ms. Lourdes Martinez
- Ms. Marylexe Diaz
- Ms. Norma Jimenez
- Ms. Viridiana Hernandez
- Mr. Christian Merida
- Mr. Ernesto Bracamontes
- Mr. Jeremiah Rivas
- Reverend Reginald Walton
- Mr. Vincent Yu

Mr. Will Gaona submitted a comment card on the item; however, he did not indicate whether in favor or opposed, and did not wish to speak.

| | | |
|------------|---------|--|
| Roll Call: | Ayes: | Nowakowski, Pastor, Stark, Valenzuela, Vice Mayor Gallego, Mayor Stanton |
| | Nays: | DiCiccio, Waring, Williams |
| | Absent: | None |

MOTION CARRIED.

ITEM 90

**DISTRICTS 3, 4, 5
AND 7**

**ORDINANCE S-42795 -
ACCEPTANCE AND
DEDICATION OF DEEDS AND
EASEMENTS FOR PUBLIC USE**

The Council heard request to accept deeds and easements for roadway, sidewalk, drainage and traffic control purposes; ordering the ordinance recorded and dedicating to public use the property interests described therein.

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

July 1, 2016

| | | District No. |
|----------|---|-----------------|
| Easement | (a) ALAMO FINANCIAL INVESTMENTS, L.L.C., Easement was for sidewalk purposes for property located at 15350 North 29th Street. FN 160012 | 3 |
| Easement | (b) EVERGREEN-3RD AND INDIAN SCHOOL LAND, L.L.C., Easement was for sidewalk purposes for property located at 3849 North 2nd Avenue. FN 160024 | 4 |
| Deed | (c) VTC 2223 CAMELBACK, L.L.C., Deed was for roadway purposes for property located at 2211 West Camelback Road. FN 160031 | 4 |
| Easement | (d) VTC 2223 CAMELBACK, L.L.C., Easement was for sidewalk purposes for property located at 2211 West Camelback Road. FN 160032 | 4 |
| Deed | (e) FIRSTBANK, Deed was for roadway purposes for property located at 5370 West Indian School Road. FN 160027 | 5 |
| Easement | (f) MS PHOENIX, L.L.C., Easement was for drainage purposes for property located at 3000 North 91st Avenue. FN 160029 | 5 |
| Easement | (g) PHOENIX GOSPEL MISSION, INC., Easement was for sidewalk and traffic control purposes for property located at 1516 West Van Buren Street. REN 9838 | 7 |

MOTION was made by Vice Mayor Gallego, **SECONDED** by Mrs. Williams that Item 90 be adopted.

| | | |
|------------|---------|--|
| Roll Call: | Ayes: | DiCiccio, Nowakowski, Pastor, Stark, Valenzuela, Waring, Williams, Vice Mayor Gallego, Mayor Stanton |
| | Nays: | None |
| | Absent: | None |

MOTION CARRIED UNANIMOUSLY.

July 1, 2016

ITEM 99

DISTRICT 1

**ORDINANCE G-6183 -
AMEND CITY CODE -
REZONING APPLICATION
Z-6-16-1 – SOUTHWEST
CORNER OF 23RD AVENUE
AND THE PARKSIDE LANE
ALIGNMENT**

The Council heard request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-6-16-1 for the A-1 DVAO (Light Industrial, Deer Valley Airport Overlay) zoning district located at the southwest corner of 23rd Avenue and the Parkside Lane Alignment to allow Industrial Warehouse and open uses.

MOTION was made by Mrs. Williams, **SECONDED** by Mr. Nowakowski that Item 99 be adopted.

Mrs. Williams felt the stipulations put in place by the Planning Commission adequately addressed the neighborhood's incomplete street connections and traffic concerns.

| | | |
|------------|---------|--|
| Roll Call: | Ayes: | DiCiccio, Nowakowski, Pastor, Stark, Valenzuela, Waring, Williams, Vice Mayor Gallego, Mayor Stanton |
| | Nays: | None |
| | Absent: | None |

MOTION CARRIED UNANIMOUSLY.

ITEM 104

DISTRICT 7

**ORDINANCE G-6188 -
AMEND CITY CODE -
REZONING APPLICATION
Z-2-16-7 – SOUTHEAST
CORNER OF 10TH AVENUE
AND WASHINGTON STREET**

The Council heard request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-2-16-7 for the PUD CMO (Planned Unit Development Capitol Mall Overlay District) zoning district located at the southeast corner of 10th Avenue and Washington Street to allow a mix of uses including multifamily residential.

July 1, 2016

Planning and Development Director Alan Stephenson presented the rezoning request. He conveyed the item had numerous committee approvals. Additionally, he explained the applicant was agreeable to working with the neighbors to address parking concerns.

Mr. Waring temporarily left the dais.

MOTION was made by Mr. Nowakowski, **SECONDED** by Mrs. Williams that Item 104 be adopted.

Mr. Fidelis Garcia explained the parking layout was recently changed; however, the restricted parking signs were not put back up. He requested the city look at additional parking solutions due to the increased density.

Ms. Manjula Vaz submitted a comment card; however, she did not indicate whether in favor or opposed and did not wish to speak.

