173599

City of Phoenix

Minutes

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

City Council Formal Meeting

Wednesday, April 17, 2019 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, April 17, 2019 at 2:55 p.m. in the Council Chambers.

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

Councilman DiCiccio joined the voting body via telephone. Councilwoman Guevara left the voting body after the vote on Item 66, and returned to the voting body during discussion on Item 74. Councilman DiCiccio disconnected from the voting body during discussion on Item 108. Councilman Nowakowski left the Chambers and the voting body during Citizen Comments.

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

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6581 through G-6582, S-45422, S-45495, S-45500, and S-45539 through S-45583, and Resolutions 21736 through 21739 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

MINUTES OF MEETINGS

1 **For Approval or Correction, the Minutes of the Formal Meeting on Dec. 12, 2018**

Summary

This item transmits the minutes of the Formal Meeting of Dec. 12, 2018, for review, correction and/or approval by the City Council.

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

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

Yes: 9 - Councilman DiCiccio, Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Waring and Mayor Gallego

No: 0

A motion was made by Vice Mayor Waring, seconded by Councilwoman Stark, to suspend the rules and take Item 111 out of order. The motion carried by the following voice vote:

Yes: 9 - Councilman DiCiccio, Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Waring and Mayor Gallego

No: 0

111 **Mayor and Council Appointments to Boards and Commissions**

Summary

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

The following individuals were recommended by Mayor Gallego and Councilmembers:

Central City Village Planning Committee
Appoint Darlene Martinez, a Constable of Maricopa County serving in the Downtown Precinct, replacing Tiffany Halperin, for a term to expire Nov. 19, 2020, as recommended by Councilwoman Mendoza.

South Mountain Village Planning Committee
Appoint Patti Trites, replacing David Vera, for a term to expire Nov. 19, 2020, as recommended by Councilwoman Mendoza.

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

Yes: 9 - Councilman DiCiccio, Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Waring and Mayor Gallego

No: 0

Mayor Gallego administered the oath of office to the following appointees:

Darlene Martinez, Central City Village Planning Committee; and
Patti Trites, South Mountain Village Planning Committee.

The above individuals were invited to approach the dais so Council could extend their appreciation.

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

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

Note: Comment cards were submitted for the record in favor of Items 2-3, 5, 13, 15, and 18-20 by the following individuals:

Chris Beffort - Agent, Item 2
Theresa Miller - Applicant, Item 3
Felicity Heron - Agent, Item 5
Julia Chugerman - Applicant, Item 13

Bryan Jason Conners, Item 15
Bryan Kovalesky - Applicant, Item 18
Tia Ferrara, Item 19
Mark Leeper - Applicant, Item 20

A motion was made by Vice Mayor Waring, seconded by Councilwoman Williams, that Items 2-21 be recommended for approval. The motion carried by the following voice vote:

Yes: 9 - Councilman DiCiccio, Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Waring and Mayor Gallego

No: 0

2 Liquor License - Mike's Smoke Shop

Request for a liquor license. Arizona State License Application 52338.

Summary

Applicant
Cris Beffort, Agent

License Type
Series 10 - Beer and Wine Store

Location
8021 N. 43rd Ave., Ste. 1A
Zoning Classification: C-2
Council District: 1

This request is for a new liquor license for a beer and wine store. This location was previously licensed for liquor sales and may currently operate with an interim permit. This location requires a Use Permit to allow package liquor sales as an accessory to a convenience market when located within 300 feet of a residential zoning district. Zoning clearance for a tobacco oriented retailer is also required for this location.

The 60-day limit for processing this application is April 22, 2019.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been a responsible trust worthy citizen all my life. I am a family man with children that understands that liquor needs to be consumed responsibly and should only be sold to adults and not to under aged individuals. I have never been arrested or charged with any crime beyond traffic violations and never a DUI of any sort."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"One could debate whether liquor substantially serves any community;

however, responsible individuals selling these products to adults that are also acting responsibly provides jobs that support families."

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

Attachments
Liquor License Data - Mike's Smoke Shop
Liquor License Map - Mike's Smoke Shop

This item was recommended for approval.

3 Liquor License - Ocho Rios Jerk Spot

Request for a liquor license. Arizona State License Application 52549.

Summary

Applicant
Theressa Miller, Agent

License Type
Series 12 - Restaurant

Location
4220 W. Northern Ave., Ste. 103 & 104
Zoning Classification: C-1
Council District: 1

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

The 60-day limit for processing this application is April 24, 2019.

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

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am a responsible individual, college educated, who understands the risks and responsibilities associated with alcohol sales. I have educated myself on the liquor license laws and I am able and willing to abide by those laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The issuance of the liquor license will be in the best interest of the community because my restaurant will provide an outlet for the community to relax and enjoy delicious food while having a stress relieving drink."

Staff Recommendation

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

Attachments
Liquor License Data - Ocho Rios Jerk Spot
Liquor License Map - Ocho Rios Jerk Spot

This item was recommended for approval.

4 Liquor License - Special Event - St. Gabriel the Archangel Roman Catholic Parish Cave Creek

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

Summary

Applicant
Larry Hansen

Location
32648 N. Cave Creek Road
Council District: 2

Function
Dinner/Dance

Date(s) - Time(s) / Expected Attendance
May 4, 2019 - 5:30 p.m. to 10 p.m. / 125 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

5 Liquor License - West Coasts Petroleum LLC

Request for a liquor license. Arizona State License Application 52542.

Summary

Applicant

Felicity Heron, Agent

License Type
Series 10 - Beer and Wine Store

Location
3610 E. Bell Road
Zoning Classification: C-2
Council District: 2

This request is for a new liquor license for a convenience store that sells gas. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is April 24, 2019.

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

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

West Coast Petroleum LLC (Series 10)
825 E. Apache Blvd., Tempe

Calls for police service: N/A - not in Phoenix
Liquor license violations: None

West Coasts Petroleum LLC (Series 10)
8350 E. McDowell Road, Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

West Coasts Petroleum LLC (Series 10)
1602 E. Bell Road, Phoenix
Calls for police service: 16
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I intend to uphold and train all employees the responsibility and importance of following all the rules and guidelines required by law and the responsibility that we all have to ensure our customers and employees and public are safe and protect their well being by doing our part."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I care about the community that the store exists. I care for public health, safety and well being. I know that by raising the standards of safety and health that the community will benefit."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - West Coasts Petroleum LLC
Liquor License Map - West Coasts Petroleum LLC

This item was recommended for approval.

6 Liquor License - Safeway #2097

Request for a liquor license. Arizona State License Application 09070368.

Summary

Applicant
Nicholas Guttilla, Agent

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

Location
4747 E. Greenway Road
Zoning Classification: C-1
Council District: 2

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

The 60-day limit for processing this application is April 24, 2019.

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

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

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

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

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

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

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

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Safeway #2097

Liquor License Map - Safeway #2097

This item was recommended for approval.

7 Liquor License - Special Event - Club Futbolito Soccer Club

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

Summary

Applicant
Jesus Cadena

Location
2209 N. 99th Ave.
Council District: 5

Function
Sporting Event

Date(s) - Time(s) / Expected Attendance
May 4, 2019 - 10 a.m. to 10 p.m. / 6,000 attendees
May 5, 2019 - 10 a.m. to 10 p.m. / 5,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

8 Liquor License - Special Event - Veterans Transportation

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

Summary

Applicant
Eric Morales

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

Function
Concert

Date(s) - Time(s) / Expected Attendance
April 20, 2019 - 7 p.m. to 2 a.m. / 600 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

9 Liquor License - Special Event - Veterans Transportation

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

Summary

Applicant
Eric Morales

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

Function
Concert

Date(s) - Time(s) / Expected Attendance
April 26, 2019 - 7 p.m. to 2 a.m. / 600 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

10 Liquor License - Special Event - Arizona Roller Derby Organization

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

Summary

Applicant
Stephanie Wilhelm

Location
5031 E. Washington St.
Council District: 6

Function
Sporting Event

Date(s) - Time(s) / Expected Attendance
June 1, 2019 - 9 a.m. to 9 p.m. / 500 attendees
June 2, 2019 - 9 a.m. to 9 p.m. / 500 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

11 Liquor License - Special Event - Arizona Roller Derby Organization

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

Summary

Applicant
Stephanie Wilhelm

Location
5031 E. Washington St.
Council District: 6

Function
Sporting Event

Date(s) - Time(s) / Expected Attendance
June 15, 2019 - 4 p.m. to 11 p.m. / 500 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

12 Liquor License - Macayo Restaurant

Request for a liquor license. Arizona State License Application 53858.

Summary

Applicant
Navayogasingam Thuraisingam, Agent

License Type
Series 12 - Restaurant with Growler Privileges

Location
12637 S. 48th St.
Zoning Classification: C-2
Council District: 6

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and may currently operate with an interim permit. This location requires a Use Permit to allow outdoor alcoholic beverage consumption within 500 feet of a residential zoning district.

The 60-day limit for processing this application is April 30, 2019.

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

Other Active Liquor License Interest in Arizona

This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have held multiple liquor licenses and never had any violations. I plan to serve liquor always following all rules and regulations set forth by the city and state. Further, I will ensure these same rules and regulations are followed by management and employees, who will also receive the necessary and required training to serve liquor."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This is an established local restaurant that has been part of the community for many years. The community will continue to benefit from the services we provide. Additionally, we have and will continue to be involved with the community in may ways, including providing a safe and enjoyable environment to enjoy food and beverage."

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

Attachments
Liquor License Data - Macayo Restaurant
Liquor License Map - Macayo Restaurant

This item was recommended for approval.

13 Liquor License - Verdura

Request for a liquor license. Arizona State License Application 52537.

Summary

Applicant
Julia Chugerman, Agent

License Type
Series 12 - Restaurant

Location
5555 N. 7th St., Ste. 108
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application is April 24, 2019.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am a responsible, viable adult with no record of misconduct. I have dreamed of owning my own restaurant since I was a young girl and now that the opportunity is here, I believe that both the community and our guests would appreciate the option to have a beverage while dining at Verdura."

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 a team of responsible individuals that follow all rules and regulations in regards to liquor in the state of Arizona. We promise to ensure the safety of all patrons and ensure that underage guests or those above the alcohol limits will not be served at Verdura."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Verdura
Liquor License Map - Verdura

This item was recommended for approval.

14 Liquor License - Special Event - Evans Churchill Community Association

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

Summary

Applicant
Dorina Bustamante

Location
1025 N. 2nd St.
Council District: 7

Function
Dinner/Live Music

Date(s) - Time(s) / Expected Attendance
April 28, 2019 - 6 p.m. to 10:30 p.m. / 150 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

15 Liquor License - Special Event - Kids in Focus

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

Summary

Applicant
Karen Shell

Location
734 W. Polk St.
Council District: 7

Function
Live Music/Photo Exhibit

Date(s) - Time(s) / Expected Attendance
May 3, 2019 - 8 p.m. to 2 a.m. / 250 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

16 Liquor License - Macayo Restaurant

Request for a liquor license. Arizona State License Application 53840.

Summary

Applicant
Navayogasingam Thuraisingam, Agent

License Type
Series 12 - Restaurant with Growler Privileges

Location
7829 W. Thomas Road
Zoning Classification: RSC
Council District: 7

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and may currently operate with an interim permit. This location requires a Use Permit to allow outdoor alcoholic beverage consumption within 500 feet of a residential zoning district.

The 60-day limit for processing this application is April 30, 2019.

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

Other Active Liquor License Interest in Arizona
This information is not provided due to the multiple ownership interests

held by the applicant in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have held multiple liquor licenses and never had any violations. I plan to serve liquor always following all rules and regulations set forth by the city and state. Further, I will ensure these same rules and regulations are followed by management and employees, who will also receive the necessary and required training to serve liquor."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This is an established local restaurant that has been part of the community for many years. The community will continue to benefit from the services we provide. Additionally, we have and will continue to be involved with the community in may ways, including providing a safe and enjoyable environment to enjoy food and beverage."

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

Attachments
Liquor License Data - Macayo Restaurant
Liquor License Map - Macayo Restaurant

This item was recommended for approval.

17 Liquor License - The Lunchbox

Request for a liquor license. Arizona State License Application 07070071.

Summary

Applicant
Daniel Levie, Agent

License Type
Series 7 - Beer and Wine Bar

Location
802 W. Jefferson St.
Zoning Classification: C-3 CMO
Council District: 7

This request is for a location transfer of a liquor license for a bar and music venue. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow a bar in the Capitol Mall Overlay District. This business has plans to open in May 2019.

The 60-day limit for processing this application is April 28, 2019.

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

Other Active Liquor License Interest in Arizona
The ownership of this business has an interest in other active liquor

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

The Lunchbox (Series 7)
4132 E. McDowell Road, Ste. 7, Phoenix
Calls for police service: 7
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I currently hold a series 7 license with Phoenix and have been in good standing. I will continue to uphold the strong values and safe practices to serve responsibly to Phoenix patrons."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The location of the bar/music venue will help the growth and cultural diversity of the downtown area. The lunchbox brings a fun and safe environment for music lovers of all kind."

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

Attachments

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

This item was recommended for approval.

18 Liquor License - Special Event - Mission Create

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

Summary

Applicant
Bryan Kovalesky

Location
3419 E. University Drive
Council District: 8

Function
Gala

Date(s) - Time(s) / Expected Attendance
May 4, 2019 - 7 p.m. to 10:30 p.m. / 200 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

19 Liquor License - Special Event - Phoenix Day

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

Summary

Applicant
Jaclyn Boyes

Location
115 E. Tonto St.
Council District: 8

Function
Networking Event

Date(s) - Time(s) / Expected Attendance
May 2, 2019 - 6 p.m. to 8:30 p.m. / 75 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

20 Liquor License - Special Event - Phoenix Pride Incorporated

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

Summary

Applicant
Mark Leeper

Location
115 N. 6th St.
Council District: 8

Function
Cultural Celebration

Date(s) - Time(s) / Expected Attendance
Nov. 2, 2019 - 10 a.m. to 6 p.m. / 10,000 attendees
Nov. 3, 2019 - 10 a.m. to 6 p.m. / 10,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

21 Liquor License - Sabaca Beverage Group-Arizona, Inc.

Request for a liquor license. Arizona State License Application 52295.

Summary

Applicant
Timothy Cocchia, Agent

License Type
Series 4 - Wholesaler

Location
2820 S. 18th Place, Ste. 100
Zoning Classification: A-2
Council District: 8

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

The 60-day limit for processing this application is April 22, 2019.

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

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

Sabaca Beverage Group Arizona Inc (Series 4)
301 N. 45th Ave., Phoenix
Calls for police service: 4
Liquor license violations: None

Sabaca Beverage Group Arizona (Series 4)
8990 W. Windsor Drive, Peoria
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Will be able to offer customers a single source logistical solution for their supply chain netwo Experienced in the warehousing, wholesale and delivery of product."

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

This item was recommended for approval.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

Note: Comment cards were submitted for the record in favor/opposition of Items 67 and 69 by the following individuals:

Gilbert Lopez - in favor, Item 67
Aarlan DeMoss - opposed, Item 69

A motion was made by Vice Mayor Waring, seconded by Councilwoman Williams, that Items 22-110 be approved or adopted, except Items 22, 33, 39, 41, 52-54, 57, 64, 66, 70, 74-75, 77, and 106-108; noting Items 69 and 73 have been withdrawn; continuing Item 62 to the May 1, 2019 City Council Formal Meeting; Item 70 is as corrected; and Items 54 and 106 are as revised. The motion carried by the following vote:

Yes: 9 - Councilman DiCiccio, Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Waring and Mayor Gallego

No: 0

Items 23-32, 34-38, Ordinance S-45539 was a request to authorize the City Controller to disburse funds up to amounts indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

23 Med-Eng, LLC

For $51,325.00 in payment authority for a one-time purchase of Explosive Ordnance Disposal (EOD) 9 bomb suits and one helmet for the Phoenix Police Department Homeland Defense Bureau. Currently, the department has two EOD 9 suits and one helmet which are reaching the end of their life cycles. The purchase of the suits and helmet will provide the critical equipment required to safely enter an area with an explosive device. The equipment is designed to provide superior protection while also being ergonomically designed to allow the bomb technicians to move, climb and bend to safely and swiftly approach explosive devices.

This item was adopted.

24 W.S. Darley & Co.

For $87,500.00 in payment authority to purchase Revision Caiman Ballistic Helmets and Accessories for the Police Department. The Revision Caiman Ballistic Helmets are issued for each member of the Police Department's Special Assignment Unit (SAU) as a part of their personal protection equipment. The SAU routinely serves high-risk search warrants, assists with the apprehension of violent felons, and provides resolution of barricaded suspects.

This item was adopted.

25 Settlement of Claim(s) Mehra v. City of Phoenix

To make payment of $170,000.00 in settlement of claim(s) in *Mehra v. City of Phoenix,* in Maricopa County Superior Court, Case CV2017-015488, 16-0877-003 AU BI, for the Finance Department pursuant to Phoenix City Code chapter 42.

This item was adopted.

26 Settlement of Claim(s) G. Serpe v. City of Phoenix

To make payment of $40,000.00 in settlement of claim(s) in *Serpe v. City of Phoenix* in Maricopa County Superior Court, Case CV2017-013580, 16-1058-002 AU BI, for the Finance Department pursuant to Phoenix City Code chapter 42.

This item was adopted.

27 Settlement of Claim(s) D. Serpe v. City of Phoenix

To make payment of $32,000.00 in settlement of claim(s) in *Serpe v. City of Phoenix* in Maricopa County Superior Court, Case CV2017-013580, 16-1058-001 AU BI, for the Finance Department pursuant to Phoenix City Code chapter 42.

This item was adopted.

28 Settlement of Claim(s) Sherman v. City of Phoenix

To make payment of $450,000.00 in settlement of claim(s) in *Sherman v. City of Phoenix,* Maricopa County Superior Court, docket number CV2017-096329, 16-0917-001 GL BI, for the Finance Department pursuant to Phoenix City Code chapter 42.

This item was adopted.

29 Settlement Claim(s) Foster v. City of Phoenix

To make payment up to $96,331.00 in settlement of claim(s) in *Foster v. City of Phoenix*, 18-0672 , PD, for the Finance Department pursuant to Phoenix City Code chapter 42.

This item was adopted.

30 BC Graphics, Inc., doing business as Blank Canvas

For $13,000.00 in payment authority for a new contract, to be entered on

or about July 1, 2019 for a term of five years for resident parking permits for the Street Transportation Department. This contract will provide resident parking decals, visitor parking placards and year decals to residents who are eligible to participate in the City of Phoenix Resident Parking Permit Program.

This item was adopted.

31 Mettler-Toledo International Inc., doing business as Mettler-Toledo Rainin, LLC

For $14,000.00 in additional payment authority for contract 149119 for additional repairs and calibration of the single channel pipettes for the Police Department's Laboratory Services Bureau. The pipettes draw up the correct amount of liquid needed for analysis and provide a safe method for transferring biohazardous material. They are necessary to complete forensic analysis on items of evidence from criminal investigations, critical incidents and complicated scenes. These services are vital for the Laboratory Services Bureau to repair, test and certify pipettes for Controlled Substances, Forensic DNA and Toxicology sections of the Crime Lab. The pipettes must be serviced and calibrated on a regular basis per ISO 17025 federal requirements.

This item was adopted.

32 Sollah Interactive, LLC

For $94,000.00 in payment authority for a one-year agreement, to be entered into on or about May 1, 2019, to pilot an online respect and inclusion training resource for the Human Resources Department. The City is committed to building an inclusive culture that fosters respect and trust among all staff and customers. This training resource will replace the existing ELI Civil Treatment training program with a more modern, topic-focused video library and discussion modules. Sollah Interactive, Inc. was the lowest responsible bidder during the Request for Quotes procurement conducted by the Human Resources Department.

This item was adopted.

34 AGM Container Controls, Inc., doing business as Ascension

For $45,000.00 in payment authority to AGM Container Controls, Inc. for the one-time purchase of an Ascension vertical portable wheelchair lifting device for the Phoenix Convention Center Department (PCCD). The

wheelchair lifting device will be utilized by individuals with disabilities to gain access to the performance riser stages during meetings and events. This lift matches other lifts used at PCCD and will maintain compliance with Federal and State ADA requirements.