Mr. Nowakowski said he would like to sit with staff to find a parking solution.

| | | |
|------------|---------|--|
| Roll Call: | Ayes: | DiCiccio, Nowakowski, Pastor, Stark, Valenzuela, Williams, Vice Mayor Gallego, Mayor Stanton |
| | Nays: | None |
| | Absent: | Waring |

MOTION CARRIED.

| | | |
|------------------------|-----------------------------|---|
| <u>ITEM 107</u> | DISTRICTS 4, 5 AND 8 | <u>PUBLIC HEARING -</u> ORDINANCE G-6191 - AMEND CITY CODE - Z-TA-2-16 – WALKABLE URBAN CODE REVISIONS TO EASTLAKE GARFIELD CHARACTER AREA |
|------------------------|-----------------------------|---|

The Council heard request to hold a public hearing for the following text amendment to consider adopting the Neighborhoods, Housing and Development Subcommittee recommendation and the related Ordinance.

| | |
|--------------|---|
| Application: | Z-TA-2-16 |
| Request: | Amend Section 1312 of the Zoning Ordinance to modify the Eastlake-Garfield Character Area standards of the Walkable Urban Code. |

July 1, 2016

Proposal: Amend the Eastlake-Garfield Character Area standards of the Walkable Urban Code to add language that required building setback provisions be required when development was adjacent to a single-family residential use.

Applicant: City of Phoenix Planning Commission

Staff: Approval, per the language in Attachment A in the staff report

VPC Action: Central City – May 9, 2016 - Approved with a modification.
Vote: 13-3.

PC Action: June 2, 2016 – Approved, per the language in Attachment A in the staff report. Vote: 6-0.

Concurrence/Previous Council Action

The Neighborhoods, Housing and Development subcommittee approved this item unanimously at its June 21, 2016 meeting.

The following language was subject to discussion at the meeting and the City Council may have added, deleted or amended the language.

Proposed Language

Amend Chapter 13, Section 1312 (Character Areas) to read as follows:

- B. TRANSIT EASTLAKE GARFIELD CHARACTER AREA. APPLICABLE TO PROPERTY WITHIN THE EASTLAKE GARFIELD TRANSIT DISTRICT POLICY PLAN AREA WITH WALKABLE URBAN CODE ZONING
2. SETBACK REQUIREMENTS
- A. FOR PROPERTIES ABUTTING EXISTING SINGLE-FAMILY RESIDENTIAL DWELLINGS:
- (1) FRONT: MINIMUM SETBACK ESTABLISHED BY THE PREDOMINANT FRONTAGE OF EXISTING BUILDINGS ON A BLOCK NOT TO EXCEED THREE HUNDRED FEET ON ANY SIDE OF THE SUBJECT PROPERTY;
 - (2) SIDES: 13-FEET TOTAL (3-FOOT MINIMUM);
 - (3) REAR SETBACK: 15-FEET. SETBACK MAY BE MEASURED FROM THE CENTERLINE OF ANY EXISTING SIXTEEN (16) FOOT OR WIDER ALLEY OR WHAT WOULD BE THE CENTERLINE OF A

July 1, 2016

SIXTEEN (16) FOOT OR WIDER ALLEY WHEN ONLY
A PARTIAL ALLEY EXISTS.

The public hearings for Items 107 through 109 were held together.

Mr. Waring returned to the dais.

Planning and Development Director Alan Stephenson stated the items would implement the ReinventPHX planning process. He explained it would change the general plan maps and zoning designation for the area. He said staff had sent over 1,200 letters to residents and business owners and a few property owners did not want to be rezoned; therefore, their properties were exempt from the rezoning. He concluded there were some areas that were developed as single-family parcels despite being able to increase the building height because of the multi-family zoning.

Mayor Stanton opened the public hearing for Items 107 through 109.

Ms. Royna Torrez Rosell opposed the rezoning as presented and explained she and other property owners preferred the medium urban center designation zoning to allow additional building height.

Mr. Stephenson explained many properties currently had a 30-foot building height maximum and the proposal would allow a 56-foot maximum. He added Ms. Rosell's request would allow buildings to be up to 100 feet in height.

Mr. DiCiccio asked if property owners could opt-out of the zoning change.

Mr. Stephenson said the Council could exempt properties from being rezoned if that was the wish of the property owners. He clarified Ms. Rosell was not opposed to the rezoning; however, she would prefer a higher-designation.

Mr. Nowakowski asked if any meetings were held west of 13th Street to gather the input of the diverse community.

Mr. Stephenson responded there were eight meetings west of 13th Street.

Ms. Pastor asked what would happen in future zoning cases if a property owner did not rezone with the proposal.

July 1, 2016

Mr. Stephenson said the property would keep its current zoning and if the property owner wanted to rezone in the future, they would then meet with City staff.

Ms. Pastor voiced there were many concerns with the items and suggested they be continued.

Noting there was nobody else present to speak, Mayor Stanton closed the public hearing.

Vice Mayor Gallego asked about some of the feedback received from industrial property owners.

Mr. Stephenson stated some people felt the rezoning was too dense and would allow buildings that were too tall. Additionally, he explained some industrial property owners were concerned they would be driven out of the areas in which they had historically been located.

Vice Mayor Gallego explained the situation was a compromise that balanced the feedback from various property owners. She voiced the item had been appropriately debated and explained additional requests could be considered at a later time if necessary.

MOTION was made by Vice Mayor Gallego, **SECONDED** by Mayor Stanton that Item 107 and the related ordinance be adopted.

SUBSTITUTE MOTION was made by Ms. Pastor, **SECONDED** by Mrs. Williams that Item 107 be continued until August 31, 2016.

Mr. DiCiccio asked there be a provision to allow property owners the ability to be exempt from the rezoning.

Mr. Nowakowski asked to see some letters of support before the item was revisited in August.

Mayor Stanton explained that while there was not unanimous support for the item, he believed many community members supported the rezoning.

MOTION CARRIED UNANIMOUSLY.

July 1, 2016

ITEM 108

DISTRICT 8

**PUBLIC HEARING -
RESOLUTION 21463 -
GPA-CC-1-16-8 –
GENERALLY 1/2 MILE AREA
AROUND 12TH STREET AND
WASHINGTON/JEFFERSON
STREET LIGHT RAIL
STATIONS IN THE EASTLAKE
GARFIELD TRANSIT
ORIENTED DEVELOPMENT
POLICY DISTRICT**

The Council heard request to hold a public hearing on the rezoning for the following item to consider adopting the Planning Commission's recommendation and the related Resolution if approved.