This item was adopted.

35 UTC Fire & Security Americas Corporation

For $11,179.00 in payment authority for MAStermind monitoring services using proprietary software Feb. 1, 2019 - Dec. 31, 2019 for the Public Works Department. MAStermind is currently installed in the Central Monitoring Station (CMS) in the Calvin C. Goode Building sub-basement and mezzanine. This monitoring software is used by Police to manage alarm services with support 24/7 throughout the Downtown Corridor. The software is required by CMS for monitoring alarms and emergency services in City-owned buildings.

This item was adopted.

36 Various Vendors for Public Information Services

For $500,000.00 in additional payment authority to extend three contracts for public information services for major street design and construction projects for the Street Transportation Department. These additional services are needed due to the amount of new work that is to be completed based on the T2050 Pavement Overlay program. The Street Transportation Department is requesting to extend each of these contracts on a month-to-month basis, for up to nine months, until the procurement process for a new contract is complete.

Gunn Communications, Inc., Contract 138313
Inroads Info, Inc., Contract 138220
Central Creative, LLC, Contract 138221

This item was adopted.

37 Combs Construction Company, Inc.

For $575,000.00 in additional payment authority for Agreement 144858, for Change Order 2 for Project ST85100371-1, Avenida Rio Salado and Broadway Road - Phase II for the Street Transportation Department. This request for additional payment authority includes on-going utility relocation efforts at the intersections of 7th Avenue and 7th Street on

Broadway Road. Due to unexpected challenges, the anticipated utility relocations required to complete the project as originally scoped at these intersections could not be completed and caused delays in the construction. It was determined the bus bay on west bound Broadway at 7th Street could still be constructed, per plans, without completing the utility relocations. As a result, the Department decided to reduce the scope of work and continue efforts to construct the bus bay. Due to delays with the relocations, the remaining work to construct the bus bay is now materially different than originally bid by the contractor. Therefore, new bid item prices were established for the remainder of the work, resulting in additional costs.

This item was adopted.

38 AZ Locators, LLC

For $33,000.00 in additional payment authority for Contract 143970 for locator equipment associated testing, calibration and repairs for the Water Services Department. The electric meters are used to locate water pipes, cables, and utilities for Water Services Department Divisions when making repairs to water infrastructure. Additional payment authority is needed due to an increase in unanticipated repair services. The contract with AZ Locators, LLC is reaching its maximum term therefore, locator equipment associated testing, calibration and repairs services will be solicited during Fiscal Year 2019-20 utilizing a procurement process appropriate for the increased demand for testing and calibration repair work.

This item was adopted.

40 Authorization to Amend Lease with CenturyLink Communications, LLC (Ordinance S-45543)

Request to authorize the City Manager, or his designee, to amend Contract 119540-OL with CenturyLink Communications, LLC to provide two parking lot stalls for installation of an enclosed backup power supply unit. Further request authorization for the City Treasurer to accept all funds related to this item. The rent for the parking lot stalls will be an additional $1,885 per year, for a new total base rent of $399,742.50, plus applicable taxes, for the remainder of the term.

Summary

CenturyLink Communications, LLC currently leases approximately 18,505 square feet of interior space at the Family Advocacy Center, located at 2120 N. Central Ave., Suites G10, G30, G31 and G32. The lease also provides for 233 square feet of common area for an air conditioning condenser. CenturyLink is a long-term tenant in good standing at this location and requested to rent two parking lot stalls for installation of an enclosed backup power supply unit. The unit is needed to house the backup power supply equipment for their operations.

Currently, CenturyLink's base rent is $397,857.50 per year, plus applicable taxes. The rent for the parking lot stalls will be an additional $1,885 per year, for a new total base rent of $399,742.50, plus applicable taxes, for the remainder of the term. This rate is within the range of market rents as determined by the Finance Department's Real Estate Division.

Upon execution of this amendment, the new total base rent amount will be prorated and due monthly, and it will be in effect for the remainder of the current contract term, which ends June 30, 2023, with two five-year renewal options remaining. Rent at the beginning of each optional renewal period will be at the then-prevailing market rate, plus applicable taxes.

CenturyLink has provided a copy of the permit issued by the City's Planning and Zoning Department authorizing the installation of the unit. In addition, CenturyLink will comply with insurance and indemnity provisions in accordance with the current contract or other terms and conditions deemed necessary or appropriate by the City.

Financial Impact
Additional revenue will be $1,885 per year, plus applicable taxes, through June 30, 2023, and adjusted to market rent at the beginning of each extension period.

Concurrence/Previous Council Action
This contract was authorized by Ordinance S-33028 adopted June 14, 2006, and was amended by Ordinance S-40732, adopted April 16, 2014, and Ordinance S-44169 adopted Jan. 10, 2018.

Location
Family Advocacy Center, 2120 N. Central Ave., Suites G10, G30, G31, G32
Council District: 4

This item was adopted.

42 Specialized Sport Turf Maintenance Services - Requirements Contract - IFB 19-054 (Ordinance S-45552)

Request to authorize the City Manager, or his designee, to enter into a contract with Sports Turf Services, Inc. to provide specialized sport turf maintenance services for the Parks and Recreation Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $850,000 over the life of the contract.

Summary
This contract will provide athletic field renovation and maintenance services for City of Phoenix, Parks and Recreation Department. The Parks and Recreation Department manages a variety of public parks, golf courses and athletic complexes throughout the City and these services will ensure athletic fields and sport turf fields are maintained and rejuvenated by the removal of old parts of the grass plant, as well as any weed seeds and thatch. This allows the plant to regrow from stolon, rhizome and roots, and contributes to the health of the turf.

Procurement Information
Invitation for Bid (IFB) 19-054 was conducted in accordance with Administrative Regulation 3.10. One offer was received by the Procurement Division on Dec. 14, 2018. The offer was evaluated on price, responsiveness to specifications and responsibility to provide the required goods and/or services. The notice of bid was sent to more than 68 registered vendors and was publicly posted and available for download on the City website. The price offered was determined to be fair and reasonable based on a comparison with previous purchases.

The Deputy Finance Director recommends that the offer from Sport Turf

Services, Inc. be accepted.

Contract Term
The five-year contract term will begin on or about April 8, 2019.

Financial Impact
The aggregate contract value will not exceed $850,000, with an estimated annual expenditure of $170,000. Funds are available in the Parks and Recreation Department's budget.

This item was adopted.

43 Acquisition of Real Property for the Lower Buckeye Road Improvement Project between 27th and 19th Avenues (Ordinance S-45553)

Request to authorize the City Manager, or designee, to acquire all property rights required for the Lower Buckeye Road Improvement Project by donation, purchase within the City's appraised value, or by the power of eminent domain, and to dedicate land with roadway improvements to public use for right-of-way purposes via separate recording instrument. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The Lower Buckeye Road Improvement Project will provide roadway improvements along the north and south sides of Lower Buckeye Road between 27th and 19th avenues. Acquisition of property rights are required to construct right-of-way improvements to enhance road and sidewalk conditions for vehicular and pedestrian traffic. Right-of-way improvements include paving, curb, gutter, Americans with Disabilities Act (ADA) compliant sidewalks, street lights, traffic signals and storm drain improvements.

The properties impacted by this project are identified in **Attachment A**.

Financial Impact
The project will be funded with Highway User Revenue Funds (HURF) available in the Street Transportation Department's Capital Improvement Program budget.

Location
Lower Buckeye Road, 27th Avenue to 19th Avenue
Council District: 7

This item was adopted.

44 Communications Infrastructure Locating Services - Requirements Contract - IFB 19-066 (Ordinance S-45555)

Request to authorize the City Manager, or his designee, to enter into a contract with Pegasus Utility Locating Services, Inc. to provide locating services for various communications infrastructure types for the Information Technology Services Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $1,300,000 (including applicable taxes), with an estimated average annual expenditure of $260,000.

Summary
This contract will provide services that allow for the locating and marking of underground communications infrastructure, such as empty conduit, fiber optic cabling, and copper cabling, prior to excavation. This infrastructure provides inter-connectivity for the City's voice, video, and data networks which supports critical systems for departments such as Fire, Police, Aviation, and Water Services. Locating services help to ensure that this underground communications infrastructure is not damaged or destroyed during construction and excavation projects.

Procurement Information
IFB 19-066 Communications Infrastructure Locating Services was conducted in accordance with Administrative Regulation 3.10. Two offers were received by the Procurement Division on February 15, 2019. One offer was deemed non-responsive. The offer from Pegasus Utility Locating Services, Inc. was evaluated based on price, responsiveness, terms and conditions, and responsibility to provide required services. The offer submitted by Pegasus Utility Locating Services, Inc. is deemed fair and reasonable based on market and previous contract pricing.

The Deputy Finance Director recommends Pegasus Utility Locating

Services, Inc. for award.

Contract Term
The five-year contract terms shall begin on or about May 1, 2019.

Financial Impact
The aggregate contract value will not exceed $1,300,000 (including applicable taxes), with an estimated, average annual expenditure of $260,000. Funds are available in Information Technology Services Department's budget.

This item was adopted.

45 Authorization to Amend License with Verizon Wireless to Extend the Term (Ordinance S-45556)

Request authorization for the City Manager, or his designee, to amend License 126578 between the City of Phoenix and Verizon Wireless (VAW) LLC, a Delaware limited liability company, d.b.a. Verizon Wireless, to extend the license term for a five-year period, with one, five-year option to renew. Further request authorization for the City Treasurer to accept funds related to this item.

Summary
Verizon Wireless currently licenses approximately 358 square feet of exterior rooftop and sidewall space on the Adams Street Garage, located at 310 W. Adams St., for wireless communications equipment. Verizon Wireless has been a licensee at this location since July 2009 and is in good standing. The current license term expires July 31, 2019. The license fee during the first year of the extended term will be $4,291.69 per month, plus applicable taxes. The license fee will be increased 3 percent annually during the extended term and option period, on the anniversary of the term commencement date.

Contract Term
Five years with one, five-year option to extend.

Financial Impact

Annual revenue will be $51,500.28, plus applicable taxes, during the first year.

Concurrence/Previous Council Action
This contract was approved by Ordinance S-35981, adopted April 1, 2009. It was amended by Ordinance S-38304, adopted Nov. 16, 2011; Ordinance S-39608, adopted Feb. 20, 2013; and Ordinance S-40188, adopted Sept. 4, 2013.

Location
310 W. Adams St. (also known as 324 W. Adams St.), identified by assessor parcel number 112-20-118.
Council District: 7

This item was adopted.

46 Acquisition of Temporary Construction Easements for a Sidewalk Improvement Project along Baseline Road, Between 12th Street and 13th Place (Ordinance S-45558)

Request to authorize the City Manager, or designee, to acquire temporary construction easements for a Sidewalk Improvement Project by donation, purchase within the City's appraised value, or by the power of eminent domain. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The temporary construction easements are necessary to construct sidewalk improvements along the south side of Baseline Road between 12th Street and 13th Place. This portion of Baseline Road consists of some unimproved public right-of-way, and this project will provide pedestrians with a contiguous sidewalk connection and access to an existing bus stop. The properties impacted by this project are identified in **Attachment A**.

Financial Impact
Acquisition for this project will be funded with Highway User Revenue Funds (HURF), available in the Street Transportation Department's Capital Improvement Program budget.

Location
Baseline Road, between 12th Street and 13th Place
Council District: 8

This item was adopted.

47 Acceptance and Dedication of an Easement for Public Utility Purposes (Ordinance S-45559)

Request for the City Council to accept and dedicate an easement for public utility purposes; further ordering the ordinance recorded.

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

Easement (a)
Applicant: Jacinta C. Caballero, its successor and assigns
Purpose: Public Utility
Location: 4806 S. 12th St.
File: FN 190007
Council District: 8

This item was adopted.

48 Acceptance and Dedication of Easements for Public Utility and Sidewalk Purposes (Ordinance S-45563)

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

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

Easement (a)
Applicant: The Reina Family Living Trust, its successor and assigns
Purpose: Public Utility
Location: 2315 N. 7th St.
File: FN 180152
Council District: 4

Easement (b)
Applicant: The Reina Family Living Trust, its successor and assigns
Purpose: Sidewalk
Location: 2315 N. 7th St.
File: FN 180152
Council District: 4

Easement (c)
Applicant: Express 29, LLC, its successor and assigns
Purpose: Public Utility
Location: 16th Street and Baseline Road
File: FN 190017
Council District: 8

This item was adopted.

49 Purchase of Builder's Risk Insurance for Phoenix Sky Harbor International Airport Terminal 4 S-1 Concourse Construction Project (Ordinance S-45565)

Request to authorize the City Manager, or his designee, to purchase builder's risk insurance covering the Phoenix Sky Harbor International Airport (Airport) Terminal 4 S-1 Concourse Project (Project). Payment will be made to the City's insurance broker, Marsh USA, in an amount not to exceed $400,000 for the builder's risk insurance premium. Further request authorization for the City Controller to disburse all funds related to this item.

The builder's risk insurance policy has a $50,000 per occurrence deductible, which will be applied if there is a physical damage loss to the Project. Authorization is further requested for the City Controller to disburse all funds necessary to pay any required insurance deductible reimbursement payment in an amount not to exceed $200,000.

Summary
The estimated cost of builder's risk insurance purchased by the construction manager at risk (CMAR) is significantly more expensive and the cost would be passed on to the City through the Project. Allowing the City to purchase the insurance will save the City approximately $400,000.

If the City purchases the builder's risk insurance, the policy will include business interruption coverage, which will protect the City from an interruption of the Airport's revenue stream if a loss prevents operation of the terminal. The CMAR is unable to purchase business interruption coverage on behalf of the City.

Marsh USA has obtained quotes for comparison purposes related to the cost of builder's risk insurance, which includes the additional business interruption coverage. The Finance Risk Management Division has reviewed the quotes and evaluated the coverage, limits, and premium prices.

Financial Impact

Funds to purchase the builder's risk insurance and to pay any required insurance deductible reimbursement are available in the Aviation Capital Improvement Program budget.

Location

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

This item was adopted.

50 Authorization to Apply for Grant Funding for Disaster Recovery Services (Ordinance S-45570)

Request to authorize the Phoenix Municipal Court to apply for $250,000 from the Arizona Supreme Court administered Municipal Fill the Gap (MFTG) fund to continue funding disaster recovery services. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The Court uses disaster recovery services to ensure that information technology systems supporting critical Court processes and services can be recovered within a short period of time in the event of a disaster. Current services include: alternate locations; reserved computer systems; planning; and communication tools in North America from which to recover the Court Management System (CMS) in the event that a disaster makes City and Court owned technology infrastructure inoperable.

Financial Impact

Funds will be made available in the Phoenix Municipal Court Municipal Fill the Gap Fund. The Phoenix Municipal Court must submit a funding plan and application to the Arizona Supreme Court Administrative Office of the Courts to secure approval for utilization of funds pursuant to A.R.S. §12-113. No General Fund dollars will be used.

This item was adopted.

51 Security and Access Control Project Request to Issue RFP

Request to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for the Security and Access Control Systems Citywide Replacement Project.

Summary

The Public Works Department manages the Security and Access Control Systems to maintain Citywide facilities and critical infrastructure sites using Lenel Diamond II, Andover Continuum, and Compass Windows Downloader. These systems are used as the platform to provide access control and intrusion detection hardware, software, and badge administration. Both systems are used Citywide to secure facilities and building assets in various locations throughout the City. These security systems are essential to administer service levels to the public, building tenants, contractors, elected officials, and employees.

The City uses multiple security systems to maintain badge access and security controls throughout the City. The current Access Control and Intrusion Detection systems managed by Public Works support approximately 2,224 card readers, 4,122 alarm panels, 15,000 badges, 400 access groups, and 100 time schedules. These systems also link to the parking garage database that is used to support access for employees, fleet vehicles, and a small group of non-City employees including contractors, and Boards and Commission members. These systems are now obsolete with limited system functionality to keep up with ever-growing security needs. In recent years, Public Works has experienced system performance issues and intermittent failures as a result of an aged security infrastructure. The hardware in the current system has been discontinued by the manufacturer and has limited parts

availability which results in potential delays for maintenance and service repairs that are required.

Replacement of the existing security and access control systems is vital to safeguard City assets and comply with current industry security requirements. The new system will meet encryption levels set by the Department of Defense and includes the use of smart cards and interactive mapping to improve response times. Moving to a new security system will provide the City a more stable environment and system redundancy.

Procurement Information
A two-phased procurement process is being used to replace the obsolete Security and Access Control Systems as noted:

Phase I- Issuance of the Request for Information process in January 2018 to select product manufacturers for access control and the intrusion detection systems. The evaluation panel recommended Software House and Lenel-United Technologies for Access Control Systems and Honeywell International as the proposed manufacturers for the Intrusion Detection Systems to be used in the RFP.

Phase II- Issuance of the RFP for proposers to design, test, and implement a fully operable, turnkey badge access and security management system. The proposers will provide all professional, technical services including the labor necessary to implement a new replacement system to maintain badge access and security management throughout the City.

The proposal evaluation criteria are approximately 1,000 points and include the following: Preferred Experience, General Requirements, Project Team, Proposed Technical Design, Draft Project Management Plan, Preliminary Schedule, and Pricing Submittal.

Contract Term
The term of the contract is five years to be exercised at the sole discretion of the City.

Financial Impact

Funding for this project is anticipated to come from a variety of sources including but not limited to General funds, Enterprise funds, and other funding sources. Staff will work with the City Manager's Office, the Finance Department and Budget and Research to incorporate the project into a future Capital Improvement Program budget. The total estimated cost for the five-year contract is $25,000,000.

This item was approved.

55 Loan Federal HOME Funds for Mesquite Terrace Affordable Housing Development (Ordinance S-45571)

Request to authorize the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to $950,000 in federal U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program (HOME) funds with Mesquite Terrace Associates, LLC, or a City-approved nominee, for the Mesquite Terrace affordable housing development project, and to take all actions and execute all documents to complete the loan. Authorization is also requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

Summary

On Nov. 16, 2018, the Housing Department issued a Call for Interest (CFI) seeking proposals for the acquisition, new construction, and/or rehabilitation of affordable rental housing based on the Affordable Housing Community Priorities approved by City Council on Nov. 14, 2018. The priorities are: 1) acquisition, rehabilitation, and/or new construction of properties that focus on homeless or special needs populations and that provide appropriate services to assist and sustain these populations; and 2) acquisition, rehabilitation, and/or new construction of properties where the developer qualifies as a Community Housing Development Organization (CHDO) as defined by the HOME Program.

Procurement Information

Six proposals were received and reviewed by an evaluation committee comprised of staff from the City of Phoenix Neighborhood Services and Housing departments, Maricopa County, and Downtown Phoenix, Inc.

The proposals were evaluated on a 500-point scale and were scored based on the following evaluation criteria: Developer Experience; Project Merits/Approach; Financial Feasibility; and Project Impact. The evaluation panel scored the proposals as follows:

Mesquite Terrace (Four Corners Development and Catholic Charities): 459 points.
Avalon Villas (Atlantic Development): 450 points.
Trellis at Mission (Trellis): 414 points.
Red Mountain Place Apartments (G.A. Haan Development): 402 points.
Verano Terrace Apartments (Bethel Development): 388 points.
Garfield Senior Housing (McCormack Baron Salazar): 304 points.

Based on funding availability, all six projects were recommended for funding.

Mesquite Terrace, located at 5107 and 5045 N. 19th Ave. (District 4), includes the new construction of a 97-unit permanent housing community. Four Corners Development, a for-profit developer and Catholic Charities, a non-profit, through Mesquite Terrace Associates, LLC, requested $950,000 to assist with this project. All units will serve households with incomes at or below 60 percent of the Area Median Income (AMI) with 10 units set aside for veterans. Supportive services will be provided by Catholic Charities Community Services, Inc. (CCCS) and will include counseling, resident support systems, individual service plans, benefits assistance, life skills classes, connections to childcare and resident referral services. Other proposed funding for this project includes permanent financing, Low Income Housing Tax Credit (LIHTC) equity, and a deferred developer fee.

Project awards are contingent on full underwriting, environmental release of funds, commitments of other financing, and availability of federal funds. The overall loan structure will be consistent with the Housing Department's Underwriting Guidelines for affordable rental housing projects.

Financial Impact

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

program. Funding for this CFI is made available from 2018 HOME funds, and a forward allocation of 2019 HOME funds. Funding commitments for projects with LIHTC equity are reliant upon receiving a LIHTC award from ADOH in the 2019 competitive round. Funding is budgeted in the Housing CIP. Loan execution is anticipated for FY 2019-20 and the loan will be paid to the developer over a two-year period.

Public Outreach
All applicants were required to hold at least one community meeting with the surrounding neighborhood to inform them of their proposed housing development. Per the evaluation criteria, applicants that held more than one community meeting were given additional points.

Location
5107 and 5045 N. 19th Ave.
Council District: 4

Concurrence/Previous Council Action
This item was recommended for approval at the Planning and Economic Development Subcommittee on April 2, 2019, by a vote of 4-0.

This item was adopted.

56 Loan Federal HOME Funds for Avalon Villas Affordable Housing Development (Ordinance S-45575)

Request to authorize the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to $1 million in federal U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program (HOME) funds with Corona Partners, LP, or a City-approved nominee, for Avalon Villas affordable housing development project, and to take all actions and execute all documents to complete the loan. Authorization is also requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

Summary
On Nov. 16, 2018, the Housing Department issued a Call for Interest (CFI) seeking proposals for the acquisition, new construction, and/or rehabilitation of affordable rental housing based on the Affordable Housing Community Priorities approved by City Council on Nov. 14,

2018. The priorities are: 1) acquisition, rehabilitation, and/or new construction of properties that focus on homeless or special needs populations and that provide appropriate services to assist and sustain these populations; and 2) acquisition, rehabilitation, and/or new construction of properties where the developer qualifies as a Community Housing Development Organization (CHDO) as defined by the HOME Program.

Procurement Information

Six proposals were received and reviewed by an evaluation committee comprised of staff from the City of Phoenix Neighborhood Services and Housing Departments, Maricopa County, and Downtown Phoenix, Inc. The proposals were evaluated on a 500-point scale, and were scored based on the following evaluation criteria: Developer Experience; Project Merits/Approach; Financial Feasibility; and Project Impact. The evaluation panel scored the proposals as follows:

Mesquite Terrace (Four Corners Development and Catholic Charities): 459 points.
Avalon Villas (Atlantic Development): 450 points.
Trellis at Mission (Trellis): 414 points.
Red Mountain Place Apartments (G.A. Haan Development): 402 points.
Verano Terrace Apartments (Bethel Development): 388 points.
Garfield Senior Housing (McCormack Baron Salazar): 304 points.

Based on funding availability, all six projects were recommended for funding.

Avalon Villas, located at 825 W. Broadway Road (District 7), includes the new construction of a 94-unit permanent housing community. Atlantic Development, a for-profit developer, through Corona Partners, LP, requested $1 million to assist with this project. All units will serve households with incomes at or below 60 percent of the Area Median Income (AMI) with 11 units serving households at or below 40 percent AMI. Other proposed funding for this project includes permanent financing, Low Income Housing Tax Credit (LIHTC) equity, Federal Home Loan Bank Affordable Housing Program funds, Arizona Department of Housing (ADOH) gap financing, and a deferred developer fee.

Supportive services will be provided by Greater Phoenix Urban League (GPUL) and will include housing counseling, financial literacy and counseling, job placement and search assistance, as well as the services of a Resident Services Coordinator who coordinates with outside service agencies to meet the specific needs of the residents.

Project awards are contingent on full underwriting, environmental release of funds, commitments of other financing, and availability of federal funds. The overall loan structure will be consistent with the Housing Department's Underwriting Guidelines for affordable rental housing projects.

Financial Impact
There is no impact to the General Fund. HOME is a federally-funded program. Funding for this CFI is made available from 2018 HOME funds, and a forward allocation of 2019 HOME funds. Funding commitments for projects with LIHTC equity are reliant upon receiving a LIHTC award from ADOH in the 2019 competitive round. Funding is budgeted in the Housing CIP. Loan execution is anticipated for FY 2019-2020 and the loan will be paid to the developer over a two year period.

Public Outreach
All applicants were required to hold at least one community meeting with the surrounding neighborhood to inform them of their proposed housing development. Per the evaluation criteria, applicants that held more than one community meeting were given additional points.

Location
825 W. Broadway Road
Council District: 7

Concurrence/Previous Council Action
This item was recommended for approval at the Planning and Economic Development Subcommittee meeting on April 2, 2019, by a vote of 4-0.

This item was adopted.

58 Loan Federal HOME Funds for Red Mountain Place Apartments Affordable Housing Development (Ordinance S-45577)

Request to authorize the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to $500,000 in federal U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program (HOME) funds with Red Mountain Place Apartments, LLC, or a City-approved nominee, for Red Mountain Place Apartments affordable housing development project, and to take all actions and execute all documents to complete the loan. Authorization is also requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

Summary

On Nov. 16, 2018, the Housing Department issued a Call for Interest (CFI) seeking proposals for the acquisition, new construction, and/or rehabilitation of affordable rental housing based on the Affordable Housing Community Priorities approved by City Council on Nov. 14, 2018. The priorities are: 1) acquisition, rehabilitation, and/or new construction of properties that focus on homeless or special needs populations and that provide appropriate services to assist and sustain these populations; and 2) acquisition, rehabilitation, and/or new construction of properties where the developer qualifies as a Community Housing Development Organization (CHDO) as defined by the HOME Program.

Procurement Information

Six proposals were received and reviewed by an evaluation committee comprised of staff from the City of Phoenix Neighborhood Services and Housing Departments, Maricopa County, and Downtown Phoenix, Inc. The proposals were evaluated on a 500-point scale, and were scored based on the following evaluation criteria: Developer Experience; Project Merits/Approach; Financial Feasibility; and Project Impact. The evaluation panel scored the proposals as follows:

Mesquite Terrace (Four Corners Development and Catholic Charities): 459 points.
Avalon Villas (Atlantic Development): 450 points.
Trellis at Mission (Trellis): 414 points.
Red Mountain Place Apartments (G.A. Haan Development): 402 points.
Verano Terrace Apartments (Bethel Development): 388 points.
Garfield Senior Housing (McCormack Baron Salazar): 304 points.

Based on funding availability, all six projects were recommended for funding.

Red Mountain Place Apartments, located at 913 N. 32nd St. (District 8), includes the new construction of a 50-unit permanent housing community. G.A. Haan Development, LLC, a for-profit developer, through Red Mountain Place Apartments, LLC, requested $500,000 to assist with this project. All units will serve persons with incomes at or below 60 percent of the Area Median Income (AMI) with four units serving households at or below 40 percent AMI. Supportive services will be provided by Who I am Foundation, an organization that provides employment services, financial management, tutoring, and computer training. Other proposed funding for this project includes permanent financing, Low Income Housing Tax Credit (LIHTC) equity, and a deferred developer fee.

Project awards are contingent on full underwriting, environmental release of funds, commitments of other financing, and availability of federal funds. The overall loan structure will be consistent with the Housing Department's Underwriting Guidelines for affordable rental housing projects.

Financial Impact
There is no impact to the General Fund. HOME is a federally-funded program. Funding for this CFI is made available from 2018 HOME funds, and a forward allocation of 2019 HOME funds. Funding commitments for projects with LIHTC equity are reliant upon receiving a LIHTC award from ADOH in the 2019 competitive round. Funding is budgeted in the Housing CIP. Loan execution is anticipated for FY 2019-2020 and the loan will be paid to the developer over a two-year period.

Public Outreach
All applicants were required to hold at least one community meeting with the surrounding neighborhood to inform them of their proposed housing development. Per the evaluation criteria, applicants that held more than one community meeting were given additional points.

Location

913 N. 32nd St.
Council District: 8

Concurrence/Previous Council Action
This item was recommended for approval at the Planning and Economic Development Subcommittee meeting on April 2, 2019, by a vote of 4-0.

This item was adopted.

59 Loan Federal HOME Funds for Verano Terrace Apartments Affordable Housing Development (Ordinance S-45578)

Request to authorize the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to $1 million in federal U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program (HOME) funds with Verano Housing, LLC, or a City-approved nominee, for the Verano Terrace Apartments affordable housing development project, and to take all actions and execute all documents to complete the loan. Authorization is also requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

Summary
On Nov. 16, 2018, the Housing Department issued a Call for Interest (CFI) seeking proposals for the acquisition, new construction, and/or rehabilitation of affordable rental housing based on the Affordable Housing Community Priorities approved by City Council on Nov. 14, 2018. The priorities are: 1) acquisition, rehabilitation, and/or new construction of properties that focus on homeless or special needs populations and that provide appropriate services to assist and sustain these populations; and 2) acquisition, rehabilitation, and/or new construction of properties where the developer qualifies as a Community Housing Development Organization (CHDO) as defined by the HOME Program.

Procurement Information
Six proposals were received and reviewed by an evaluation committee comprised of staff from the City of Phoenix Neighborhood Services and Housing Departments, Maricopa County, and Downtown Phoenix, Inc. The proposals were evaluated on a 500-point scale, and were scored based on the following evaluation criteria: Developer Experience; Project

Merits/Approach; Financial Feasibility; and Project Impact. The evaluation panel scored the proposals as follows:

Mesquite Terrace (Four Corners Development and Catholic Charities): 459 points.
Avalon Villas (Atlantic Development): 450 points.
Trellis at Mission (Trellis): 414 points.
Red Mountain Place Apartments (G.A. Haan Development): 402 points.
Verano Terrace Apartments (Bethel Development): 388 points.
Garfield Senior Housing (McCormack Baron Salazar): 304 points.

Based on funding availability, all six projects were recommended for funding.

Verano Terrace Apartments, located at 1320 W. Indian School Road (District 4), includes the new construction of a 88-unit permanent housing community. Bethel Development, Inc., a for-profit developer, through Verano Housing, LLC, requested $1 million to assist with this project. All units will serve households with incomes at or below 60 percent of the Area Median Income (AMI) with 11 units serving persons with disabilities. Supportive services will be provided to increase life skills, self-determination, and residential stability. Other proposed funding for this project includes permanent financing, developer equity, Low Income Housing Tax Credit (LIHTC) equity, and a deferred developer fee.

Project awards are contingent on full underwriting, environmental release of funds, commitments of other financing, and availability of federal funds. The overall loan structure will be consistent with the Housing Department's Underwriting Guidelines for affordable rental housing projects.

Financial Impact

There is no impact to the General Fund. HOME is a federally-funded program. Funding for this CFI is made available from 2018 HOME funds, and a forward allocation of 2019 HOME funds. Funding commitments for projects with LIHTC equity are reliant upon receiving a LIHTC award from ADOH in the 2019 competitive round. Funding is budgeted in the Housing CIP. Loan execution is anticipated for FY 2019-2020 and the

loan will be paid to the developer over a two-year period.

Public Outreach
All applicants were required to hold at least one community meeting with the surrounding neighborhood to inform them of their proposed housing development. Per the evaluation criteria, applicants that held more than one community meeting were given additional points.

Location
1320 W. Indian School Road
Council District: 4

Concurrence/Previous Council Action
This item was recommended for approval at the Planning and Economic Development Subcommittee meeting on April 2, 2019, by a vote of 4-0.

This item was adopted.

60 Loan Federal HOME Funds for Garfield Senior Housing Affordable Housing Development (Ordinance S-45579)

Request to authorize the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to $1 million in federal U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program (HOME) funds with MBA Urban Development Company, or a City-approved nominee, for the Garfield Senior Housing affordable housing development project, and to take all actions and execute all documents to complete the loan. Authorization is also requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

Summary
On Nov. 16, 2018, the Housing Department issued a Call for Interest (CFI) seeking proposals for the acquisition, new construction, and/or rehabilitation of affordable rental housing based on the Affordable Housing Community Priorities approved by City Council on Nov. 14, 2018. The priorities are: 1) acquisition, rehabilitation, and/or new construction of properties that focus on homeless or special needs populations and that provide appropriate services to assist and sustain these populations; and 2) acquisition, rehabilitation, and/or new

construction of properties where the developer qualifies as a Community Housing Development Organization (CHDO) as defined by the HOME Program.

Procurement Information
Six proposals were received and reviewed by an evaluation committee comprised of staff from the City of Phoenix Neighborhood Services and Housing Departments, Maricopa County, and Downtown Phoenix, Inc. The proposals were evaluated on a 500-point scale, and were scored based on the following evaluation criteria: Developer Experience; Project Merits/Approach; Financial Feasibility; and Project Impact. The evaluation panel scored the proposals as follows:

Mesquite Terrace (Four Corners Development and Catholic Charities): 459 points.
Avalon Villas (Atlantic Development): 450 points.
Trellis at Mission (Trellis): 414 points.
Red Mountain Place Apartments (G.A. Haan Development): 402 points.
Verano Terrace Apartments (Bethel Development): 388 points.
Garfield Senior Housing (McCormack Baron Salazar): 304 points.

Based on funding availability, all six projects were recommended for funding.

Garfield Senior Housing, located at 1510 E. Portland St. (District 8), includes the new construction of a 90-unit senior housing community. McCormack Baron Salazar, a for-profit developer, through MBA Urban Development, Co., requested $1 million to assist with this project. All units will serve persons with incomes at or below 60 percent of the Area Median Income (AMI) with six units serving households at or below 40 percent AMI. Supportive services were not indicated in this application. Other proposed funding for this project includes permanent financing, Arizona Department of Housing (ADOH) gap financing, seller carryback note, and Low Income Housing Tax Credit (LIHTC) equity.

Project awards are contingent on full underwriting, environmental release of funds, commitments of other financing, and availability of federal funds. The overall loan structure will be consistent with the Housing

Department's Underwriting Guidelines for affordable rental housing projects.

Financial Impact
There is no impact to the General Fund. HOME is a federally-funded program. Funding for this CFI is made available from 2018 HOME funds and a forward allocation of 2019 HOME funds. Funding commitments for projects with LIHTC equity are reliant upon receiving a LIHTC award from ADOH in the 2019 competitive round. Funding is budgeted in the Housing CIP. Loan execution is anticipated for FY 2019-20 and the loan will be paid to the developer over a two-year period.

Public Outreach
All applicants were required to hold at least one community meeting with the surrounding neighborhood to inform them of their proposed housing development. Per the evaluation criteria, applicants that held more than one community meeting were given additional points.

Location
1510 E. Portland St.
Council District: 8

Concurrence/Previous Council Action
This item was recommended for approval at the Planning and Economic Development Subcommittee meeting on April 2, 2019, by a vote of 4-0.

This item was adopted.

61 On-Call Environmental Review Services - Contract Award (Ordinance S-45581)

Request to authorize the City Manager, or his designee, to enter into contracts with Archaeological Consulting Services, LTD., Environmental Compliance Group, Inc., SWCA, Incorporated, Transcon Environmental Inc., and Westland Resources, Inc., to provide on-call environmental assessment and review services for the Housing and Neighborhood Services departments. Further request authorization for the City Controller to disburse all funds related to this item. There is no impact to the General Fund.

Summary
These contracts will provide environmental services mandated under a variety of environmental statutes, executive orders, and regulations under the U.S. Department of Housing and Urban Development (HUD) National Environmental Policy Act (NEPA) review guidelines. Duties would include completing environmental assessments and/or site-specific reviews of City-administered, HUD-funded projects to determine their impact on the environment and to document compliance with applicable authorities. HUD NEPA guidelines include, but are not limited to: historic properties, archaeological resources, air quality, endangered species, floodplain hazards, environmental justice, noise mitigation, above-ground explosion and flammability hazards, socioeconomic impacts, and other environmental criterion on projects.

Procurement Information
RFP FY19-086-04 was conducted in accordance with Administration Regulations 3.10. The solicitation was e-mailed to 1,112 vendors and posted on the City of Phoenix website. Five offers were received by the Housing Department on Jan. 30, 2019.

The proposals were scored by a four-member evaluation committee based on the following criteria: Organizational Experience and Capacity; Local and HUD NEPA Environmental Experience; Quality Control; Cost; and Overall Quality, Responsiveness, and References. The proposers were as follows:

Archaeological Consulting Services, LTD.
Environmental Compliance Group, Inc.
SWCA, Inc.
Transcon Environmental, Inc.
Westland Resources, Inc.

All offers were responsive and responsible, and staff recommends entering into agreements with all proposers.

Contract Term
The initial one-year contract term shall begin on or about May 1, 2019 and end on April 30, 2020. Provisions of the contract includes an option to

extend the term up to four additional years (April 30, 2024) which may be exercised at the discretion of the City Manager or designee.

Financial Impact

The aggregate contract values including all option years will not exceed $800,000 (including applicable taxes). The Housing Department will be using federal funds and the Neighborhood Services Department will be using federal, state and local grant funds, therefore there is no impact to the General Fund.

This item was adopted.

62 Amend Contract and Authorize Funding for Contract with Childhelp, Inc. (Ordinance S-45544)

Request to authorize the City Manager, or his designee, to amend the term of Contract 141124 with Childhelp, Inc. The contract term shall be amended to begin July 1, 2015 through June 30, 2021, with one five-year option to extend through June 30, 2026. Further request authorization to exercise the option to extend contract through June 30, 2026 for a total of 11 years and authorize funding in an amount not to exceed, $200,000 annually or $2.2 million in aggregate and for the City Controller to disburse all funds related to this item for the life of the contract.

Summary

The City of Phoenix Human Services Department provides and supports a continuum of services to assist vulnerable individuals and families who have been victimized by crime. Services for victims, such as emergency assistance, safety, and other critical services are important components in the comprehensive system of care. The partnership with Childhelp, Inc. is a fundamental part of this process. This funding supports the provision of multiple services for child victims, such as advocacy, forensic exams, forensic interviews, and therapy at the City of Phoenix Family Advocacy Center.

There have been two amendments since approval of the initial contract in June 2015. The first amendment in June 2016 (Ordinance S-42648) authorized exercising the three one-year extensions. The second amendment in September 2016 (Ordinance S-42850) authorized changing the contract terms to align with the lease agreement between Childhelp, Inc. and the City of Phoenix Family Advocacy Center. This

report requests a technical amendment to correct the beginning contract date in Ordinance S-42850 and authorize additional funding through June 30, 2026.

Technical Amendment
The second amendment (Ordinance S-42850) amended the term of the agreement to a five-year term with one five-year option to extend for an initial term beginning July 1, 2016. The initial term beginning date should be July 1, 2015 and should be a six-year term with one five year option to extend through June 30, 2026.

Additional Funding
Authorize additional funding in the amount of $1.4 million to fund the remainder of the approved contract term through June 30, 2026. The $1.4 million is comprised of (a) $1 million for the five-year contract extension option, (b) $200,000 excluded in the first amendment (Ordinance S-42648) due to the incorrect contract aggregate amount of $600,000 authorized. The aggregate amount should have reflected $800,000 (c) $200,000 to address the second (Ordinance S-42850) which reflected an incorrect contract term beginning date of July 1, 2016.

Contract Term
The initial term of the contract shall be six years with one five-year option if executed, beginning July 1, 2015 through June 30, 2026, for a total of 11 years.

Concurrence/Previous Council Action
The City Council previously authorized (Ordinance S-42648) funding through June 30, 2019 in the aggregate amount of $600,000. The City Council (Ordinance S-42850) authorized a change in the contract term to begin July 1, 2016 through June 30, 2026 to align with the termination date of the lease with Childhelp, Inc.

Financial Impact
General funds to support this contract are available in the Human Services Department's budget.

This item was continued to the May 1, 2019 City Council Formal Meeting.

63 2018-19 CDBG Neighborhood Revitalization Program - Contract Award (Ordinance S-45560)

Request to authorize the City Manager, or his designee, to enter into contract with Ability360 to provide home accessibility modification services for low-income physically disabled residents of Phoenix through the Community Development Block Grant (CDBG) Neighborhood Revitalization program. Further request authorization for the City Controller to disburse up to $75,000.