Application: Z-GPA-CC-1-16-8 (Companion case Z-9-16-8)
 From: Commercial, Industrial, Residential 3.5 to 5, Residential 10 to 15, Public/Quasi Public
 To: Mixed Use (Commercial, Public/Quasi-Public, Residential 15+ du/ac), Mixed Use (Commercial, Residential 15+ du/ac), Residential 15+ du/ac
 Acreage: 188.11
 Location: Generally 1/2 mile area around 12th Street and Washington/Jefferson Street light rail stations in the Eastlake Garfield Transit Oriented Development Policy District
 Proposal: To update land use designations on the General Plan Land Use Map for the Eastlake Garfield TOD District to match the proposed zoning changes as associated with the Walkable Urban Code rezoning process.
 Applicant: City of Phoenix Planning Commission
 Owner: City of Phoenix Planning and Development Department
 Representative: City of Phoenix Planning and Development Department
 Staff: Approval, subject to stipulations
 VPC Action: Central City – May 9, 2016 – Approved. Vote: 9-7.
 PC Action: June 2, 2016 – Approved, as recommended by the Central City Village Planning Committee. Vote: 6-0.

Concurrence/Previous Council Action

The Neighborhoods, Housing and Development subcommittee approved this item unanimously at its June 21, 2016 meeting.

July 1, 2016

Mayor Stanton asked Ms. Pastor if she would like Items 108 and 109 to be continued for the same reason Item 107 was continued.

Planning and Development Director Alan Stephenson explained Ms. Royna Torrez Rosell's opposition was targeted toward the actual rezoning on Item 107 and not Items 108 and 109.

Mayor Stanton asked if it would be sensible to continue Items 108 and 109 because they were companion cases.

Mr. Stephenson stated a continuance would be acceptable to staff.

MOTION was made by Ms. Pastor, **SECONDED** by Mrs. Williams that Items 108 and 109 be continued until August 31, 2016. **MOTION CARRIED UNANIMOUSLY.**

ITEM 109

DISTRICT 8

**PUBLIC HEARING -
ORDINANCE G-6192 -
AMEND CITY CODE -
Z-9-16-8 – GENERALLY
1/2 MILE AREA AROUND
12TH STREET AND
WASHINGTON/JEFFERSON
STREET LIGHT RAIL
STATIONS IN THE EASTLAKE
GARFIELD TRANSIT
ORIENTED DEVELOPMENT
POLICY DISTRICT**

The Council heard request to hold a public hearing on the rezoning for the following item to consider adopting the Planning Commission's recommendation and the related Ordinance if approved.

Application: Z-9-16-8 (Companion case GPA-CC-1-16-8)
From: R1-6, R-3, R-3A, R-5, R-4A, C-1, C-1 HP, C-2, C-2 HP, C-3, C-3 HP, C-O, C-2 HR, C-3 SP, A-1, R-5 RI, P-1, and R-5 RI HP
To: T5:5 EG (Eastlake-Garfield)
T5:3 EG
T4:3 EG
Acreage: 116
Location: Generally 1/2 mile area around 12th Street and Washington/Jefferson Street light rail stations in the Eastlake Garfield Transit Oriented Development Policy District

July 1, 2016

Proposal: Rezone properties in and near TOD-1 to Walkable Urban Code
 Applicant: City of Phoenix Planning Commission
 Owner: Various
 Representative: City of Phoenix Planning and Development Department
 Staff: Approval, subject to stipulations
 VPC Action: Central City – May 9, 2016 – Approved. Vote 11-5.
 PC Action: June 2, 2016 – Approved, as recommended by the Central City Village Planning Committee. Vote 6-0.

Concurrence/Previous Council Action

The Neighborhoods, Housing and Development subcommittee approved this item unanimously at its June 21, 2016 meeting.

The following stipulations were subject to discussion at the meeting and the City Council may have added, deleted or amended stipulations.

1. The Eastlake-Garfield Character Area of the Walkable Urban Code (Chapter 13 of the Zoning Ordinance) be reviewed by the Design Standards Committee no later than one year from the effective date of ordinance adoption to determine whether any modifications to the text are necessary.

Item 109 was continued until August 31, 2016.

Items 110 and 112 were heard together.

ITEM 110

DISTRICT 8

PUBLIC HEARING -
RESOLUTION 21464 -
GPA-SM-1-15-8 –
NORTHEAST CORNER OF
24TH STREET AND VINEYARD
ROAD

The Council heard request to hold a public hearing on the rezoning for the following item to consider adopting the Planning Commission's recommendation and the related Resolution if approved.

Application: GPA-SM-1-15-8 (Companion case Z-81-15-8)
 From: Mixed Use Agriculture
 To: MUA/Residential 3.5-5 du/acre
 Acreage: 47.28
 Location: Northeast corner of 24th Street and Vineyard Road
 Proposal: Single-Family Residential

July 1, 2016

Applicant: Alan Beaudoin
Owner: LVA Urban Design Studio
Representative: City of Phoenix Planning and Development Department
Staff: Approval, subject to stipulations
VPC Action: South Mountain – May 10, 2016 – Denied. Vote: 6-5
PC Action: June 2, 2016 – Denied as filed and approved Mixed Use Agriculture/Residential 2-3.5 du/acre, per the memo from Xandon Keating dated May 23, 2016. Vote: 7-0.