Summary

The Council-approved FY2018-19 Annual Action Plan, which outlined broad activity areas for CDBG funding across the City of Phoenix, included an allocation for the Neighborhood Revitalization program. The purpose of this program is to deliver grant funding to non-profit organizations that provide home accessibility modification services for low-income physically disabled residents of Phoenix. On Dec. 5, 2018, City Council approved the FY2018-19 Neighborhood Revitalization Program Request for Proposal (RFP) process.

Procurement Information

A RFP was advertised in the Arizona Business Gazette and available for download on Dec. 10, 2018. RFP respondents were required to be established non-profit Arizona corporations at the time proposals were submitted, and to provide programs and services that primarily benefit low- and moderate-income residents of Phoenix. One proposal was received from Ability360. A review committee comprised of City staff evaluated the proposal using the following criteria (40 total points possible):

Work Plan: 10 points.
Outcomes: 10 points.
Budget: 10 points.
Experience: 10 points.

Per the review committee, Ability360 met the RFP criteria of providing home accessibility modification services, including widening doors and installing ramps and grab bars, for low-income physically disabled

Phoenix residents.

Contract Term
The contract term is for a 12-month period beginning June 1, 2019.

Financial Impact
This program is funded by Community Development Block Grant funds; no General Funds are required.

Concurrence
This item was recommended for approval at the Planning and Economic Development Subcommittee meeting on March 13, 2019, by a vote of 4-0.

This item was adopted.

65 Authorization to Enter Into a Development Agreement with JAG Development, LLC and Studio Ma, Inc. for the Sale and Development of City-Owned Property at 36 W. Holly St. and 42 W. Holly St. (Ordinance S-45580)

Request to authorize City Manager, or his designee, to enter into a development agreement, and other agreements as necessary (Agreements), with JAG Development, LLC and Studio Ma, Inc., or its City-approved designee, (Developer) for the sale and development of City-owned property located at 36 W. Holly St. and 42 W. Holly St. (Site). The sale of the Site will generate a one-time $250,000 sales proceed to the City. Further request authorization for the City Treasurer to accept funds related to this item.

Summary
In 2006, the Human Services Department purchased the approximately 24,000 square foot Site, located in Midtown Phoenix near the Willo Neighborhood, as part of the acquisition of the Central Avenue office building, home to the Family Advocacy Center and Childhelp, for the future development of parking. Parking is the only permitted use of the Site under the existing zoning. The need for parking has not materialized and, in April 2018, the Community and Economic Development Department (CEDD) issued the Holly Street Parcels Sale and Development Request for Proposals (RFP) seeking proposals to

develop the Site.

Five proposals were received, all of which were responsive. On July 25, 2018, an evaluation panel interviewed all five proposers and selected the Developer as the recommended proposer.

The Developer has agreed to purchase the Site for $250,000, which is above the $242,000 minimum purchase price listed in the RFP, and redevelop the Site with eight, two-story, single family attached homes. This project, located on the north side of Holly Street between Central and 1st avenues, will activate a vacant lot that serves as a transition between the Historic Willo Neighborhood to the west and the intense commercial and multifamily uses along Central Avenue. The proposal will also bring new residents to Midtown and supports the goals of the Midtown Transit-Oriented Development (TOD) Policy Plan. Furthermore, this project will put the 0.55-acre Site back into private ownership, which will generate net new property tax revenues. Rezoning will be required, and the Developer has agreed to comply with the recommendations of the Midtown TOD Policy Plan to rezone the property to the Walkable Urban Code. Title for the Site will transfer upon approval of zoning that allows the use, and issuance and receipt of payment for building permits.

Two unsuccessful proposers protested the award recommendation. In both cases, the CEDD Director upheld the award recommendation.

Financial Impact
The sale of the Site will generate a one-time $250,000 sales proceed to the City.

Concurrence/Previous Council Action
This item was recommended for approval at the Planning and Economic Development Subcommittee meeting on April 2, 2019, by a vote of 4-0.

Public Outreach
Staff presented this proposal to the Willo Neighborhood Association on Jan. 10, 2019 and the Midtown Neighborhood Association on Feb. 20, 2019.

Location
36 W. Holly St. and 42 W. Holly St.
Council District: 4

This item was adopted.

67 Foreign-Trade Zone Application for Nikola Motor Corporation Coolidge Site (Resolution 21737)

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

Summary
The City of Phoenix, as Grantee of FTZ No. 75, has the right and authority to apply for FTZ site designations. Nikola Motor Corporation manufactures hydrogen fuel cell powered semi-trucks with long-haul capability. Nikola has requested an FTZ Subzone designation for property it owns at the northwest corner of Houser and Vail Roads in Coolidge, Ariz., where it plans to construct a one million square foot vehicle manufacturing facility. The proposed Subzone site includes approximately 400 acres.

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

City staff will prepare an Operations Agreement with Nikola requiring the company to:
Comply with U.S. Department of Commerce Foreign-Trade Zones Board standards.

Maintain record keeping satisfactory to the U.S. Customs and Border Protection.
Obtain business bonding and insurance satisfactory to the City and the U.S. Customs and Border Protection.
Indemnify the City against claims arising from their FTZ operations.
Pay to the City all fees pursuant to the current zone fee schedule.

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

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

Financial Impact
The City will incur no costs associated with Nikola's application.

Location
Northwest corner of Houser and Vail Roads, Coolidge, Ariz.
Council District: Out of City

This item was adopted.

68 Foreign-Trade Zone Application for Nikola Motor Corporation Phoenix Site (Resolution 21738)

Request to authorize the City Manager, or his designee, to submit a Minor Boundary Modification application to the Foreign-Trade Zones Board of the U.S. Department of Commerce for Nikola Motor Corporation (Nikola), a Delaware corporation, and to support property tax reclassification for activated Foreign-Trade Zones from property tax class one with a tax assessment ratio of 18 percent, to property tax class six with a tax assessment ratio of five percent pursuant to Arizona law (A.R.S. 42-12006). Also, request authorization to enter into a Foreign-Trade Zone (FTZ) Operations Agreement (Agreement) and any other necessary documentation with Nikola, or City-approved nominee. Further

request authorization for the City Treasurer to accept funds related to this item.

Summary

The City of Phoenix, as Grantee of FTZ No. 75, has the right and authority to apply for FTZ site designations. Nikola Motor Corporation manufactures hydrogen fuel cell powered semi-trucks with long-haul capability. Nikola has requested an FTZ Subzone designation for property it leases and is currently improving located at 4141 E. Broadway Road, where it plans to conduct light manufacturing and assembly, research and development, engineering, and headquarters functions. The proposed FTZ site consists of approximately 10.55 acres with one building of approximately 150,000 square feet.

Property tax support letters have been provided to the City from the following applicable tax jurisdictions: Tempe Elementary School District, Maricopa Community Colleges, Central Arizona Project, and Maricopa County. Support letters are pending from the following applicable tax jurisdictions: Tempe Union High School, East Valley Institute of Technology, and Maricopa Integrated Health System.

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

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

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

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

Indemnify the City against claims arising from their FTZ operations.

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

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

Contract Term

The term of the Agreement, if approved, will be for 20 years unless the FTZ designation terminates sooner. Provisions of the contract may include an option to extend for as long as the FTZ designation exists

which may be exercised by the City Manager or his designee.

Financial Impact
The City will incur no costs associated with Nikola's application; however, the property may be reclassified to a lower tax rate once Nikola successfully activates the FTZ.

Location
4141 E. Broadway Road
Council District: 8

This item was adopted.

69 Phoenix Convention Center Ticketing Services - Requirements Contract - RCS 19-001 (Ordinance S-45569)

Request to authorize the City Manager, or his designee, to enter into contract with TicketForce, LLC for Ticketing Services at the Phoenix Convention Center. The five-year aggregate value of the contract will not exceed $650,000. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item. This is a revenue contract anticipated to generate approximately $1,250,000 over the life of the contract.

Summary
The Phoenix Convention Center Department's (PCCD) ticketing program is a key component of overall operations, with the Ticket Office selling approximately 125,000 tickets per year. Services under the contract include providing expertise and the latest ticketing technology, in addition to ticket distribution, management of automated ticket distribution services, software, installation of network computers and field devices, training, data conversion, support and implementation. The contractor provides ticketing services for events at the PCCD, Symphony Hall and Orpheum Theatre.

Procurement Information
The revenue contract solicitation (RCS) was issued Dec. 27, 2018, with responses due Feb. 8, 2019. The procurement was conducted in accordance with Administrative Regulation 3.10. Two firms attended the pre-proposal conference. Two responses were received and were

reviewed for minimum qualifications, and all responses were found to be responsive and responsible. Panel members evaluated the responses based on the following criteria established in the RCS:

-Proposed Plan for Ticketing Services (250 points)
-Firm History and Experience (200 points)
-Cost Proposal (Revenue Sharing and Equipment) (300 points)
-Internal Control (150 points)
-Customer Service (100 points)

The evaluation panel recommendations were reached by consensus in consideration of the above criteria and the panel is recommending award to TicketForce, LLC. The results of the evaluation panel scoring are as follows:

#1 TicketForce, LLC: 830 points (out of a possible 1,000)
#2 SquadUp, Inc: 309.40 points (out of a possible 1,000)

The City Transparency policy is in effect until the resultant Agreement from this RCS is awarded.

Contract Term
The contract term is for five years covering June 1, 2019, through June 30, 2024, with no extension options.

Financial Impact
This is a revenue-generating contract and is anticipated to result in approximately $1,250,000 in revenue over the life of the contract. Expenses over the life of the contract for services associated with the ticket program are anticipated not to exceed $650,000. Funds are available in the Phoenix Convention Center operating fund.

Public Outreach
The RCS was advertised on the City of Phoenix website, the Arizona Business Gazette and International Association of Venue Managers (IAVM) weekly electronic publication.

This item was withdrawn.

71 Police Department Training System Upgrade and Extended Warranty - Requirements Contract - RFA 19-105 (Ordinance S-45561)

Request to authorize the City Manager, or his designee, to enter into a contract with Table Mountain Group, LLC, dba TI Training LE, LLC to provide TI Training Upgrade and Extended Warranty to the Police Department in the amount not to exceed $115,500. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Police Department Training Bureau, Firearms Training Detail utilizes TI Training's Use of Force Simulators for mandatory annual decision-making testing. The Arizona Peace Officer Standards and Training Board (POST) mandates all police recruits be required to complete the testing on this system in order to graduate from the Police Academy, as well as testing annually for all sworn personnel.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a Special Circumstance Without Competition Determination Memo citing Table Mountain Group, LLC, dba TI Training LE, LLC as the vendor who can provide the upgrade and warranty for the system the Police Department is currently utilizing. A Special Circumstance Without Competition Determination Memo was completed and approved by the Deputy Finance Director recommending the procurement with Table Mountain Group, LLC, dba TI Training LE, LLC be accepted.

Contract Term

The five year contract will begin on or about May 1, 2019 and end on or about April 30, 2024.

Financial Impact

The expenditures against this contract shall not exceed the aggregate amount of $115,500. Funds are available in the Police Department's budget.

This item was adopted.

72 (CONTINUED FROM APRIL 3, 2019) - Water Services Department Small Valve Replacement Program - Job Order Contracting Services - 4108JOC168 - WS85500400 (Ordinance S-45495)

Request to authorize the City Manager, or his designee, to enter into separate master agreements with two contractors to provide Citywide Small Valve Replacement Job Order Contracting (JOC) services for the Water Services Department. Further request to authorize execution of amendments to the agreement(s) as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $22.5 million for each master agreement.

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

Summary

The JOC contractors' services will be used on an as-needed basis to provide citywide valve replacement Job Order Contracting (JOC) services to remove and replace water valves 16 inches and smaller, assess repairs, prepare the site for repairs, backfill, compact, restore landscape and hardscape, perform temporary and/or final street pavement, inspect faulty mechanisms and secure the appropriate parts, and follow all Maricopa Association of Governments (MAG), City of Phoenix Supplement to MAG Specifications and Details, and Water Services Department Design Guidelines required to perform this work. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

Procurement Information

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

Selected Firms
Rank 1: Professional Piping Systems, LLC (DBA WaCo Contracting)
Rank 2: Achen-Gardner Construction, LLC

Additional Proposers
Rank 3: FPS Civil, LLC
Rank 4: DCS Contracting, Inc.

Contract Term
The term of each master agreement is for up to five years, or up to $22.5 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact
The master agreement values for each of the JOC contractors will not exceed $22.5 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed $45 million.

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

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

termination.

This item was adopted.

73 (CONTINUED FROM APRIL 3, 2019) - Remote Facilities General Construction - Job Order Contracting Services - 4108JOC173 (Ordinance S-45500)

Request to authorize the City Manager, or his designee, to enter into a master agreement with Felix Construction Company, to provide Remote Facilities General Construction Job Order Contracting (JOC) services for the Water Services Department. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $45 million.

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

Summary

Felix Construction Company's services will be used on an as-needed basis to provide remote facilities general construction services. Additionally, Felix Construction Company will be responsible for fulfilling Small Business Enterprise program requirements.

Procurement Information

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

Selected Firm
Rank 1: Felix Construction Company

Additional Proposers
Rank 2: Hunter Contracting Co.
Rank 3: J.R. Filanc Construction Company, Inc.
Rank 4: MGC Contractors, Inc.
Rank 5: Mortenson Construction
Rank 6: Archer Western Construction, LLC

Contract Term
The term of the master agreement is for up to five years, or up to $45 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact
The master agreement value for Felix Construction Company will not exceed $45 million, including all subcontractor and reimbursable costs.

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

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

This item was withdrawn.

76 Operations Control Center and Data Collection Services

Request to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for Phoenix's bus Operations Control

Center and data collection services for a contract period beginning July 1, 2020.

Summary

Since July 1, 2015, Transdev Services, Inc. has provided the City with OCC and data collection services under a fixed cost contract model. The primary function of the OCC is to manage Phoenix's fixed route (bus) transit fleet using the regional computer aided dispatch/automatic vehicle locator (CAD/AVL) system. In addition, the OCC provides several regional transit administrative and operational functions, including: transit data collection, transit system monitoring and reporting, creating public service and bus stop announcements, farebox collection reporting, providing CAD/AVL system training to regional agencies, and developing operational reports specific to regional transit providers' agreements with their respective transit service providers. The current contract is valued at approximately $8 million and expires June 30, 2020.

The OCC's data collection function serves to collect operational data for route planning and National Transit Database (NTD) Program reporting. Ridership data gathered as a result of the OCC's data collection function is provided to the Federal Transit Administration's (FTA) NTD program for use in appropriating FTA funds. Other functions performed by the OCC include: providing notification of real-time incidents to transit stakeholders (City staff, service-provider staffs, in-field road supervisors); serving as the primary contact for requests from public safety departments; investigating incidents for City staff, local police departments, Valley Metro (VM) customer service and transit operations contractor personnel; and coordinating bus bridging for the light rail system during service outages.

The OCC manages Phoenix bus operations including 48 routes and over 22 million revenue service miles per year. On a monthly basis, the OCC responds to over 3,000 phone calls from bus operations and maintenance staffs, the Phoenix Police and Fire Departments, and VM customer service personnel; and over 65,000 radio calls and text messages directly from bus operators. There are currently 21 OCC employees.

Procurement Information

The contract will have a fixed price for a five-year term beginning July 1, 2020, with two additional one-year options to extend at the City's discretion. The total seven-year contract term provides known costs as Phoenix continues implementing the T2050 plan, and allows the contractor to spread fixed and capital costs over a longer period, resulting in lower cost proposals to the City. The two-year extension options will be exercised only if it is in the City's best interest to do so and the contractor has performed satisfactorily during the five-year base period.

PTD staff is currently developing an RFP for a future contractor to be determined as the result of the competitive procurement process. The RFP will include performance standards and monetary assessments based on performance data from the past three calendar years.

The RFP will contain evaluation criteria and processes, as well as a transparency in lobbying clause. The RFP criteria will focus on the following areas, with a maximum of 1,000 possible points:
Qualifications, expertise and experience (250 points)
Proposed management and personnel (150 points)
Understanding of work scope and transition plan (200 points)
Cost (400 points)

A tentative procurement schedule is shown below:
July 2019: RFP released
August 2019: Proposals due
September 2019: Panel evaluations
October 2019: Best and final offers due
October 2019: Award recommendation
July 1, 2020: Contract start date

Financial Impact
The contract will be funded with T2050 funds.

Concurrence/Previous Council Action
• On Feb. 28, 2019, the Citizens Transportation Commission recommended approval of this item by a vote of 11-0.

• This item was recommended for approval at the Aviation and Transportation Subcommittee meeting on March 26, 2019, by a vote of 3-0.

This item was approved.

78 One-Time Purchase of Skid Steer and Wheel Loaders (Ordinance S-45550)

Request to authorize the City Manager, or his designee, to enter into a contract with Bingham Equipment Company for the purchase of six Bobcat Skid Steer Loaders and two Kubota Articulated Wheel Loaders for the Aviation, Street Transportation, Water Services, and Public Works departments. This contract will have a one-time expenditure of $462,906. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department seeks to purchase eight new loaders for various departments. The Aviation Department will receive one wheel loader for landscaping and cleaning outdoor areas at Phoenix Sky Harbor International Airport. The Street Transportation Department will receive four skid steer loaders for maintenance of asphalt, concrete, and street drainage. The Water Services Department will receive one skid steer loader to maintain, clean and service the Deer Valley Water Treatment Plant. The Public Works Department will receive one rear loader to collect and load refuse material, and one skid steer loader to move green waste and other materials at the 27th Avenue Transfer Station.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a Determination Memo for alternative competition to use cooperative agreement ADSPO18-202735, Landscape & Utility Vehicles, Trailers & Equipment awarded by the State of Arizona that began on May 8, 2018.

Contract Term

This contract will begin upon City Council approval, for the one-time purchase of eight loaders.

Financial Impact
Expenditures will not exceed $462,906 over the life of the contract. Funds are available in the Aviation, Street Transportation, Water Services, and Public Works departments' budgets.

This item was adopted.

79 Fire Alarm & Suppression Systems Maintenance and Repairs (Ordinance S-45554)

Request to authorize the City Manager, or his designee, to allow additional expenditures and agreement extension with American Fire Equipment Sales & Services, Desert Fire Services, Intelligrated Communications, Inc, RCI Systems, Inc., Summit Fire Protection Company for Fire Alarm and Suppression Systems Maintenance and Repair services for the Public Works and Water Services departments. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The agreements with American Fire Equipment Sales & Services, Desert Fire Services, Intelligrated Communications, Inc, RCI Systems, Inc., Summit Fire Protection Company are used for testing, inspecting and repairs of fire & life safety systems for Citywide buildings. The additional funds and contract extension will allow the Public Works Department sufficient time to solicit a new contract.

Contract Term
Each contract extension will begin May 1, 2019 and end April 30, 2020.

Financial Impact
The additional funds will not exceed $900,000, and the aggregate of all contracts will not exceed $3,400,000. Funds are available in the Public Works and Water Services departments' budgets.

Concurrence/Previous Council Action
This contract is the result of IFB 14-124 awarded by Formal Council Action on May 7, 2014. Contract 138282 American Fire Equipment Sales & Services, Contract 138284 Desert Fire Services, Contract 138281

Intelligrated Communications, Inc, Contract 138283 RCI Systems, Inc., Contract 138286 Summit Fire Protection Company.

This item was adopted.

80 Authorization to Accept Funds for Recyclables Processed for the City of Avondale, City of Prescott and Maricopa County (Ordinance S-45572)

Request to authorize the City Manager, or his designee, to amend Intergovernmental Agreement (IGA) 143194 with the City of Avondale, 136240 with the City of Prescott and 138048 with Maricopa County to charge a processing fee for recyclables delivered to the City of Phoenix Material Recovery Facilities. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary

Currently, the City of Phoenix contracts with ReCommunity Corporation to operate, process and sell all recyclables at two City-owned Material Recovery Facilities (MRFs). In addition to the recyclables delivered to these facilities from Phoenix residents, these facilities receive recycling materials from neighboring jurisdictions. With the changing market conditions, the Public Works Department requests to charge a processing fee for recyclables brought to City MRFs from other jurisdictions. This amendment will authorize the City of Phoenix to charge a processing fee to the City of Avondale, City of Prescott and Maricopa County for recycling tonnage brought to and processed at the two City MRFs. The processing fee will vary depending on market conditions and the weight of the recycling tonnage brought to the facilities.

Concurrence/Previous Council Action

• Authorization to enter into an IGA with the City of Avondale was approved by City Council on June 22, 2016.
• Authorization to enter into an IGA with the City of Prescott was approved by City Council on June 5, 2013.
• Authorization to enter into an IGA with Maricopa County was approved by City Council on Nov. 20, 2013.

Location

North Gateway Material Recovery Facility, 30205 N. Black Canyon Hwy.
Council District: 2

27th Avenue Material Recovery Facility, 3060 S. 27th Ave.
Council District: 8

This item was adopted.

81 Lift Station 40 Force Main Rehabilitation - Engineering Services - WS90501000 (Ordinance S-45540)

Request to authorize the City Manager, or his designee, to enter into an agreement with Wilson Engineers, LLC to provide Engineering Services that include construction administration and inspection (CA&I) services for the Lift Station 40 Force Main Rehabilitation project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $1.2 million.

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

Summary
The purpose of this project is to oversee replacement or rehabilitation of Barrel 1 force main and portions of Barrels 2 and 3 at Lift Station 40. These pipes are in poor condition and have significant deterioration.

Wilson Engineers, LLC's services include, but are not limited to: providing oversight of project construction activities, inspecting the site through various stages of construction, reviewing contractor work submittals, and performing field inspections where required for completed repairs.

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

Selected Firm
Rank 1: Wilson Engineers, LLC

Additional Proposers
Rank 2: HDR Engineering, Inc.
Rank 3: Consultant Engineering, Inc.

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

Financial Impact
The agreement value for Wilson Engineers, LLC will not exceed $1.2 million, including all subconsultant and reimbursable costs.

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

Location
South side of Interstate 10 and Ray Road
Council District: 6

This item was adopted.

82 Telecommunications Services and Interstate Telecommunications Services License with WANRack, LLC (Ordinance S-45542)

Request to authorize the City Manager, or his designee, to execute a nonexclusive, revocable license with WANRack, LLC to construct, install, operate, maintain, and use the Public Highways in the City of Phoenix in order to provide telecommunications services and interstate telecommunications services in, under, over, and across public rights-of-way in the City subject to the terms and conditions contained in the license and Phoenix City Code. Also request that the Licensee sign the license within 60 days of Council action or this authorization will expire. There is no cost to the City for this license.

Summary
The license will be for a period of five years, contain appropriate insurance and indemnification provisions, require a performance bond and a security fund, provide for terms of transfer and revocation, and provide for compensation for the commercial use of public rights-of-way while permitting the City to manage the rights-of-way.

Contract Term
The request is for a five-year Telecommunications Services and Interstate Telecommunications Services License.

Financial Impact
There is no cost to the City. Licensee will pay an annual fee based on a formula using linear footage and the Consumer Price Index.

This item was adopted.

83 Wastewater Facilities Process Control Improvements - Job Order Contracting Services - 4108JOC172 (Ordinance S-45549)

Request to authorize the City Manager, or his designee, to enter into separate master agreements with two contractors to provide Wastewater Facilities Process Control Improvements Job Order Contracting (JOC) services for the Water Services Department. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the

City Controller to disburse all funds related to this item. The fee for services will not exceed $25 million for each master agreement.

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

Summary

The JOC contractors' services will be used on an as-needed basis to provide Wastewater Facilities Process Control Improvement services for installation/replacement of instrumentation equipment, programming remote terminal units, other equipment as required, emergency repairs, pre/post construction services and engineering services as required. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

Procurement Information

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

Selected Firms

Rank 1: Felix Construction Company
Rank 2: Ludvik Electric Co.

Additional Proposers

Rank 3: K&F Electric, Inc.
Rank 4: Hunter Contracting Co.
Rank 5: Rosendin Electric

Contract Term
The term of each master agreement is for up to five years, or up to $25 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact
The master agreement values for each of the JOC contractors will not exceed $25 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed $50 million.

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

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

This item was adopted.

84 Sub-Regional Operating Group (SROG) 91st Avenue Wastewater Treatment Plant Pipe/Equipment Coating - Engineering Services - WS90100093 (Ordinance S-45551)

Request to authorize the City Manager, or his designee, to enter into an agreement with RFI Consultants, LLC to provide Engineering Services for the 91st Avenue Wastewater Treatment Plant Pipe/Equipment Coating project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $500,000.

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

Summary

The purpose of this project is for rehabilitation and replacement of existing protective coatings on wastewater infrastructure at the 91st Avenue Wastewater Treatment Plant. Equipment, pipes, manholes, and various other process structures at the plant require coatings to help protect the infrastructure from the harsh wastewater environment. In order for these coatings to be effective they require routine maintenance. The continual upkeep of protective coatings enhances and extends the life of the infrastructure.

RFI Consultants, LLC's services include, but are not limited to: evaluation of coating systems; testing of existing coatings and substrates; coating failure analysis; specification review and document preparation for selected coating systems; cost estimates; train staff in coating applications; working in a confined space in conformance with OSHA; local laws and standards; construction administration; inspection and testing services.

The 91st Avenue Wastewater Treatment Plant is owned by the Sub-Regional Operating Group and operated by the City of Phoenix.

Procurement Information

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

Selected Firm
Rank 1: RFI Consultants, LLC

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

Financial Impact
The agreement value for RFI Consultants, LLC will not exceed $500,000, including all subconsultant and reimbursable costs.

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

Concurrence/Previous Council Action
The Sub-Regional Operating Group Advisors (SROG) authorized the project on Sept. 21, 2017 for funding in fiscal year 2018-2019.

Location
5615 S. 91st Ave.
Council District: 7

This item was adopted.

85 Salt River Project Property Use License for 27th Avenue and Olney Avenue Storm Drain Project (Ordinance S-45557)

Summary
The City, in partnership with the Flood Control District of Maricopa County (FCDMC) is undertaking the 27th Avenue and Olney Avenue Storm Drain Project to alleviate flooding problems within major washes north of Olney Avenue and east of 27th and 23rd Avenues. Construction and maintenance of two proposed retention basins for the project will require

crossing the Western (Telegraph) Canal. The license will allow the City access to the sites.

Indemnification
The SRP license agreement includes authorization pursuant to Phoenix City Code section 42-20 to indemnify, release and hold harmless SRP for: (A) acts or omissions of the City, its agents, officers, directors or employees; (B) the City's use of occupancy of the licensed property for purposes contemplated by the license, including but not limited to claims by third parties who are invited or permitted onto the licensed property, either expressed or implied by the City or by nature of the City's improvement or other use of the licensed property pursuant to this license; and (C) the City's failure to comply with or fulfill its obligations established by the license or by laws. Per City of Phoenix Code, indemnification of another public entity requires approval from the City Council.

Contract Term
Term of the license is not to exceed 25 years (April 2044), once executed.

Financial Impact
There is no financial impact to the City of Phoenix.

Concurrence/Previous Council Action
An Intergovernmental Agreement with the FCDMC for the 27th Avenue and Olney Avenue Storm Drain Project (S-44314) was approved at the March 7, 2018 Formal Council Meeting, and amended by City Council on March 20, 2019 (S-45471).

Acquisition of real property for 27th Avenue and Olney Avenue Storm Drain Project (S-44898) was approved at the July 5, 2018 Formal Council Meeting.

Location
East side of 23rd Avenue north of Olney Avenue.
Council District: 8

This item was adopted.

86 Authorization to Apply for and Accept Federal Funding for Transportation Projects in Federal Fiscal Years 2023 and 2024 (Ordinance S-45583)

Request to authorize the City Manager, or his designee, to apply for, accept, and if awarded, enter into agreements for federal transportation funding through a statewide call for projects in coordination with the Maricopa Association of Governments (MAG) and the Arizona Department of Transportation (ADOT). The funding supports road and pedestrian safety improvement projects with the goal of reducing injury collisions and fatalities. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item. If the applications are approved, the City would be required to contribute $2.06 million in local matching funds to receive and use $5.5 million in federal funding.

Summary

ADOT is partnering with MAG to review Highway Safety Improvement Program (HSIP) Applications for Federal Fiscal Years 2023 and 2024. Recommended projects will be forwarded to ADOT in May to compete for statewide HSIP funds. Projects will be selected by ADOT based on criteria established in the Revised ADOT HSIP Manual. ADOT has $39.6 million of HSIP funding available in each federal fiscal year to award. Through a statewide competitive review and scoring process, only the projects with the highest ranking will be approved.

The Street Transportation Department will submit three competitive applications under this call for projects. The applications include the following:

Improving negative offsets at intersections with a goal of reducing left turn collisions.

Installing HAWKS, also known as pedestrian crossing signals, at mid-block locations with a goal of improving pedestrian safety.

Installing street lights along roadway corridors with a goal of improving nighttime visibility for pedestrians and vehicular traffic to address nighttime pedestrian/vehicle collisions.

The current statewide process for HSIP federal transportation funding

allows the awarded dollars to be used for those elements of a project that directly impact safety and can be used only for construction. The maximum federal participation rate is 94.3 percent of the total construction cost. Local agencies are required to provide 5.7 percent of local funding for construction.

Financial Impact
If all three HSIP applications are approved, the City would be required to contribute $2.06 million in local matching funds to receive and use $5.5 million in federal funding. Funding is available in the Street Transportation Capital Improvement Program.

This item was adopted.

87 Water Services Department Miser Supervisory Control and Data Acquisition System Support Services (Ordinance S-45541)

Request to authorize the City Manager, or his designee, to add additional funding in the amount of $16,276 through June 26, 2022, for Contract 145518 with HSQ Technology, for provision of maintenance and support services for the Water Services Department's (WSD) Miser Supervisory Control and Data Acquisition (SCADA) System. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The WSD requires additional funding to maintain support services via the telephone for the SCADA system. The SCADA system monitors and controls the process of water distribution at WSD remote facilities.

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

Contract Term
The contract term is effective through June 26, 2022.

Financial Impact
The additional funds will not exceed $16,276. The aggregate contract value will not exceed $64,676.

Concurrence/Previous Council Action
The City Council approved Ordinance S-42627 on June 15, 2016, in the amount of $48,400, for maintenance and support services from HSQ.

This item was adopted.

88 Testing and Monitoring Equipment Parts and Maintenance (Ordinance S-45545)

Request to authorize the City Manager, or his designee, to enter into a contract with Hach Company for testing and monitoring equipment parts and maintenance for the Water Services Department (WSD). The aggregate value will not exceed $364,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The WSD's Environmental Services Division uses Hach Company instruments to perform a multitude of analytical tests and to gather online data to ensure compliance with Federal, State and Local regulations. This contract will provide for the necessary maintenance of this critical equipment.

Procurement Information
Under Phoenix City Code section 43-11(d) and the City's Administrative Regulation 3.10, the competitive procurement process was waived as a result of a Determination Memo citing Hach Company as the sole source provider for this equipment and services. Hach Company does not certify other vendors to supply or maintain its proprietary equipment.

WSD requests a waiver from the Phoenix City Code section 42-18(C) because Hach Company seeks to restrict the standard indemnification terms. Hach Company will only agree to defend and indemnify the City for liability arising out of Hach Company's sole negligent or willful acts. If the City Council approves this waiver, allegations of wrongdoing against the City or third party will require the City to defend and resolve any litigation itself.

Contract Term

The contract term is for three years and three months effective from April 1, 2019, through June 30, 2022.

Financial Impact
The aggregate value of the contract is not to exceed $364,000. Funding for this contract is available in the WSD's operating budget.

This item was adopted.

89 HVAC Maintenance and Repair Services (Ordinance S-45546)

Request to authorize the City Manager, or his designee, to add additional funds in the amount of $2,000,000 for 10 contracts which supply HVAC maintenance and repairs for the Water Services Department (WSD) and Public Works Department (PWD). Further request authorization for the City Controller to disburse all funds related to this item.

Summary
In July 2018, the facilities management responsibility of WSD's assets transferred from the Public Works Department to the Water Services Department for self reporting and operations. WSD's assessment of the 2,000 HVAC units resulted in the proactive repair of approximately 70 percent of the units and replacement of 10 HVAC units that were subject to failure. Additional funding is needed to continue to maintain the units for the final four years of the HVAC contracts.

Contract Term
Each contract was awarded for a one-year term on July 1, 2018, with four one-year options to extend. The maximum term is five years, extending from July 1, 2018 through June 30, 2023.

Financial Impact
The additional funds will not exceed $2,000,000, and the aggregate of all contracts will not exceed $6,525,000.

Concurrence/Previous Council Action
The City Council approved the award of 10 contracts on March 7, 2018. The following Contractors are identified in Ordinance S-44312:

1. 147162 Adobe Insulation, Inc., d/b/a Adobe Energy Management Company.
2. 147161 United Technologies, Inc., d/b/a Unit-Tech.
3. 147165 Artic Air Heating and Cooling, Inc.
4. 147157 Service Pros Plumbing Heating and Cooling Inc.
5. 147155 Patriot Mechanical, LLC.
6. 147156 Pueblo Mechanical, LLC.
7. 147163 HACI Services, LLC.
8. 147164 Chiller Services, Inc., FN.
9. 147158 Sysko Services, LLC.
10. 147159 Trane U.S., Inc.

This item was adopted.

90 Modular Aluminum Panel System (MAPS) - Trench Safety (Ordinance S-45564)

Request to authorize the City Manager, or his designee, to purchase a Modular Aluminum Panel System (MAPS) for the Water Services Department (WSD) to be used for protective trenching, from Trench Shore Rentals, in the amount of $12,901.84. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Modular Aluminum Panel System (MAPS) is an adjustable, personnel protection device specifically designed and engineered to provide excavation safety protection for utility workers. This engineered system will allow the personnel to adequately respond to routine, emergency and critical excavations while providing safe working conditions for staff during repairs and maintenance of sanitary sewer systems. These systems are manufactured in full compliance with all applicable Occupational Safety and Health (OSHA) regulations which require this equipment for protection and safety of workers performing labor during excavations.

Procurement Information

A Request for Quotes was conducted in accordance with Phoenix City Code 43-11.D and 43-40. The Request for Quotes was sent to three

vendors and three responses were received.

#1 United Rentals Trench Safety: $23,758.64
#2 National Trench Safety: $15,049.56
#3 Trench Shore Rentals: $12,901.84

The WSD Director recommends the offer from Trench Shore Rentals be accepted as the best value and most advantageous to the City.

Contract Term
This is a one-time purchase.

Financial Impact
One-time purchase in the amount of $12,901.84.

Location
The MAPS excavation protective system will be used as needed throughout the City's 540 square miles service territory covered by the Water Services Department.

This item was adopted.

91 Agreements for 2019 Lower Colorado Region Water Conservation Field Services Grant, in Conjunction with Arizona State University (Ordinance S-45568)

Request to authorize the City Manager, or his designee, to apply for and, if awarded, accept and enter into agreements for the 2019 Lower Colorado Region Water Conservation Field Services Program in an amount up to $100,000. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, any grant monies awarded.

Summary
Water Services Department (WSD) staff are seeking City Council authorization to submit an application to the "Lower Colorado Region Water Conservation Field Services Program (WCFSP) Financial Assistance for Fiscal Year 2019" funding opportunity.

The WCFSP grant, which is funded through the United States Interior Department Bureau of Reclamation (USBR), could provide up to $100,000 and requires a dollar-for-dollar match from a non-federal source. The application deadline is April 26, 2019. Staff's intention is to use the funds for a pilot project to determine the efficacy of water-absorbing polymers (known as "hydrogel") in conserving potable water used for irrigation and in reducing turf watering costs.

Manufactured and installed by a Fresno, CA firm known as Aqua Cents Water Management, LLC, (ACWM) the emulsified polymers are injected underground and one study reported a roughly 45 percent water savings (Bennett, G. & Downs, J. [2015]. Quantifying water savings and sustained results using Aqua Cents® hydrogels injected below the root zone of existing turf).

WSD would conduct the $200,000 pilot by obtaining a $100,000 USBR grant (federal portion) and sourcing the remainder (non-federal match) from $50,000 in department CIP funds and $50,000 from partner Arizona State University (ASU). The total project cost is based upon an installation cost of 38 cents/square foot for 522,720 square feet (12 acres) of turf.

The pilot will be performed on 12 acres of existing soccer fields near ASU-West in Phoenix. The City owns almost seven of these acres while ASU owns the rest; combined, they currently consume roughly 11 million gallons (34 acre-feet) of water/year at a cost of approximately $63,500. At a 40 percent reduction, 4.4 million gallons (13.5 acre-feet) of water and $25,400, per year, will be saved. Moreover, the hydrogel lasts for five to seven years based on a conservative 5-year life cycle, which can result in saving 22 million gallons (67.5 acre-feet) of water at a value of $127,000.

To date, the polymers have primarily been studied at several public universities in California. WSD and ASU seek to understand the benefits of deploying the hydrogel in the context of our local ambient temperatures, soil conditions and water quality. If the pilot produces positive results, WSD and ASU will encourage additional water conservation though the use of this technology. Watering of large turf

areas in Phoenix consumes a significant portion of our water supplies each year: savings in this water-use sector has the potential to increase stored water volumes and reduce operating costs.

Contract Term
The grant application is due on April 26, 2019 and awards are anticipated in September of this year. The grant allows two years to complete the installation. A contract with ACWM will be for two years and an agreement with ASU will be for five years. This authorization is only for the grant application. WSD staff will seek Council authorization for any subsequent contracts if the grant application is successful.

Financial Impact
If awarded the grant, a one-time expense of $50,000 would be incurred in FY 2019-20. Funding is available in the Water Services Department's Capital Improvement Program budget.

This item was adopted.

92 Purchase of Stormwater Push Camera - RFQ-1819-WES-154 (Ordinance S-45573)

Request to authorize the City Manager, or his designee, to enter into a contract with Haaker Equipment Company to provide a stormwater push camera including a two-year warranty (labor, parts and shipping) for the Water Services Department - Stormwater Division effective May 1, 2019. The total requested amount for approval is $32,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The City is seeking a five-year contract for a stormwater push camera, which includes labor, parts and shipping. A push camera is one of the tools used to inspect storm drains and identify illegal flows and connections. The City of Phoenix has a Municipal Separate Storm Sewer System (MS4) Permit issued by the Arizona Department of Environmental Quality (ADEQ), which authorizes discharge of stormwater to receiving waters. One of the permit requirements is to manage an Illicit Discharge Detention and Elimination (IDDE) program, to find and

eliminate sources of illegal discharges to the MS4. The Water Services Department's current push camera has reached its life expectancy and needs to be replaced.

Procurement Information
Solicitation RFQ-1819-WES-154 was conducted in accordance with Administrative Regulation 3.10. Two quotes were received. One was from Haaker Equipment Company and the other from All Safe Industries, Inc. All Safe's push camera was found to be unable to withstand extension/retraction forces and is only intended to maneuver through small horizontal pipes.

Haaker's quote met the needs of the City and matched the Scope of Work requirements. Reference checks were conducted and the vendor received high praise from other government agencies that have used its services. The quote price for Haaker Equipment Co. is as follows:

Stormwater Push Camera: $23,936.47
Two-Year Warranty: $2,393.64
Future Parts: $5,669.89

Contract Term
The five-year contract shall begin on or about May 1, 2019, with an end date of April 30, 2024.

Financial Impact
The total cost will not exceed $32,000. Funds are available in the Water Services Department's operating budget.

Location
City of Phoenix 23rd Avenue Wastewater Treatment Plant
Council District: 7

This item was adopted.

93 Modification of Stipulation Request for Ratification of March 20, 2019 Planning Hearing Officer Action - Z-95-02-8 (4)

Request to authorize the City Manager, or his designee, to approve

Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on March 20, 2019. This ratification requires formal action only.