Planning and Development Director Alan Stephenson explained the items changed the rezoning from mixed-use agricultural to residential and mixed-use agricultural. He explained the South Mountain Village Planning Committee voted to deny the request and the Planning Commission voted to deny the request as filed, but approve per a memo that addressed traffic concerns. He concluded those in opposition had withdrawn their request for a 3/4 vote by Council.

Mayor Stanton opened the public hearing for Items 110 and 112.

Ms. Marcia Busching explained the developer worked with the neighbors and community to address some concerns with the proposal including some stipulations developed the prior evening to address retaining the mature trees along 24th Street and flood irrigation efforts in common areas. She commented the area supported mixed-use agriculture as it was the only area in the city with that zoning and she was concerned approving the request would make the area lose its heritage.

Mr. Jeff Miller supported the item and appreciated Vice Mayor Gallego's efforts to resolve density and traffic concerns. He added it was a nice proposal that was consistent with South Mountain's theme.

Mr. Steve Benton opposed the proposal and spoke about the possibility of traffic problems because Vineyard Road was too narrow to allow two cars to pass at a time. He commented there were numerous changes in an effort to appease neighbors; however, some were still concerned there would be heavy traffic on a narrow road.

Mr. Lawrence Bailey voiced concerns about neighbors and the new residents of the development. He explained there could be a safety issue with a deep drainage ditch near the property.

Ms. Tamala L. Daniels explained the proposal property was located across the street from a mobile home park. She stated it would be difficult to sell \$600,000 homes with a mobile home park across the street, but felt the item should be approved.

July 1, 2016

Mr. Larry Cuzzocrea stated the area had uniquely-shaped parcels with irrigation. He asked there be stipulations to address irrigating the proposal's 11.1 acres of open land, creating a gated entrance on 26th Street, installing a stoplight at the Vineyard Road and 24th Street intersection, and closing the irrigation ditch on Vineyard Road.

Noting there was nobody else present to speak, Mayor Stanton closed the public hearing.

Vice Mayor Gallego thanked the community members and village planning committee members who were involved with the complicated case.

Traffic Engineer III Kerry Wilcoxon stated staff looked at the possibilities of creating alternative entrances and exits for the development. He said the plan will have speed humps along 26th Street and an exit-only point on 24th Street to relieve some of the community's traffic and keep entrances and exits safe for motorists.

Mr. Stephenson stated SRP controlled the drainage ditch a few citizens had spoken about. He added the developer could not do anything to change the ditch because it was located in an SRP easement and controlled by SRP. He said the applicant and SRP could schedule a meeting to discuss concerns and possible solutions.

MOTION was made by Vice Mayor Gallego, **SECONDED** by Ms. Stark that Item 110 and the related resolution be adopted per the Planning Commission's recommendation.

| | | |
|------------|---------|--|
| Roll Call: | Ayes: | DiCiccio, Nowakowski, Pastor, Stark, Valenzuela, Waring, Williams, Vice Mayor Gallego, Mayor Stanton |
| | Nays: | None |
| | Absent: | None |

MOTION CARRIED UNANIMOUSLY.

July 1, 2016

ITEM 112

DISTRICT 8

**PUBLIC HEARING -
ORDINANCE G-6194 -
AMEND CITY CODE -
Z-81-15-8 – NORTHEAST
CORNER OF 24TH STREET
AND VINEYARD ROAD**

The Council heard request to hold a public hearing on the rezoning for the following item to consider adopting the Planning Commission's recommendation and the related Ordinance if approved.

Application: Z-81-15-8 (Companion case GPA-SM-1-15-8) (Appealed by Opposition)
From: MUA BAOD
To: PUD BAOD
Acreage: 47.28
Location: Northeast corner of 24th Street and Vineyard Road
Proposal: Planned Unit Development to allow a mix of uses including single family residential.
3/4 Vote Required: Yes
Applicant: LVA Urban Design Studio, Alan Beaudoin
Owner: WWK Waldron LLC
Representative: Withey Morris PLC, Jason Morris
Staff: Approval, subject to stipulations
VPC Action: South Mountain – May 10, 2016 – Did not hear request.
PC Action: June 2, 2016 – Approved, per the stipulations in the staff report. Vote: 6-1.

The following stipulations were subject to discussion at the meeting and the City Council may have added, deleted or amended stipulations.

1. A minimum of 80 lots must maintain minimum lot dimensions of sixty (60) feet in width and one hundred and twenty-five (125) feet in depth. All lots adjacent to the north and east perimeter property lines must maintain these minimum lot dimensions.
2. An updated Development Narrative for the Arbors PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped April 7, 2016 as modified by the following stipulations:

July 1, 2016

- a. Revise all references to the gross acreage of the subject property in the Development Narrative to reflect a gross acreage of 47.28 acres, the gross acreage as reflected in the official sketch maps.
- b. Page ii, Table Of Contents, G. Development Standards: Add new subsection named "Parking" as Section G.3. Renumber all proceeding sections' page numbers if required.
- c. Page 2, Zoning Ordinance Applicability, Chapter 6: Replace "replaced and superseded by this PUD" with "applicable except as modified by PUD Subsections F, G, and H".
- d. Page 17-20, Section G, Development Standards: Revise as follows:
 - Remove 'Table 2 – PUD Development Standards & Comparison Reference' in its entirety and add this to the Appendices section of the Development Narrative as a new Appendix.
 - Insert a revised 'Table 2 – PUD Development Standards & Comparison Reference' in its place which is titled "Development Standards" and does not contain the table columns labeled "MUA" and "BAOD".
- e. Page 17, Section G.1, Development Standards (Yard, Height, and Area Requirements): Replace "preside" with "supersede".
- f. Page 18, Table 2, Maximum Building Height or Structure Height: Amend second paragraph to read: "A maximum of 50% of Lots 124-138 depicted on the Conceptual Development Plan (Figure 2) WHICH ARE NOT ALREADY DESIGNATED AS ONE-STORY ONLY are permitted to be two-stories or Thirty (30) feet in height."
- g. Page 18, Table 2, Building Setbacks, Local Streets/Private Accessways: Amend to read:
Thirty (30) feet (20 feet – Back of Sidewalk) ~~to living space for homes with no front porch.~~ OPEN PROJECTIONS MAY PROJECT NO CLOSER THAN 10 FEET FROM BACK OF SIDEWALK. ~~Twenty (20) feet (10 feet – Back of sidewalk) – allowed for front porch encroachment or side-loaded garage.~~
- h. Page 18, Minimum Garage Setback (Residential): Delete category and development standard.