Summary

Application: PHO-3-19--Z-95-02-8 (4)
Existing Zoning: R-4 RI
Acreage: 0.71
Applicant: John Labahn - Windsor
Owner: John Labahn - Windsor
Representative: Jacob Zonn - Tiffany & Bosco, PA

Proposal:
Modification of Stipulation 1 regarding general conformance to site plan and elevations date stamped Oct. 19, 2005.
Modification of Stipulation 3 regarding a limit of 17 units.
Deletion of Stipulation 7 regarding development to be completed within 60 months from City Council approval of the time extension.
Modification of Stipulation 10 regarding units not rented for one year after close of escrow.
Modification of Stipulation 11 regarding the location of perimeter landscaping.
Technical correction to Stipulation 11.

Location

General Location: Approximately 150 feet east of the northeast corner of 3rd Street and Windsor Avenue.
Council District: 4
Parcel Address: N/A

Concurrence

Village Planning Committee (VPC) Recommendation: The Encanto Village Planning Committee heard this case on March 4, 2019 and recommended approval by a 13-0 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on March 20, 2019 and recommended approval with a modification and additional stipulations. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

This item was approved.

94 Modification of Stipulation Request for Ratification of March 20, 2019 Planning Hearing Officer Action - Z-50-08-5

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on March 20, 2019. This ratification requires formal action only.

Summary

Application: PHO-5-19--Z-50-08-5
Existing Zoning: R-3A
Acreage: 19.35
Applicant: Taylor C. Earl - Earl, Curley and Lagarde, P.C.
Owner: West Royal Development III LLC
Representative: Taylor C. Earl - Earl, Curley and Lagarde, P.C.

Proposal:
1. Modification of Stipulation 1 regarding elevations for the residential portions of the site.
2. Modification of Stipulation 1a regarding orientation of building entries.
3. Modification of Stipulation 2b regarding residential building design and a Tree Preservation Plan.
4. Technical corrections to Stipulations 2, 3, 5, 6, 7 and 8.

Location

General Location: Northeast corner of 23rd Avenue and Royal Palm Road.
Council District: 5
Parcel Address: N/A

Concurrence

Village Planning Committee (VPC) Recommendation: The North Mountain Village Planning Committee heard this case on Feb. 20, 2019 and recommended approval by a 11-0 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on March 20, 2019 and recommended approval with modifications and an additional stipulation. Please see **Attachment A** for a complete list of the Planning Hearing Officer recommended

stipulations.

This item was approved.

95 Modification of Stipulation Request for Ratification of March 20, 2019 Planning Hearing Officer Action - Z-111-98-7

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on March 20, 2019. This ratification requires formal action only.

Summary

Application: PHO-4-19--Z-111-98-7
Existing Zoning: C-1
Acreage: 3.18
Applicant: Esencia, LLC
Owner: Carioca Company
Representative: Bret Ryan/Esencia, LLC

Proposal:

1. Modification of Stipulation 20 regarding a far side bus bay on Lower Buckeye Road and 67th Avenue.
2. Deletion of Stipulation 27b regarding administrative approval of site plan and elevations by the PHO and return to the Estrella Village Planning Committee for further review.
3. Deletion of Stipulation 27c regarding shade awnings on building elevations.
4. Deletion of Stipulation 27d regarding stone and/or brick detailing on exterior walls.
5. Deletion of Stipulation 27e regarding wood detailing around all windows, doors and attached signage.
6. Deletion of Stipulation 27g regarding alternative materials on all exterior structures that have metal surfaces.
7. Deletion of Stipulation 27h regarding minimum 300 square feet of shaded outdoor eating area.
8. Modification of Stipulation 30 regarding a multi-purpose trail within the right of way area along 67th Avenue.
9. Deletion of Stipulation 31 regarding contacting the city archaeologist.
10. Technical corrections to Stipulations 1, 3, 21, 27, 28 and 29.

Location
General Location: Approximately 238 feet east of the southeast corner of 67th Avenue and Lower Buckeye Road.
Council District: 7
Parcel Address: N/A

Concurrence
Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard this case on March 19, 2019 and recommended approval with modifications by a 6-0 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on March 20, 2019 and recommended denial as filed and approval with modifications and additional stipulations. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

This item was approved.

96 Modification of Stipulation Request for Ratification of March 20, 2019 Planning Hearing Officer Action - Z-114-06-7

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on March 20, 2019. This ratification requires formal action only.

Summary
Application: PHO-1-19--Z-114-06-7
Existing Zoning: C-1 (Approved C-2)
Acreage: 2.01
Applicant: Esencia, LLC
Owner: Carioca Company
Representative: Bret Ryan/Esencia, LLC

Proposal:
Deletion of Stipulation 1 regarding general conformance to site plan date stamped Oct. 20, 2006.
Deletion of Stipulation 2 regarding general conformance to elevations date stamped Aug. 29, 2006.
Deletion of Stipulation 3 regarding a landscaped pedestrian entryway

feature at the southeast corner of 67th Avenue and Lower Buckeye Road.

Modification of Stipulation 5 regarding a 30-foot easement for a multi-use trail along Lower Buckeye Road.

Deletion of Stipulation 6 regarding a minimum 200 square feet of shaded outdoor eating area.

Deletion of Stipulation 7 regarding a landscape buffer between the carwash and the surrounding planned commercial parcel.

Modification of Stipulation 10 regarding a transit pad at eastbound Lower Buckeye Road.

Technical corrections to Stipulations 4, 8 and 9.

Location

General Location: Southeast corner of 67th Avenue and Lower Buckeye Road.

Council District: 7

Parcel Address: N/A

Concurrence

Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard this case on March 19, 2019 and recommended approval with modifications and an additional stipulation by a 6-0 vote.

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on March 20, 2019 and recommended denial as filed, and approval with modifications and additional stipulations.

This item was approved.

97 Final Plat - Master Plat for Sky Crossing Phase 2 - 180067 - West of Black Mountain Parkway and North of Deer Valley Drive

Plat: 180067

Project: 16-1029

Name of Plat: Sky Crossing Phase 2

Owner(s): Cave Buttes Development Partners, LLC

Engineer(s): Hilgart Wilson

Request: A Residential Subdivision Master Plat

Reviewed by Staff: March 21, 2019

Final Plat requires Formal Action Only

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This subdivision plat must be recorded prior to recordation of the following separate plats, currently included on the same Council agenda: Plat 180076, “Sky Crossing Parcel 17”; Plat 180109, “Sky Crossing Parcel 18;” and Plat 180092, “Sky Crossing Parcel 12.” Additionally, the recordation information (Book and Page number) for this plat must be handwritten in the title and dedication statements provided on the other three plats listed above prior to recordation of those plats.

Location

Generally located west of Black Mountain Parkway and north of Deer Valley Drive.
Council District: 2

This item was approved.

98 Final Plat - Sky Crossing - Parcel 12 - 180092 - West of Black Mountain Boulevard and North of Deer Valley Drive

Plat: 180092
Project: 16-1029
Name of Plat: Sky Crossing - Parcel 12
Owner(s): Cave Buttes Development Partners, LLC
Engineer(s): Hilgart Wilson, LLC
Request: A 31 Lot Residential Subdivision Plat
Reviewed by Staff: March 25, 2019
Final Plat requires Formal Action Only

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This subdivision plat must be recorded after recordation of the following separate plat, currently included on the same Council agenda: Plat 180067, “Master Plat for Sky Crossing Phase 2.” Additionally, the recordation information (Book and Page number) for Plat 180067 must be handwritten in the title and dedication statements provided on this plat prior to recordation of this plat.

Location
Generally located west of Black Mountain Boulevard and north of Deer Valley Drive.
Council District: 2

This item was approved.

99 Final Plat - Sky Crossing - Parcel 17 - 180076 - West of Black Mountain Boulevard and North of Deer Valley Drive

Plat: 180076
Project: 16-1029
Name of Plat: Sky Crossing - Parcel 17
Owner(s): Cave Buttes Development Partners, LLC
Engineer(s): Hilgart Wilson, LLC
Request: A 91 Lot Residential Subdivision Plat
Reviewed by Staff: March 22, 2019
Final Plat requires Formal Action Only

Summary
Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This subdivision plat must be recorded after recordation of the following separate plat, currently included on the same Council agenda: Plat 180067, “Master Plat for Sky Crossing Phase 2.” Additionally, the recordation information (Book and Page number) for Plat 180067 must be handwritten in the title and dedication statements provided on this plat prior to recordation of this plat.

Location
Generally located west of Black Mountain Boulevard and north of Deer Valley Drive.
Council District: 2

This item was approved.

100 Final Plat - Sky Crossing - Parcel 18 - 180109 - West of Black Mountain Boulevard and North of Deer Valley Drive

Plat: 180109
Project: 16-1029

Name of Plat: Sky Crossing - Parcel 18
Owner(s): Cave Buttes Development Partners, LLC
Engineer(s): Hilgart Wilson, LLC
Request: A 54 Lot Residential Subdivision Plat
Reviewed by Staff: March 22, 2019
Final Plat requires Formal Action Only

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This subdivision plat must be recorded after recordation of the following separate plat, currently included on the same Council agenda: Plat 180067, “Master Plat for Sky Crossing Phase 2.” Additionally, the recordation information (Book and Page number) for Plat 180067 must be handwritten in the title and dedication statements provided on this plat prior to recordation of this plat.

Location

Generally located west of Black Mountain Boulevard and north of Deer Valley Drive.
Council District: 2

This item was approved.

101 Final Plat - Palma Brisa - 180078 - South of Frye Road and West of Desert Foothills Parkway

Plat: 180078
Project: 17-2763
Name of Plat: Palma Brisa
Owner(s): Desert Vista 100, LLC
Engineer(s): Wood, Patel & Associates, Inc.
Request: A 197 Lot Single Family Residential Subdivision Plat
Reviewed by Staff: March 14, 2019
Final Plat requires Formal Action Only

Summary

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

Location
Generally located south of Frye Road west of Desert Foothills Parkway.
Council District: 6

This item was approved.

102 Final Plat - Tract A, B, F, G, H, K, L, & 90-117 Tierra Montana - Phase 1 Parcel 17 - 170103 - East of 55th Avenue and South of Carver Road

Plat: 170103
Project: 05-4228
Name of Plat: Tract A, B, F, G, H, K, L, & 90-117 Tierra Montana - Phase 1 Parcel 17
Owner(s): Taylor Morrison/Arizona, Inc.
Engineer(s): Hubbard Engineering
Request: A 28 Lot Residential Subdivision Plat
Reviewed by Staff: Oct. 3, 2018
Final Plat requires Formal Action Only

Summary
Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with Abandonment V180075A.

Location
Generally located east of 55th Avenue and south of Carver Road.
Council District: 8

This item was approved.

103 Abandonment of Easement - V180075A - East of 55th Avenue and South of Carver Road (Resolution 21736)

Abandonment: V180075A
Project: 05-4228
Applicant(s): Zach Hill: Kimley-Horn
Request: To abandon 1-foot vehicle non-access easement on the rear side of lots 107-118; Tierra Montana Parcel 17.
Date of Decision: Feb. 11, 2019

Summary
The resolution of the abandonment and the subdivision plat, "Final

Plat-Tract A, B, F, G, H, K, L & 91-117 Tierra Montana-Phase 1 Parcel 17, Plat 170103" are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

Location
East of 55th Avenue and South of Carver Road
Council District: 8

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

This item was adopted.

104 Abandonment of Easement - V190001A - 3325 N. 16th St. (Resolution 21739)

Abandonment: V190001A
Project: 17-819
Applicant: Nazario Prieto - City of Phoenix Water Services Department
Request: To abandon 25-foot water easement located on the east of property, running north-south, addressed 3325 N.16th St., APN 11932-108D; Book 015 Page 40.
Date of Decision: Feb. 28, 2019.

Location
3325 N.16th St.
Council District: 4

Financial Impact
Pursuant to Phoenix City Code Art. 5, Sec. 31-64 (e) as the City acknowledges the public benefit received by the generation of additional revenue from the private tax rolls and by the elimination of third-party general liability claims against the city, maintenance expenses, and

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

This item was adopted.

105 Amend City Code - Ordinance Adoption - Rezoning Application Z-80-18-5 (Beatitudes Campus PUD)- Northeast Corner of 17th Drive and Glendale Avenue (Ordinance G-6581)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-80-18-5 (Beatitudes Campus PUD) and rezone the site from C-1, R-5, R-5 SP, R-4 SP and R1-6 to PUD for a continuing care retirement community.

Summary
Current Zoning: C-1, R-5, R-5 SP, R-4 SP and R1-6
Proposed Zoning: PUD
Acreage: 30.17
Proposed Use: Continuing care retirement community

Owner: Beatitudes Campus - c/o Allen Bloch
Applicant: Jason Morris - Withey Morris, PLC
Representative: Jason Morris - Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Alhambra Village Planning Committee heard this case on March 26, 2019, and recommended approval by a 10-0 vote.
PC Action: The Planning Commission heard this case on April 4, 2019, and recommended approval per the Alhambra Village Planning Committee recommendation by a 9-0 vote.

Location
Northeast corner of 17th Drive and Glendale Avenue
Council District: 5
Parcel Addresses: 1610 W. Glendale Ave.

This item was adopted.

109 Consideration of Citizen Petition Related to Addition of Dedication Statement to Phoenix Police Department's Critical Incident

Transparency Protocol

This report provides the City Council with information in response to a citizen petition submitted by Ms. Joanne Scott Woods at the April 3, 2019, Formal City Council meeting regarding the addition of a dedication statement to the Phoenix Police Department's Critical Incident Transparency Protocol **(Attachment A)**.

Summary

The petitioner requests the City Council add a dedication statement to the Phoenix Police Department's Critical Incident Transparency Protocol, in honor of families of officers involved in line-of-duty deaths, to those in the community who have been seriously injured during a critical incident, and for families and community members who have lost loved ones through wrongful acts of law enforcement.

Staff appreciates Ms. Woods compassion. However, every situation is unique and because of that, a dedication statement such as the one the petitioner is suggesting would not be practical from a legal standpoint. Instead, during the critical days following such an incident, the Police Department's focus is best spent on its core missions, which include investigating the facts, learning from the incident and improving our service to the community.

This item was heard.

110 Consideration of Citizen Petition Related to Transparency Through Body-Worn Cameras

This report provides the City Council with information in response to a citizen petition submitted by Ms. Joanne Scott Woods at the April 3, 2019 Formal City Council meeting regarding law enforcement transparency through body-worn camera footage with officer articulation of 10 citizen rights during the arrest process **(Attachment A).**

Summary

The petitioner requests the City Council approve a set of 10 factors, referred to in the petition as citizen rights for officers to adhere to during an arrest process while donning their body-worn cameras.

The 10 factors requested by the petitioner do not equate to legal rights

and are more in line with policy decisions. The Police Department has a time-tested, robust body-worn camera policy that has been in place since the first body-worn cameras were deployed as part of a pilot program in 2011. This policy, known as Operations Order 4.49, is based on best practices outlined by the U.S. Department of Justice, Bureau of Justice Assistance. It is designed to balance police efficiency and work-related needs with legal compliance and respect for the community.

The Police Department has been transparent with the community regarding this policy. It has been available online since the inception of the pilot program and it has been presented to numerous community forums, including all 12 Police Chief Citizen Advisory Boards, as well as the police labor organizations, for review and input.

The Police Department is currently in the process of updating this policy to incorporate recent input from both the community and the police labor organizations to further enhance this policy, and will consider Ms. Woods' input during this process, as well.

This item was heard.

Items 22, and 33, Ordinance S-45539 was a request to authorize the City Controller to disburse funds up to amounts indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

22 Applied Economics, LLC

For $75,000.00 in payment authority for a new contract, to be entered on or about May 1, 2019, for a term of one year, with four, one-year renewal options for economic impact study services for the City’s Government Property Lease Excise Tax (GPLET) projects in downtown Phoenix for the Community and Economic Development Department. In compliance with Arizona Revised Statutes Title 42, Chapter 6, Article 5, and subject to City Council approval, GPLET agreements are used to facilitate economic development in key areas. Since the 1990’s, the City has utilized the GPLET program to spur economic development in downtown

Phoenix. Applied Economics will analyze, evaluate, and draft a written report summarizing the economic impacts of the City's GPLET projects in downtown Phoenix. The annual contract amount shall not exceed $15,000.00. There is no impact to the General Fund. Funding is available in the Downtown Community Reinvestment Fund.

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

Yes: 7 - Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams and Mayor Gallego

No: 2 - Councilman DiCiccio and Vice Mayor Waring

33 Greater Phoenix Convention and Visitors Bureau, doing business as Visit Phoenix

For $2,170,000.00 in additional payment authority for Contract 141219 for marketing services for the Phoenix Convention Center Department (PCCD). The need for additional payment authority is due to an increase in the Hotel/Motel Excise Tax projection from the Budget and Research Department. In Fiscal Year 1998-99, City Council approved the funding formula for the Greater Phoenix Convention and Visitors Bureau, doing business as Visit Phoenix, contract. The current City Council-adopted formula is based on 60 percent of PCCD's portion of the Hotel/Motel Excise Tax collections, utilizing a three-year rolling average, of which five percent is dedicated to a Phoenix Convention Center Marketing Fund. Through this long-standing public/private partnership, Visit Phoenix has efficiently provided marketing services for the Phoenix Convention Center and its predecessor, Phoenix Civic Plaza since 1968.

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

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

No: 1 - Councilman DiCiccio

Discussion

Mayor Gallego acknowledged an 8th grade student from District 3 named Caden was present for the meeting, and suggested he may be a future mayor or councilmember. She thanked him for joining everyone for the meeting.

39 (CONTINUED FROM MARCH 6 AND APRIL 3, 2019) - Temporary Staffing Services - Requirements Contract (Ordinance S-45422)

Request to authorize the City Manager, or his designee, to enter into a contract with Accounting & Finance Professionals, Inc., Accurate Placement, L.C., All About People, Inc., Allstaff Services, Inc., RW Staffing Solutions, LLC, and Scott Business Group, LLC, to provide temporary staff on an as-needed basis in the amount not to exceed $27,500,000 over five years, or approximately $5,500,000 annually. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Contractors provide temporary staff to all City departments. The primary departments using the contracts are: Aviation, City Clerk, City Council Office and Office of the Mayor, Finance, Fire, Housing, Human Services, Information Technology Services, Neighborhood Services, Planning and Development, Parks and Recreation, Police, Public Transit, Public Works, Street Transportation and Water Services. Temporary staff are necessary to fulfill short-term or highly specialized staffing needs throughout the City. Departments use the most cost effective contract to hire qualified temporary staff.

Procurement Information

RFQu 19-060 Temporary Staffing Services was conducted as an SBE Reserve Contract in accordance with Administrative Regulation 1.89. The solicitation was emailed to 20 vendors. Six offers were received by the Procurement Division on Jan. 11, 2019.

The Deputy Finance Director recommends the offers from Accounting & Finance Professionals, Inc., Accurate Placement, L.C., All About People, Inc., Allstaff Services, Inc., RW Staffing Solutions, LLC, and Scott Business Group, LLC to be accepted for the Qualified Vendor List.

Contract Term
The five-year contract period for these vendors will begin June 1, 2019.

Financial Impact
The aggregate five-year contract value shall not exceed $27,500,000, or approximately $5,500,000 annually. The contract value is based on historical spend increased by 10 percent. Funds are available in all City of Phoenix departments' budgets. Approximately 30 percent of the aggregate contract amount is utilized by enterprise funded departments.

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

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

No: 1 - Vice Mayor Waring

41 Telephone and Network System Support and Maintenance (Ordinance S-45547)

Request to authorize the City Manager, or his designee, to amend and add additional expenditures for Contract 144657 with World Wide Technology, Inc. (WWT) in an amount not to exceed $9,727,806 through June 30, 2023, for ongoing support and maintenance of the system. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
In January 2017, the City Council approved a project to replace the City's 30-year-old telephone system and upgrade the City's network. The implementation portion of the project will be completed in June, after which a full support model and maintenance will begin.