July 1, 2016

- i. Page 19, Required Open Space: Amend to read: "REQUIRED OPEN SPACE (Refer to Section ~~G.8~~ H.2 AND H.3.G for Additional Design Guidelines)".
- j. Page 19, Landscape Setbacks – Streetscape, Plant Type: Amend to read: "Trees (average spacing of ~~30~~20 feet on center)"
- k. Page 19, Landscape Setback – Perimeter Property Lines (Not Adjacent to a Street): Amend to read: "None, ~~(Except North property line: 10-foot minimum. This landscape area may be provided within an easement established along the north property line outside of the PUD boundary or internal to the project area.)~~"
- l. Page 20, Landscape Setback – Interior Local Street/Private Accessway, Trees and Shrubs, Minimum Planting Size, BAOD: Add text: "ROW OF TREES ON EACH SIDE OF SIDEWALK. MINIMUM TWO-INCH CALIPER AND TWENTY-FOUR-INCH BOX SIZE AT TIME OF PLANTING. AVERAGE OF ONE TREE PER TWENTY-FIVE FEET OF STREET FRONTAGE. TREES TO BE MAINTAINED BY PROPERTY OWNER AND/OR HOA."
- m. Page 20: Add new subsection named "Parking" as Section G.3. which shall read as follows: "3. Parking – Parking standards for the entirety of the site will be in compliance with all regulations and provisions of Section 702 of the Zoning Ordinance."
- n. Page 21, Fences and Walls, Perimeter Fences and Walls: Amend paragraph 2 to read: "six (6) ~~feet~~, seven (7), or eight (8) FEET above ~~feet natural (pre-development)-FINISHED~~ grade."
- o. Page 22, Fence Height Graphic: Revise the graphic as follows: Replace seven (7) foot walls on the rear property lines of Lots 7-15 and Lots 45-61 with six (6) foot walls.
- p. Page 24, Streetscape – 24th Street: Amend bullet (1) to read: "(1) Shade trees (Existing or New) will be spaced at an interval (or average thereof) that is ~~thirty (30)~~ TWENTY (20) feet on center"
- q. Page 27, Streetscape – Vineyard Road: Amend bullet (1) to read: "(1) Trees will be spaced at ~~thirty (30)~~ TWENTY (20) feet on center"
- r. Page 27, Streetscape – 26th Street: Amend to bullet (1) to read: "(1) Trees will be spaced at ~~thirty (30)~~ TWENTY (20) feet on center"

July 1, 2016

- s. Page 28, Streetscape – Internal Local Street/Private Accessway Streetscape: Amend bullet (1) to read: “(1) Trees will be spaced at intervals ~~twenty (20) foot~~ OF THIRTY (30) FEET based on a linear dimension ~~exclusive of driveway widths~~”.
 - t. Page 33, Common and Retention Areas, first bullet point: Amend first bullet point to read: “~~community garden~~ PLAYGROUND”
 - u. Page 33, Common and Retention Areas, Paragraph 2: Amend first line of paragraph 2 to read: “A COMMUNITY GARDEN AMENITY SHALL BE PROVIDED IN An open space situated along 24th Street ~~shall be the designated location for the Arbors Community Garden amenity.~~”
 - v. Page 36, Lighting Standards, Wall/Sconce Light Specification: Amend to read: “An alternate fixture type of similar design character WHICH CONTRIBUTES TO A RURAL OR AGRARIAN ATMOSPHERE may be used upon approval by the City of Phoenix Planning Hearing Officer.”
 - w. Page 38, Sustainability Guidelines: Amend bullet a) to read: “a) Implement a community garden within the PUD which provides fruits and/or vegetables for community members. To be enforced through review and approval of future site plan and landscape construction documents and field inspection. (R)”
 - x. Page 38: Baseline Area Overlay District Standards: Amend to read: “In addition to the standards and design guidelines contained within this PUD, ~~ALL OF the following general standards and guidelines per~~ CONTAINED IN the Baseline Area Overlay District shall be applicable INCLUDING THE FOLLOWING,”
3. The developer shall dedicate right-of-way and a build a replacement bus stop pad according to City of Phoenix Standard Detail P1260 on northbound 24th Street, north of Vineyard Road. The pad should be located between 60 and 110 feet north of Vineyard Road (City of Phoenix Standard Detail P1258).
4. The developer shall construct a 10 foot wide shared use path within a 30-foot shared use path and sidewalk easement that shall be dedicated along the east side of 24th Street for the length of the project, as approved by the Planning and Development Department.

July 1, 2016

5. The developer shall align Vineyard Road east of 24th Street with the existing Vineyard Road west of 24th Street.
6. The developer shall dedicate right-of-way on Vineyard Road as approved by the City of Phoenix Street Transportation and Planning and Development Departments.
7. The applicant shall submit a Traffic Impact Statement to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City.
8. The developer shall update all existing off-site street improvements (sidewalks, curb ramps and driveways) to current ADA guidelines.
9. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
10. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of City of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

MOTION was made by Vice Mayor Gallego, **SECONDED** by Ms. Stark that Item 112 and the related ordinance be adopted per the additional backup memo from the Planning and Development Director dated June 29, 2016.

| | | |
|------------|---------|--|
| Roll Call: | Ayes: | DiCiccio, Nowakowski, Stark, Valenzuela, Waring, Williams, Vice Mayor Gallego, Mayor Stanton |
| | Nays: | Pastor |
| | Absent: | None |

MOTION CARRIED.