Managed services for the system was part of the Request for Proposals and awarded to WWT to initially include a basic support model. This request is for payment authority for ongoing support and maintenance, and to amend the support model to align with the advanced capabilities of

the new system that are now fully implemented. The managed services program will include a varying number of network and telecommunications contractors supporting the Citywide system, which includes a Network Operations Center and 24/7 support, including weekends and holidays.

This critical system currently includes call center capabilities within 14 departments that today average nearly 250,000 calls per month, or approximately 3 million calls per year. The existing 14 departments do not yet include the Fire, Aviation, and Planning and Development departments, which are scheduled to be completed by June 2019.

Many essential services to residents are provided through this new system that include the following:

Water Services Call Center
Approximately 167,000 calls per month in support of customer service for water and solid waste services and emergency dispatch services for water leaks, water quality issues and sanitary sewer emergencies.

Phoenix Police Department
Approximately 29,271 calls per month that support Central Booking, Code Enforcement, and the Strategic Information and the Information Technology Bureaus.

Phoenix Municipal Court
Approximately 22,603 calls per month that support information on criminal and traffic violations, non-traffic criminal misdemeanor cases, payment for parking tickets and contacting residents regarding delinquent accounts.

Neighborhood Services Department
Approximately 7,098 calls per month that support residential complaints to resolve property maintenance and violation issues, zoning problems and homeless encampments.

Other Departments
Approximately 22,619 calls per month that support Section 8, senior,

disabled, scattered and conventional housing applications; financial assistance with mortgages, rent, utilities, food boxes, bus tickets and prescriptions; library cards; ticket sales for events at Phoenix Convention Center, Orpheum Theatre and Symphony Hall; and many others.

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

Contract Term
This contract amendment is for a term ending June 30, 2023. Provisions of the original contract term will remain, which includes an option to extend up to five years through Feb. 28, 2027.

Financial Impact
The original value of the contract was $28,000,000 for the telephone and data network system replacement. With the $9,727,806 in additional funds for maintenance and support through June 30, 2023, the contract's revised aggregate value is now $37,727,806 (including applicable taxes). Funds are available in the Information Technology Services Department Operating and Capital Improvement Program budgets.

Concurrence/Previous Council Action
On March 6, 2019, the Water, Wastewater, Infrastructure and Sustainability Subcommittee recommended amending and adding additional funds to Contract 144657 by a vote of 4-0. On Jan. 25, 2017, City Council recommended awarding a contract to WWT.

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

Yes:	8 -	Councilman DiCiccio, Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams and Mayor Gallego
No:	1 -	Vice Mayor Waring

52 Authorization for Issuance of Excise Tax-Funded Obligations to Repair or Improve the Phoenix Convention Center and Security Management Access Control Systems (Ordinance S-45548)

An ordinance authorizing the City Manager to cause the issuance of obligations of or by a municipal property corporation, including execution and delivery of one or more ground leases, leases, purchase agreements or financing agreements and the taking of any and all actions necessary or appropriate to finance or reimburse a principal amount not exceeding $50,000,000 of costs for repairing, renovating and improving a previously constructed City-owned Convention Center and security management access and control systems plus related financing costs. Further authorizing the City Manager to execute and deliver one or more leases, purchase agreements or loan agreements, or supplemental or amended leases, purchase agreements or loan agreements and, if necessary, supplemental or amended ground leases relating to the refunding of principal and interest on all or a portion of the outstanding excise tax revenue obligations; authorizing the issuance of one or more series of excise tax revenue refunding obligations of or by a municipal property corporation or by a private leasing company, in a principal amount sufficient to refund the obligations being refunded plus related financing costs; authorizing a pledge if deemed appropriate, of excise taxes or other lawfully available funds; authorizing the execution and delivery of other appropriate agreements in connection therewith, including but not limited to any official statements and bond purchase agreements and certificates necessary or appropriate for the financing and associated financing costs; authorizing the City Manager to take any and all other necessary or desirable actions in connection with such bonds; and authorizing the City Controller to expend all necessary funds therefor.

Summary

Shoring Wall

The Phoenix Convention Center expansion project was completed in December 2008. The expansion allowed for a future phase to be developed as a contiguous extension of the North Building beneath Washington Street, per the Phoenix Convention Center Master Plan. Accordingly, the lower level exhibition hall of the North Building was constructed with a temporary shoring wall to facilitate a future expansion project to the south.

The temporary shoring wall is constructed of steel beams and wood

planks and was not intended to remain indefinitely or as a permanent structure. The shoring wall was built in 2006 and is subject to annual inspections and maintenance. The most recent structural inspections indicate that the wall is approaching the end of its useful life and needs to be replaced by a permanent shoring wall solution. This ordinance provides funding to repair, renovate and improve the Convention Center and/or other City facilities, including but not limited to, a replacement for the temporary shoring wall.

Security Management and Access Control Systems
This ordinance may also provide funding for a replacement of the security management and access control systems. These systems provide access control, badge administration and intrusion detection for the downtown campus, Citywide facilities and critical infrastructure sites throughout the City.

Additionally, the ordinance permits the refunding of currently outstanding excise tax obligations.

Concurrence/Previous Council Action
The Phoenix Convention Center Shoring Wall Replacement Project was presented to the Planning and Economic Development Subcommittee on Feb. 5, 2019. Information for the Security Management and Access Control System is included on the April 17, 2019 formal agenda.

Discussion
Councilwoman Williams made a motion to adopt Item 52.

Councilwoman Pastor seconded the motion.

Councilwoman Mendoza stated her understanding was the Public Works Department managed the City badging system and operated as an enterprise department. She noted the Convention Center generated about $9.5 million in revenue last year. She asked why money was not built in their budget for this expense, and why this was not forecasted for replacement so the City did not have to take out a loan to replace it.

Deputy City Manager Karen Peters explained the enterprise funds had been budgeted for this item, and added this did not cover the cost of

General Fund departments that had needs in the security and access control area.

Councilwoman Mendoza commented that the Public Works Department had about $13 million put towards the badging system. She asked about the funding from the Convention Center.

Chief Financial Officer Denise Olson responded there would be an issuance of an excise tax debt soon, and said with the issuance of an excise tax debt the City would fund the system with debt. She noted the total amount for the badging system was $25 million, and the City would pay annual debt service payments in budgets that come from the General Fund and enterprise funds. She stated this was like a loan that the City would pay annually on the system.

Councilwoman Mendoza asked if this would add $50 million to the $150 million for the arena fund.

Ms. Olson answered that was correct, and stated the total bond amount the City would issue was $200 million. She noted that included $150 million for the arena that was authorized by Council, and another $50 million of which $25 million would be for the badging system and the other $25 million would be for the shoring wall for the Convention Center.

Councilwoman Mendoza asked for clarification if the $200 million in bonds would come out of the sports facility fund.

Ms. Olson responded the arena would be paid for. She explained the $200 million of bonds would have annual debt service payments where some of it would come from the sports facilities fund that would cover the $150 million. She said some of the payments would come from the Convention Center that would covering the shoring wall portion of $25 million and the rest would come from the General Fund and the enterprise portion for the badging system.

Councilwoman Mendoza questioned how much money came from the Convention Center or Public Works Department.

Ms. Peters explained the City would issue a Request for Proposals to get an exact number for the amount, but at the time this was just an estimate.

Councilwoman Pastor asked for information on how much each department was paying for this item in terms of a percentage or amount.

Assistant Public Works Director Felissa Washington-Smith answered the total estimated project is estimated at $25 million, with 60 percent of the money for the General Fund at around $15 million. She mentioned $10 million was for the enterprise departments at 40 percent of the total project cost.

Councilman DiCiccio inquired how long the badging system lasts.

Ms. Washington-Smith replied the estimated life of the badging system was roughly 15 to 20 years.

Councilman DiCiccio asked how long the previous badging system lasted.

Ms. Washington-Smith responded the badging system was installed in 2004 and was close to 15 to 16 years. She noted the badging system exceeded it's estimated life.

Councilman DiCiccio asked for confirmation if the bonds would go for 18 years.

Ms. Olson answered the City would match up the life lives of the asset that is funded with the number of years that the debt was outstanding, and commented for the badging system the City would issue debt for 15 years.

Councilman DiCiccio questioned how much the badging system would cost taxpayers by the time the City was done with it.

Ms. Olson responded the anticipated interest rate was below three percent. She suggested it was not going to be expensive, and added there were a lot of factors that went into it.

Councilman DiCiccio stated the cost would be around the $35 million range.

Ms. Olson said it was something close to that.

Councilman DiCiccio mentioned he understood why the City would want to use bonds, but acknowledged the issue was between using capital bonding or operational. He talked about the economic downturn 10 years ago, and suggested it was problematic to use bonds for operational items rather than capital because you can run into fiscal problems. He noted he would vote no on the item.

Councilwoman Stark made a substitute motion to continue Item 52 to the May 1, 2019 City Council formal meeting to get more information. She said there were some valid comments that were brought up.

Councilman Nowakowski seconded the motion.

A motion was made by Councilwoman Stark, seconded by Councilman Nowakowski, that this item be continued to the May 1, 2019 City Council Formal Meeting. The motion carried by the following voice vote:

Yes:	9 -	Councilman DiCiccio, Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Waring and Mayor Gallego
No:	0	

53 Request for Proposals for Redevelopment of Deck Park Vista

Request to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for the redevelopment of Deck Park Vista Apartments into a new mixed-use, mixed-income multifamily rental project, and authorization to begin negotiations with the recommended proposer. There is no impact to the General Fund.

Summary

The Housing Department is seeking approval to proceed with the

redevelopment of Deck Park Vista Apartments to address a critical need for affordable and workforce housing in the downtown core. In January 2019, the Community and Economic Development Department presented a comprehensive analysis of multi-family housing in the Central City at the Planning and Economic Development Subcommittee (PED) meeting that revealed a critical need for affordable and workforce housing in the Downtown Core. In February 2019, the Housing Department provided PED with information regarding the opportunity to utilize the City-owned Deck Park Vista property in the Downtown Core to develop up to 436 units of affordable and workforce housing. During the discussion, the Housing Department was provided with direction and asked to return with a recommendation for an RFP.

Deck Park Vista is a 56-unit affordable rental property located on 2 acres at 1125 N. 3rd St. The property falls within the Downtown Core, and is currently zoned under the Downtown Code-Evans Churchill East Character Area, which allows 250 feet in height and a density of 218 dwellings per acre. The Housing Department proposes to demolish the existing structures and develop new multi-family housing that take full advantage of the properties' entitlements. Existing residents will be temporarily relocated, at the Housing Department's expense, and have first right of return to the new development.

Procurement Information

The RFP will be for a Co-Developer to partner with the Housing Department. The Housing Department will maintain ownership of the land to ensure long-term affordability. The RFP will also include the following parameters:

Development of up to 436 new apartment units.

Incorporation of 56, Section 8 subsidized units to replace the current senior housing.

Affordable units for households at or below 80 percent of Area Median Income.

Workforce units that are affordable for households at 80 percent to 120 percent of Area Median Income.

Mixed-use building(s) with commercial on the ground floor.

Partnership with non-profit to deliver services to residents.

Design appropriate for Roosevelt Row Arts District and consistent with

Evans Churchill East character area.

Proposers will be required to provide detailed information such as unit square footage, number of affordable and workforce units, a mix of bedroom sizes, investment and construction costs, operating pro forma, financing details and project schedules. Staff will retain the ability to reject proposals that do not meet the minimum requirements. In addition, the RFP will require performance benchmarks to ensure timely development of the project. Proposals will be evaluated by a panel that includes City staff and community representatives. Below are the proposed evaluation criteria totaling 1,000 points:

Proposed Development: 0-325
Proposer Qualifications, Experience, and Financing Capacity: 0-250
Project Cost and Leverage Requirements: 0-250
Proposed Project Timeline: 0-175

Staff will negotiate business terms with the recommended proposer. The recommended proposal and business terms will be brought to the PED Subcommittee for review and recommendation, and then to the full City Council for consideration.

Financial Impact
There is no impact to the General Fund.

Concurrence/Previous Council Action
This item was recommended for approval at the Planning and Economic Development Subcommittee meeting on April 2, 2019, by a vote of 4-0.

Location
1125 N. 3rd St.
Council District: 8

Discussion
Greta Rogers asked to listen to the presentation on Item 53 before she spoke.

Mayor Gallego stated this item was brought forward by the Housing Department, and added there was no presentation planned on Item 53.

She confirmed with Ms. Rogers she had no further comments on Item 53.

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

Yes: 9 - Councilman DiCiccio, Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Waring and Mayor Gallego

No: 0

54 Affordable Housing Financial Advisory Services (Ordinance S-45562)

Request to authorize the City Manager, or his designee, to enter into contracts with CSG Advisors Incorporated, Economic & Planning Systems, Inc., and Rounds Consulting Group, Inc. to provide financial advisory consulting in affordable housing development, redevelopment, and U.S. Department of Housing and Urban Development programs in various services related to the development of affordable housing and sustainability of housing programs for the Housing Department. Further request authorization for the City Controller to disburse all funds related to his item. There is no impact to the General Fund. Funds will come from federal grant resources.

Summary

The Housing Department will use financial advisory services to evaluate how cities successfully create affordable housing, analyze and assess market conditions, formulate development strategies/tools and implementation plans, affordable housing program strategies and implementation plans, propose and/or create possible financing options and mechanisms, underwriting guidelines, provide developer insights, and create/assist in the creation of additional affordable housing units and/or commercial and retail uses in Phoenix.

Procurement Information

RFP FY19-086-06 Financial Advisory Services was conducted in accordance with Administrative Regulation 3.10. The solicitation was

e-mailed to 545 vendors and posted on the City of Phoenix website. Three offers were received by the Housing Department on Feb. 14, 2019.

The proposals were scored by a three-member evaluation committee based on the following criteria: Service Methodology, Organizational Capacity, and Price (1,000 total points possible). The proposers and their scores are as follows:

CSG Advisors Incorporated: 785
Economic & Planning Systems, Inc.: 785
Rounds Consulting Group, Inc.: 740

Staff recommends that the offers from CSG Advisors Incorporated, Economic & Planning Systems, Inc., and Rounds Consulting Group, Inc., be accepted as the highest scored, responsive and responsible offers that are most advantageous to the City. Each of the three contractors offers varying areas of financial and economic expertise and will be utilized based on the individual needs of specific projects.

Contract Term
The contract terms will be for five years, beginning on or about June 1, 2019 and end on May 31, 2024.

Financial Impact
The aggregate contract value will not exceed $200,000 (including applicable taxes). There is no impact to the General Fund. Funds will come from federal grant resources.

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

Yes:	7 -	Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams and Mayor Gallego
No:	2 -	Councilman DiCiccio and Vice Mayor Waring

57 Loan Federal HOME Funds for Trellis at Mission Affordable Housing Development (Ordinance S-45576)

Request to authorize the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to $1 million in federal U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program (HOME) funds with Mission Housing, LP, or a City-approved nominee, for Trellis at Mission affordable housing development project, and to take all actions and execute all documents to complete the loan. Authorization is also requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

Summary

On Nov. 16, 2018, the Housing Department issued a Call for Interest (CFI) seeking proposals for the acquisition, new construction, and/or rehabilitation of affordable rental housing based on the Affordable Housing Community Priorities approved by City Council on Nov. 14, 2018. The priorities are: 1) acquisition, rehabilitation, and/or new construction of properties that focus on homeless or special needs populations and that provide appropriate services to assist and sustain these populations; and 2) acquisition, rehabilitation, and/or new construction of properties where the developer qualifies as a Community Housing Development Organization (CHDO) as defined by the HOME Program.

Procurement Information

Six proposals were received and reviewed by an evaluation committee comprised of staff from the City of Phoenix Neighborhood Services and Housing Departments, Maricopa County, and Downtown Phoenix, Inc. The proposals were evaluated on a 500-point scale, and were scored based on the following evaluation criteria: Developer Experience; Project Merits/Approach; Financial Feasibility; and Project Impact. The evaluation panel scored the proposals as follows:

Mesquite Terrace (Four Corners Development and Catholic Charities): 459 points.
Avalon Villas (Atlantic Development): 450 points.
Trellis at Mission (Trellis): 414 points.

Red Mountain Place Apartments (G.A. Haan Development): 402 points.
Verano Terrace Apartments (Bethel Development): 388 points.
Garfield Senior Housing (McCormack Baron Salazar): 304 points.

Based on funding availability, all six projects were recommended for funding.

Trellis at Mission, located at 619 W. Mission Lane (District 3), includes the new construction of a 40-unit permanent housing community. Trellis, a nonprofit CHDO, through Mission Housing, LP, requested $1 million to assist with this project. All units will serve households with incomes at or below 60 percent of the Area Median Income (AMI) with 11 units serving households at or below 40 percent AMI. Supportive services will be provided by Trellis and Native American Connections and will include case management services, peer support groups, socialization opportunities, life skills classes, credit counseling, budgeting, and financial goal setting. Other proposed funding for this project includes permanent financing and Low Income Housing Tax Credit (LIHTC) equity.

Project awards are contingent on full underwriting, environmental release of funds, commitments of other financing, and availability of federal funds. The overall loan structure will be consistent with the Housing Department's Underwriting Guidelines for affordable rental housing projects.

Financial Impact
There is no impact to the General Fund. HOME is a federally-funded program. Funding for this CFI is made available from 2018 HOME funds, and a forward allocation of 2019 HOME funds. Funding commitments for projects with LIHTC equity are reliant upon receiving a LIHTC award from ADOH in the 2019 competitive round. Funding is budgeted in the Housing CIP. Loan execution is anticipated for FY 2019-2020 and the loan will be paid to the developer over a two-year period.

Public Outreach
All applicants were required to hold at least one community meeting with the surrounding neighborhood to inform them of their proposed housing development. Per the evaluation criteria, applicants that held more than

one community meeting were given additional points.

Location
619 W. Mission Lane
Council District: 3

Concurrence/Previous Council Action
This item was recommended for approval at the Planning and Economic Development Subcommittee meeting on April 2, 2019, by a vote of 4-0.

Discussion
Glenn Karlson spoke in favor, and added he was representing Trellis at Mission. He noted his availability for questions from the Council.

Councilman DiCiccio stated he had his question answered from staff, and suggested this was treated differently than other affordable housing developments.

Note: Joel McCabe submitted a comment card for the record in favor of Item 57.

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

Yes:	6 -	Councilwoman Guevara, Councilwoman Mendoza, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams and Mayor Gallego
No:	3 -	Councilman DiCiccio, Councilman Nowakowski and Vice Mayor Waring

64 Lease and Development Agreements for Phoenix Central Station at 300 N. Central Ave. (Ordinance S-45566)

Request to authorize the City Manager, or his designee, to enter into a development agreement, ground lease, easements and other agreements as necessary (collectively, the Agreements) with Electric Red Ventures, LLC, a wholly owned subsidiary of Medistar Corporation or its City-approved designee (Developer), for a transit-oriented development project at the City-owned Public Transit Phoenix Central Station transit center, located at 300 N. Central Ave. (Site).

Summary

On April 18, 2018, City Council authorized release of the Central Station Request for Proposals (RFP) to lease and redevelop the Site. Staff worked with various City, transit and community stakeholders to seek input on this solicitation, and included their feedback in developing the RFP requirements and evaluation criteria.

The RFP was issued on June 25, 2018 with proposals due in September 2018. The City received four proposals, one of which was deemed non-responsive. The three responsive proposals were evaluated by a panel comprised of representatives from the City's Citizens Transportation Commission, Downtown Voices Coalition, the development community, and City staff from the Public Transit, Planning and Development, and Community and Economic Development departments on Oct. 8, 2018. Electric Red Ventures, LLC was the recommended proposer and the panel recommended proceeding with negotiations.

The proposed project submitted by the Developer includes two towers, replacement of the transit center, underground parking and amenities. The first tower is a 30-story high-rise tower with 300 apartments, a 150-room Intercontinental Hotel and 35,000 square feet (SF) of office space on the southeast portion of the Site. A second tower is an 18-story tower that includes student housing and 9,000 SF of space for the replacement of the current Public Transit Department office space on the west side of the Site. The project features 45,000 SF of ground floor restaurant, retail and grocery uses. Both towers sit on top of three floors of underground parking. The total project features approximately 1.1 million SF of development with an estimated investment of $231 million (Project).