July 1, 2016

ITEM 111

DISTRICT 6

**PUBLIC HEARING -
ORDINANCE G-6193
AMEND CITY CODE -
Z-70-15-6 – SOUTHEAST
CORNER OF 28TH STREET
AND CAMELBACK ROAD**

The Council heard request to hold a public hearing on the rezoning for the following item to consider adopting the Planning Commission's recommendation and the related Ordinance if approved.

Application: Z-70-15-6 – (Appealed by Opposition)
From: P-1
C-O
To: PUD
Acreage: 4.87
Location: Southeast corner of 28th Street and Camelback Road
Proposal: Planned Unit Development to allow a mix of uses including office, hotel, and limited retail
3/4 Vote Required: Yes
Applicant: LaPour Partners Inc. c/o Jeff LaPour
Owner: Daily Double c/o Jerry Simms
Representative: Paul Gilbert, Beus Gilbert, PLLC
Staff: Approval, subject to stipulations.
VPC Action: Camelback East – May 3, 2016 – Approved w/modification.
Vote: 12-6.
PC Action: June 2, 2016 – Approved per the memo from Xandon Keating dated June 2, 2016 with a modification to stipulation 5. Vote: 6-0.

The following stipulations were subject to discussion at the meeting and the City Council may have added, deleted or amended stipulations.

1. An updated Development Narrative for the 28th Street and Camelback Mixed Use PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped April 8, 2016 as modified by the following stipulations.

July 1, 2016

- a. Page 33, Development Standards, 1.e.iii. Maximum Projections: Applicant shall replace “fifth percent” with “fifty percent” when discussing close projections.
- b. Page 34, Development Standards, 1.h.iv. Off-Street Loading Spaces: Applicant shall revise the subsection to read, “Off-street loading spaces: Minimum of one (1) loading space per building and minimum three (3) loading spaces total. A minimum of one (1) loading space per building shall meet the size requirements as stated in Section 702. Additional loading spaces must be a minimum size of 9.5 feet by 18 feet.”
- c. Page 44, Design Guidelines, 3.n. Opening Limitations: Applicant shall revise this subsection to read, “Limit openings (e.g. windows/balconies) facing the residential homes to the south. No balconies facing residential homes shall be provided. Any south facing hotel building walls within 150 feet of the southern property line shall not contain guestroom windows. (See Exhibit M-5; Conceptual Elevations)”
- d. Page 48, Building(s) Signage, a. Hotel Building Wall Identification: Applicant shall add the following provisions to this section:
 - iv. The area of a wall sign erected over 56-feet in height shall not exceed one percent (1%) of the area of the overall elevation to which it is attached. This area shall not be counted against the wall signage which may be placed on the building below 56-feet.
 - v. Any wall sign erected over 56-feet shall be located no closer to the roofline than one-half the vertical dimension of the sign to prevent the appearance of overcrowding at the top edge of the building.
 - vi. Any wall sign erected over 56-feet shall be located no closer to the side of the edge of the building than one-half the width of the largest letter or element of the sign to prevent the appearance of overcrowding at the edge of the building.
- e. PAGE 28, LIST OF USES, 2.D.III, LOADING DOCK AREAS: APPLICANT SHALL REVISE HOURS TO 7:30 AM TO 8 PM, MONDAY THROUGH FRIDAY. APPLICANT SHALL ADD VERBIAGE THAT USE OF LOADING DOCK AREAS SHALL BE PROHIBITED ON SATURDAYS, SUNDAYS AND NATIONAL /

July 1, 2016

FEDERAL HOLIDAYS.

- f. PAGE 44, DESIGN GUIDELINES: APPLICANT SHALL ADD A SUBSECTION T. TO READ, "EAST FACING HOTEL ROOM WINDOWS SHALL PROVIDE ~~PRIVACY BLINDS~~ LOUVERS OR OTHER WINDOW SCREENING DEVICES TO PROVIDE ENHANCED PRIVACY FOR NEARBY RESIDENCES."
- G. PAGE 27, LIST OF USES: APPLICANT SHALL REMOVE THE SECOND PARAGRAPH ON THE PAGE THAT DISCUSSES INTERPRETATION OF ANALOGOUS USES.
- H. PAGE 27, LIST OF USES, 1. PERMITTED USES, PERMITTED PRINCIPAL USES: APPLICANT SHALL REVISE SUBSECTION A TO READ "USES SPECIFICALLY PERMITTED AS SET FORTH IN TABLE 2."
- I. PAGES 28 - 29, TABLE 2, 1. GENERAL, PROFESSIONAL AND MEDICAL OFFICES: APPLICANT SHALL REMOVE "LOCATED ON THE 1ST FLOOR OF OFFICE BUILDING" FROM CONDITION / LIMITATIONS FOR ACCESSORY RETAIL SHOP(S). APPLICANT SHALL ADD AN ADDITIONAL CONDITION / LIMITATION STATING "ALL ACCESSORY USES SHALL ONLY BE PERMITTED ON THE FIRST FLOOR OF ANY BUILDING."
- J. PAGE 31, TABLE 2, 2. HOTEL: APPLICANT SHALL ADD AN ADDITIONAL CONDITION / LIMITATION STATING "ALL ACCESSORY USES SHALL ONLY BE PERMITTED ON THE FIRST FLOOR OF ANY BUILDING."
- K. PAGE 31, TABLE 2, 3. FINANCIAL INSTITUTIONS: APPLICANT SHALL REVISE THE STANDARDS FOR ACCESSORY AUTOMATED TELLER MACHINES TO READ, "ACCESSORY FREESTANDING OR ATTACHED TO THE BUILDING AUTOMATED TELLER MACHINE SHALL BE ALLOWED ON THE PROPERTY. ANY EXTERNAL AUTOMATED TELLER MACHINE SHALL BE SETBACK A MINIMUM OF 100-FEET FROM THE SOUTH PROPERTY LINE AND SHALL BE REVIEWED AT THE TIME OF SITE PLAN DEVELOPMENT REVIEW APPROVAL FOR PROPER LOCATION AND CIRCULATION."
- L. PAGE 31, TABLE 2, 3. FINANCIAL INSTITUTIONS: APPLICANT SHALL ADD TWO ADDITIONAL CONDITIONS / LIMITATIONS

July 1, 2016

THAT READ "ANY DRIVE-THROUGH FACILITIES SHALL BE SETBACK A MINIMUM OF 100-FEET FROM THE SOUTH PROPERTY LINE" AND "A MAXIMUM OF ONE EXTERNAL AUTOMATED TELLER MACHINE OR DRIVE-THROUGH FACILITY SHALL BE PERMITTED WITHIN 330-FEET OF THE WEST PROPERTY LINE."

- M. PAGE 38, DEVELOPMENT STANDARDS, 2.B.III A), 29TH STREET: APPLICANT SHALL REVISE SUBSECTION A) TO READ "LARGE CANOPY SHADE TREES PLANTED 25-FEET ON CENTER OR EQUIVALENT GROUPINGS."
- N. PAGE 38, DEVELOPMENT STANDARDS, 2.B.IV B), PERIMETER PROPERTY LINE REQUIREMENTS (NOT ADJACENT TO A STREET): APPLICANT SHALL REVISE SUBSECTION B) TO READ "LARGE CANOPY SHADE TREES PLANTED 25-FEET ON CENTER OR EQUIVALENT GROUPINGS."
- O. PAGE 44, DESIGN GUIDELINES: APPLICANT SHALL ADD A SUBSECTION U. TO READ, "NON-REFLECTIVE GLASS SHALL BE PROVIDED FOR ALL SOUTH AND EAST FACING WINDOWS."
- P. PAGE 44, DESIGN GUIDELINES: APPLICANT SHALL ADD A SUBSECTION V. TO READ, "AN 8-FOOT HIGH SOLID MASONRY WALL SHALL BE PROVIDED ALONG THE SOUTHERN PROPERTY LINE."
- Q. PAGE 44, DESIGN GUIDELINES: APPLICANT SHALL ADD A SUBSECTION W. TO READ, "A 6-FOOT HIGH SOLID MASONRY WALL SHALL BE PROVIDED ALONG THE EASTERN PROPERTY LINE FOR THE SOUTHERN 110 FEET OF THE PROPERTY. THE WALL SHALL BE LOCATED OUTSIDE OF THE REQUIRED LANDSCAPE SETBACK AND SERVE TO SCREEN PARKING, LOADING, REFUSE AND PUBLIC AREAS FROM THE ADJACENT RIGHT-OF-WAY."
- R. PAGE 47, 1. ALLOWABLE SIGNS: APPLICANT SHALL MODIFY THE SECOND PARAGRAPH ON THE PAGE TO READ, "THE FOLLOWING SIGNS, AS WELL AS SIGNS OTHERWISE PERMITTED BY THE CITY OF PHOENIX PURSUANT TO SECTION 705, SHALL BE PERMITTED WITH THE EXCEPTION OF ANIMATED OR ELECTRONIC MESSAGE DISPLAY SIGNS."

July 1, 2016

ANY AUTOMATED TELLER MACHINE SIGNAGE SHALL BE LIMITED TO WEST PROPERTY LINE AND WESTERN 300 FEET OF THE NORTH PROPERTY LINE FRONTAGES.”

- S. PAGE 48, BUILDING SIGNAGE: APPLICANT SHALL ADD THE FOLLOWING VERBIAGE TO THE FIRST PARAGRAPH OF THE SECTION, “ANY ILLUMINATED BUILDING IDENTIFICATION SIGNS ABOVE THE SECOND FLOOR OF EACH BUILDING SHALL BE LIMITED TO THE NORTH SIDE OF THE BUILDING. ONE IDENTIFICATION SIGN SHALL BE PERMITTED ON THE WEST SIDE OF EACH BUILDING WITHIN 100-FEET OF THE NORTH PROPERTY LINE. NO BUILDING MOUNTED SIGNS SHALL BE PERMITTED ON THE SOUTH SIDE OF ANY BUILDING.”
 - T. PAGE 50, BUILDING SIGNAGE, D. WINDOW SIGNAGE / GRAPHICS: APPLICANT SHALL ADD, “NO WINDOW SIGNS SHALL BE PERMITTED FOR SOUTH AND EAST FACING WINDOWS” TO THE SECTION.
 - U. PAGE 51, TEMPORARY SIGNAGE, E. INFLATABLES: APPLICANT SHALL REMOVE SUBSECTION E. INFLATABLES AND RENUMBER THE REMAINDER OF THE SECTION ACCORDINGLY
2. The property owner shall dedicate a 10 foot sidewalk easement along the south side of Camelback Road for the length of the project, as approved by the Planning and Development Department.
 3. The property owner shall construct a 5 foot wide sidewalk along Camelback Road which shall be detached with a minimum five foot wide landscaped strip located between the sidewalk and back of curb, as approved by the Planning and Development Department. The detached sidewalk shall begin on the east side of the existing bus bay and continue for the length of the project.
 4. The property owner shall update all existing off-site street improvements, including sidewalks, curb ramps and driveways, adjacent to the project to current ADA guidelines, as approved by the Planning and Development Department.
 5. THE PROPERTY OWNER SHALL PROVIDE A DEPOSIT IN THE AMOUNT OF \$35,000 INTO A STREET TRANSPORTATION DEPARTMENT ESCROW ACCOUNT TO BE UTILIZED FOR TRAFFIC

July 1, 2016

CALMING MEASURES. THESE FUNDS MAY BE CONTRIBUTED TOWARD THE PURCHASE AND INSTALLATION OF SUCH DEVICES AS SPEED HUMPS, RAISED CROSSWALKS (SPEED TABLES), LIMITED TURNING, TRAFFIC DIVERTERS OR OTHER SUCH TRAFFIC CALMING OR MANAGEMENT TOOLS FOR THE AREA BETWEEN 28TH STREET AND CAMELBACK ROAD ALONG THE 29TH STREET, MARIPOSA STREET, 29TH PLACE AND PIERSON STREET LOOP. DISTRIBUTION OF FUNDS SHALL BE AT THE MUTUAL AGREEMENT OF THE RESIDENTS ON AFFECTED STREETS AND THE CITY OF PHOENIX STREETS DEPARTMENT SAFETY AND NEIGHBORHOOD TRAFFIC SECTION, FOLLOWING THE STANDARD STREET TRANSPORTATION DEPARTMENT PETITIONING GUIDELINES. OWNER MAY APPLY FOR REIMBURSEMENT OF ESCROW FUNDS FROM THE STREET TRANSPORTATION DEPARTMENT IF NO FORMAL PETITION HAS BEEN SUBMITTED WITHIN 18 MONTHS FROM THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE 2 PRIMARY BUILDINGS.

6. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

Planning and Development Director Alan Stephenson presented the request for hotel and office use. He explained the majority of the surrounding property was for single-family residential and commercial use. He concluded staff was recommending approval.

Mayor Stanton opened the public hearing.

Mr. Paul Gilbert, representing the applicant, spoke in favor of the proposal as all reviewing bodies and City staff recommended approval. He added there were many changes to the proposal and numerous stipulations to address traffic and landscape concerns and protect the neighborhood.

Mr. Timothy M. Ronalter supported the item and the numerous stipulations. He explained his support was because the current building was in poor condition.

Ms. Allison Disarufino voiced there was neighborhood opposition because the specific plan ignored the Camelback East plan. She explained the opposition was opposed to the hotel and feared rezoning would set a negative precedent for the long-term vision of the area because land use and encroachment would be

July 1, 2016

encouraged. She felt changes being done to the land use map should be done only after collaborating with neighborhoods and building owners.

Mayor Stanton commented Mr. Shawn Disarufino, Ms. Darima Fotheringham, Mr. Craig Fotheringham, Mr. Gary Steen, Ms. Linda Steen, Mr. Brett Franklin, and Mr. Paul Barnes donated their speaking time to Ms. Disarufino. He added Ms. Wendy Boorne and Ms. Karen Beckvar submitted comment cards in opposition to the item; however, they did not wish to speak.

Mr. James Deibler suggested finding a solution to lower the building height.

Ms. Stark asked staff to explain how the Camelback East core plan related to the General Plan.

Mr. Stephenson said the General Plan was an overall policy approved by voters and the specific plan was for various areas throughout the city. He stated the existing zoning allowed for higher intensity which was why staff was supportive. He concluded the applicant's initial proposal had a building height of 68 feet, which did not fit with the General Plan and was not supported by staff.

Mr. Gilbert responded the current application complied with the General Plan. He explained the property location was not included in the Camelback East plan; therefore, it did not comply with that plan. He reiterated the various stipulations used many elements of the Camelback East plan and were in place to protect the neighborhood. He concluded the application and its uses fit with the Camelback Employment Corridor Plan.

Ms. Disarufino acknowledged the numerous stipulations. She reiterated the opposition was related to the density as it was higher than the surrounding area.

Noting there was nobody else present to speak, Mayor Stanton closed the public hearing.

Mr. DiCiccio thanked those who were involved and passionate about protecting their neighborhood. He was optimistic the numerous stipulations would provide clarity and consistency within the area.

July 1, 2016

MOTION was made by Mr. DiCiccio, **SECONDED** by Mrs. Williams that Item 111 and the related ordinance be adopted per the additional backup memo from the Planning and Development Director dated July 1, 2016.

| | | |
|------------|---------|--|
| Roll Call: | Ayes: | DiCiccio, Nowakowski, Pastor, Stark, Valenzuela, Waring, Williams, Vice Mayor Gallego, Mayor Stanton |
| | Nays: | None |
| | Absent: | None |

MOTION CARRIED UNANIMOUSLY.

CITIZEN COMMENTS

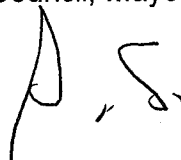
Mr. Kevin T. Giles was impressed with the landscape development happening in the Phoenix area. He felt there should be more water fountains downtown.

Ms. Joanne Scott Woods provided Councilmembers with information about an upcoming meeting that would discuss voting processes.

Mr. James Deibler thanked the Council for appointing him to the Mayor's Commission on Disability Issues. Additionally, he stated he was happy the City services/municipal ID card item passed.

ADJOURNMENT

There being no further business to come before the Council, Mayor Stanton declared the meeting adjourned at 2:55 p.m.



MAYOR

ATTEST:



CITY CLERK



July 1, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the formal session of the City Council of the City of Phoenix held on the 1st day of July, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 12th day of August, 2016.



City Clerk