The Developer has agreed to retain features of the transit center, including the Polk Street alignment and the bus drive aisle through the Site from Van Buren Street to the Polk Street alignment. The Developer has also agreed to improve the pedestrian and transit user access throughout the Site by designing a porous ground floor with multiple access points and walkable, pedestrian-oriented corridors. The proposed design allows for all current bus and light rail routes, or any proposed

changes approved by the Public Transit Department, to be retained on site after construction, and an interim construction plan is being negotiated with the Developer to minimize bus and light rail impacts.

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

Developer will enter into agreements with the City within eight months of City Council authorization.
Developer will commence construction within 24 months of City Council authorization.
Developer will complete construction within 42 months of the construction commencement.
Developer will enter into a 99-year ground lease with the City and make annual rent payments to the City.
Developer will provide a 9,000 SF Public Transit office with at least 3,000 SF on the ground floor.
Developer will replace bus bays after construction and mitigate impacts to light rail operations during construction.

The Agreements will include other terms and conditions as the City Manager or his designee determine are necessary or appropriate to implement the contracts. All deadlines for performance benchmarks can be modified at the City's sole discretion.

In addition, due to the use of federal funds disbursed by the Federal Transit Administration (FTA) for the property and construction of Central Station, all Agreements are subject to the review and approval of the FTA.

Financial Impact
The Project will have no financial impact to the General Fund. The Project will generate annual lease revenue dedicated to transit operations per the FTA, beginning upon completion of construction.

Concurrence/Previous Council Action
This item was recommended for approval by the Citizens Transportation

Commission on Dec. 13, 2018 by a vote of 12-0, and at the Aviation and Transportation Subcommittee meeting on March 26, 2019, by a vote of 3-0.

This item was heard for information and discussion at the Planning and Economic Development Subcommittee meeting on April 2, 2019.

Public Outreach
Staff presented details of the Project to several adjacent property owners, and to the Downtown Voices Coalition on Nov. 10, 2018, the Downtown Neighborhood Alliance on Nov. 13, 2018, the Evans Churchill Community Association on Nov. 14, 2018, the Roosevelt Action Association on Nov. 20, 2018, and the Phoenix Community Alliance Multi-Modal Subcommittee on Nov. 27, 2018.

Location
300 N. Central Ave.
Council District: 7

Discussion
Mayor Gallego introduced Community and Economic Development Director Chris Mackay and Assistant City Manager Deanna Jonovich.

Ms. Mackay gave a brief presentation on the project, and noted the site was owned by the City. She talked about the history of Central Station, and said the site was acquired using Federal Transit Administration (FTA) dollars to bring transit-oriented development in 1997. She mentioned in 2013 the Council authorized the issuance of a Request for Proposal (RFP) on the site, and added a successful proposer was selected but passed away prior to construction. She stated the Council authorized another RFP in June of 2018, and said the panel selected Medistar Development with Greystar, POAG Shopping Centers and Intercontinental Hotel Group as development partners. She explained the site would have a 9,000 square-foot transit center, 300 high density residential units, 150 rooms for the Intercontinental Hotel, 35,000 square feet for creative office space, retail, restaurants, a potential grocer, event space, 217 units of student housing, and an amenity deck. She discussed the request from the Citizens Transportation Commission to maintain the site for transit, and described the amount of buses that use

the site. She commented the site was 100 percent private development, and there would be a 99-year land lease that would add funding to the City transit system starting at $614,000 per year. She acknowledged the site was the most complicated to build in downtown Phoenix. She estimated there would be $231 million in new capital investment into downtown Phoenix and added there would be 2,400 construction jobs and 1,200 permanent new full-time jobs on the site.

Ms. Mackay pointed out the option of selling the site, and stated the current value was $12.8 million. She compared that with the amounts received from a long-term lease at $171.5 million, and talked about the amount received from property tax, and City sales tax. She discussed the benefits of retaining the land rather than selling it, and noted after 99 years the City would be able to utilize the land or sell the building. She commented there were several public meetings and stakeholder meetings held, and said this was an exciting project for downtown Phoenix.

Nick Wood stated he represented the applicant Medistar, and mentioned the projects they have built over 48 years. He discussed the different amenities that would be available at the site, and talked about the process of creating a Government Property Lease Excise Tax (GPLET). Mr. Wood noted the applicant did not want a GPLET because he had a mixed-use project with many elements that would be full right away and added he did not feel comfortable asking the City for something he did not need. Mr. Wood continued to discuss his conversation with the applicant about why a GPLET would be a great deal, and noted the applicant said the GPLET was not needed because the City was already offering a deal, and he wanted to hold onto the lease for a long time. Mr. Wood talked about how the applicant wanted to be a partner with the City, and discussed the past two projects he represented and brought to the City regarding developments with workforce housing. He continued to talk about the cost savings he mentioned to the applicant regarding a GPLET, and mentioned the applicant would provide 15 workforce housing units for 10 years without asking for a GPLET. He noted the applicant wanted to provide workforce housing units because it was the right thing to do, and asked for support from Council on this item.

Sandy Villatoro spoke in opposition, and said she worked as a housekeeper for the last four years at the Sheraton Grand Hotel. She stated she had to drive to work, and added it was getting harder to because of the lack of free parking downtown. She discussed how the prices of apartments downtown were unaffordable, and advocated for more affordable housing downtown.

Diane Barker spoke in favor, and commented this project was very important for downtown Phoenix. She talked about how she was a transit user, and suggested there could be a transit center built near Talking Stick Resort Arena to give more space to the developer to build the development. She added there could be 30 workforce housing units instead of 15 suggested, and asked Council to be open-minded about the transformation of transit in Phoenix.

Mayor Gallego read a statement from Steve Betts. Mr. Betts supported the staff recommendation and noted as the former Chairman of Urban Land Institute Arizona and as the developer of Hayden Ferry Lakeside at Tempe Town Lake, he said this plan would be best for the City in terms of a mix of land uses, density, and quality.

David Lucero spoke in opposition, and mentioned his concern regarded trees and plants that were on the site and if there could be an agreement to re-box the trees and plants. He said the life that had been on the site had been there for 23 to 25 years, and suggested it would be wrong to kill those trees and plants. He opposed the project because there needed to be a respect of life.

Brian Cassidy spoke in favor, and noted he was an architect in the warehouse district where he worked on a lot of projects. He said he was in support because this was a great idea, and would allow Phoenix to become a world-class city.

Greta Rogers was neutral on the item, and commented as a citizen who worked on neighborhood and housing projects for the City for 25 years, she thought this was a premier proposed development. She acknowledged this site was one of the few sites left downtown for mixed use, and said Mr. Wood provided a well-researched and thought out

presentation on behalf of the client. She asked Council to support the application presented.

Maria Madrid spoke in opposition and stated she had worked for 11 years as a hotel housekeeper and was a union member of Local 11. She said she had to live with her daughter for six months because her rent was too high, and discussed her difficulty with finding affordable apartments downtown. She commented she would like to live downtown, and asked Council to think about the working people in Phoenix.

Brendan Walsh spoke in opposition, and said he was the Executive Director of Central Arizonans for Sustainable Economy. He asked Council to vote no, and cited that homelessness has grown by 50 percent in Arizona since 2011 and the average rent has gone up from $800 to $1,100 in Phoenix since 2014. He noted the downtown core rent was $1,600 a month, and suggested there was no affordability with the proposed development. He talked about Mr. Wood's conversations about a GPLET, and suggested the land could not have been sold by law. He asked for the City to get a proposal that would address the affordable housing crisis, and added he respected the developer for giving five percent to workforce housing but that was not enough.

Danna Schneider spoke in opposition, and mentioned she was the Organizing Director for Local 11. She clarified her union was for hospitality workers, and suggested the proposal from Medistar was not the best financial deal for the City. She stated it was important for the City to get the best financial return on the project, and added Medistar would only pay the minimum annual lease payment to the City compared to another proposer that offered $185,000 more per year. She asked why the City would take a lower lease price on the project, and noted the City would lose $32 million by choosing Medistar. She suggested working people were priced out of downtown, and asked Council to vote no on the proposal.

Councilwoman Pastor mentioned the three proposals submitted, and asked for an explanation why the other two applicants asked for a GPLET.

Ms. Mackay explained the three proposals with the base rental rate of Medistar at $171 million, the second proposer Ryan at $122 million, and Aspirant Development at $203 million. She noted the third proposer asked for significant financial incentives that would reduce the amount of lease rate they offered on the land, and discussed the value of the GPLET at around $25 million. She talked about a rebate of future sales tax from construction sales tax and any other sales taxes paid on the project that was requested by the third developer, and added their request for the City to pay for any utilities to get under light rail. She stated after the analysis the $203 million in revenue would take a direct hit of $45 million, and concluded Medistar actually would pay $15 million more than the third proposer.

Councilwoman Pastor asked what student housing and boutique hotel meant.

Ms. Mackay clarified Medistar was not affiliated with any universities downtown, and mentioned there was significant demand for overflow student housing. She discussed the layout of the proposed student housing rooms, and noted there could be an addition for a younger workforce to work in there. She stated a boutique hotel was a reference to a hotel with amenities onsite. She commented there would be restaurants as well as meeting and business space onsite, and this would be different than a traditional hotel.

Councilwoman Pastor asked what brand the hotel would be.

Ms. Mackay answered it was Intercontinental Hotels who had several brands under their ownership, and said they had not identified which brand it would be.

Councilwoman Pastor inquired about comments from Ms. Barker on a transit center built behind Talking Stick Resort Arena.

Ms. Mackay replied she remembered speaking with Ms. Barker, but not on that subject.

Councilwoman Pastor clarified her question, and said a transit site could

be moved back to where it originally was before it moved to Central Avenue and Van Buren Street.

Ms. Mackay said Public Transit Director Jesus Sapien could answer those questions.

Mr. Sapien explained the idea behind having Central Station across from the Public Transit Department headquarters was to have connectivity between staff at the building and Maricopa Association of Governments staff. He noted it was not in City plan to relocate Central Station, and talked about how students who ride light rail would lose the benefit of Central Station if the site was moved.

Councilwoman Mendoza asked for a definition of student housing and affordable housing.

Ms. Mackay answered they had not heard what Medistar would be charging for student housing, and added for affordable housing compared to workforce housing, that was considered to be 80 to 120 percent of the area median income with affordable housing being 40 percent of the area median income.

Councilwoman Mendoza questioned the cost for student housing.

Ms. Mackay mentioned for other projects in the area, those units were $700 to $900 per unit on a monthly basis with utilities included.

Councilwoman Mendoza inquired about renting student housing to those who are not students.

Ms. Mackay discussed those who may be interested in renting student housing such as young teachers or a young workforce who might like to live in a more social living environment. She said there was a discussion with the developer about student housing, and added there might be units considered for a young workforce.

Councilwoman Mendoza stated those units might not work for working families, but would work for those who are young and would want to

socialize.

Councilman Nowakowski talked about student housing consisting of multiple rooms, and suggested if the students were paying $700 per month each, that would really be $2,100 per month for one unit. He mentioned other amounts depending on the number of students, and said student housing cost was per bed, as opposed to affordable housing which included a living room, kitchen, and living space.

Housing Director Cindy Stotler commented affordable housing was usually a unit price per household.

Councilman Nowakowski clarified student housing would be shared living.

Ms. Stotler responded student housing was designed for shared living, with each student charged monthly for their portion of housing.

Mayor Gallego noted the Council did a fair amount of housing business at the meeting, and added Council moved forward with thousands of units that included hundreds of affordable and workforce units in downtown. She asked Ms. Stotler to tell Council what they have done so far.

Ms. Stotler explained Item 53 was a redevelopment that had a 56-unit affordable housing property owned by the Housing Department. She said those 56 units would be converted into 436 units of new affordable and workforce housing. She discussed the Choice Neighborhoods grants in the area of 16th Street and Van Buren Street where there would be 1,011 new units of affordable mixed-income housing. She noted the Housing Department was working on an RFP for a property to have several hundred units of affordable housing in District 4, and said there were other properties the Housing Department owned in downtown that could provide the same opportunities.

Mayor Gallego stated the Housing Department was very busy, and were able to offer multiple options going forward.

Councilman Nowakowski asked with the new projects in downtown, was there a need for affordable housing in the downtown area.

Ms. Stoter answered there was a need for affordable and specifically workforce housing. She said there were people that worked downtown that did not have the ability to pay high rents, and mentioned by offering other housing options in and around downtown it would offer diversity for lots of affordable and workforce housing with City land.

Councilwoman Pastor thanked staff for the report on affordable and workforce housing, and mentioned she had been an advocate for affordability and workforce housing at 10 percent. She said Councilman Nowakowski asked for workforce housing at the Planning and Economic Development subcommittee, and commented it was good news there was workforce housing as part of the project. She made a motion that Item 64 be adopted with with the addition of a stipulation that requires workforce housing units to be 80 to 120 percent of the area median income for a period of 10 years that is five percent of workforce housing.

Councilwoman Stark seconded the motion.

Councilman DiCiccio asked Ms. Mackay about a tax break on the land at around $22 million.

Ms. Mackay explained the developer would not pay property tax on the land since it remained in City ownership.

Councilman DiCiccio stated that did not answer his question.

Ms. Mackay added they would not pay property tax on the land itself, but all improvements on the site. She said the City looked at a vacant land site adjacent that paid $93 thousand per year over 99 years with an increase in building values arrived at $21.8 million.

Councilman DiCiccio asked if this site was comparable to the vacant site in terms of size.

Ms. Mackay responded yes.

Councilman DiCiccio inquired about the GPLET and if it would have cost

the City $25 million.

Ms. Mackay answered that was correct.

Councilman DiCiccio questioned if the $22 million was just to City tax or if it would be all-inclusive taxes.

Ms. Mackay replied on the property taxes represented, it would be all taxing jurisdictions.

Councilman DiCiccio asked for clarification that all jurisdictions would be covered in the $22 million, and there would be no carve-out just for the City.

Ms. Mackay responded that was all taxing jurisdictions.

Prior to his vote, Councilman DiCiccio mentioned the tax was roughly the same as the GPLET. He said Ms. Mackay did a great job and he added he appreciated her work in bringing these projects to the City. He stated Mr. Wood did an amazing presentation, and added he had issues with what he called tax giveaways or corporate welfare because the City would lose $22 million in revenue. He suggested this would create an uneven policy, and added the City would not need to offer a tax incentive because of the robust economy. He took issue with incentivizing these projects because he suggested it was corporate welfare, and noted he would vote no. He said he respected Mr. Wood because he did an amazing job and Ms. Mackay for all the work she had done, and suggested the City would need to get away from these tax policies because the City would lose another $22 million.

Prior to her vote, Councilwoman Guevara thanked Ms. Mackay for her work on this project. She acknowledged housing was a big priority for her colleagues on the Council, and added she could not support this project if it did not include housing options for working people. She said if people were interested in advocating for workforce and affordable housing, they should reach out to her office.

Prior to her vote, Councilwoman Mendoza took issue with the 10

workforce housing units because she wanted more units in the downtown area, and said she would not be supporting the motion.

Prior to his vote, Councilman Nowakowski said he represented the downtown area for over 11 years, and commented the growth has caused apartments to be expensive. He noted this has priced workers out of downtown, and added the City was limited with the properties they owned. He said Ms. Stotler had done everything possible to increase affordability, and he thanked the developer for an amazing project downtown. He noted he would vote no because of affordability and the lack of workforce housing in downtown Phoenix.

Prior to her vote, Councilwoman Pastor said she appreciated the effort by everyone on the project. She noted many councilmembers had been working on the project for three to four years. She stated her final request was to add workforce housing, and noted the developer delivered on that request. She commented she appreciated all the work done by the Unite group to push for workforce housing and affordability, and added that conversation did not happen two years ago. She mentioned she was glad this was happening and said she would vote yes.

Prior to her vote, Councilwoman Williams congratulated Ms. Mackay and her staff for bringing a quality project, as well as the work done by Mr. Sapien.

Prior to her vote, Mayor Gallego congratulated the people who moved this project forward, and said she was excited for this great project for transit users. She suggested this would be a great place for people to live who choose to commute by transit and would contribute to a more urban feel. She said older adults and young people dont necessarily want to be tied to a car and this would give them options, and noted students had limited budgets so this would give them a great place to live.

Note: The following individuals submitted comment cards in favor of Item 64:

Devney Preuss
Chad Schleicher

James Deibler
Oscar De Las Salas
Heather Dukes

Note: The following individuals submitted comment cards opposed to Item 64:

Susan Minato
Kellen Wilson
Ginger Brown
Nejra Sumic
Emmanuel Gallardo-Sanidad
Sheila Myles
Rachel Sulkes
Silvia Carreno
Catherine Castaneda
Ana Diaz
Abrielle Meyer
Christopher Farrell
Ruth Marzan
Genoveva Guzman
Rosalba Mata
Joseph Silva
Mari Yepez
Rachele Smith

A motion was made by Councilwoman Pastor, seconded by Councilwoman Stark, that this item be adopted with the addition of a stipulation that requires workforce housing units to be 80 to 120 percent of the area median income for a period of 10 years that is five percent of workforce housing. The motion carried by the following vote:

Yes:	5 -	Councilwoman Guevara, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams and Mayor Gallego
No:	4 -	Councilman DiCiccio, Councilwoman Mendoza, Councilman Nowakowski and Vice Mayor Waring

66 Amend Disposition and Development Agreement with Amstar

McKinley, LLC (Ordinance S-45582)

Request to authorize the City Manager, or his designee, to amend City Contract 143058 with Amstar/McKinley, LLC (Developer) to amend terms pertaining to the project completion date. There is no impact to the General Fund by this action.

Summary

Staff entered into a Disposition and Development Agreement (DDA), City Contract 143058, with the Developer for the construction of a 19-story, 211-unit micro-apartment tower called 'The Derby' (Project) at 800 N. 2nd St. The business terms of the DDA with the Developer include a 25-year lease with eight years of property tax abatement under GPLET. Developer started construction in April 2017, but stopped work due to litigation filed against it from a neighboring business. Developer has informed staff that it has resolved litigation pertinent to the Project and wishes to move forward with construction.

The DDA currently calls for construction completion in March 2020, which was 36 months from the original commencement of construction, which is not feasible. In order to facilitate completion of construction, the following amendment to the DDA will allow the project to restart the construction period:

Extend the Construction Completion date by 36 months.

All other terms and conditions of the DDA shall remain in full force and effect.

Financial Impact

There is no impact to the General Fund by this action.

Concurrence/Previous Council Action

City Council originally approved the project through Ordinance S-42353 on March 3, 2016.

Location

800 N. 2nd St.
Council District: 7

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

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

No: 1 - Vice Mayor Waring

Note: Councilwoman Guevara left the voting body.

70 Request Up-Front Fee for Police Public Records Requests (Ordinance S-45574)

Request authorization for the City Manager, or his designee, to allow the Police Department's Code Enforcement Unit to implement a $5 up-front fee for all public records requests that are received by the Police Department through the new web-based portal and in person at the public records facility.

Summary

In 2016, the Police Department's Code Enforcement Unit participated in an AdvancePhx Kaizen project that developed solutions to improve customer service, including streamlining processes and implementing new technology. Under the new process, all Police public records can be requested in person at the public records facility or via a web-based portal that is tentatively scheduled to be operational in May 2019. The web-based portal will be configured with forms designed specifically for each type of records request and will include a shopping cart experience that will require and accept payment for each item requested at the time of submittal. The requested $5 up-front fee is to initiate the processing of a request. However, the current per-page fee of $0.24 will remain in place for all requested reports. Therefore, if a processed request does not exceed 21 pages, the customer will receive a refund. Additional fees for audio/video/photo/911 CDs and photographs will require staff to route an invoice to the requester via the web-based portal or to collect when these items are requested in person.

When public records are requested in person at the public records

facility, the $5 up-front fee will apply except for the following:

1. A report that is readily available and can be immediately processed will be charged the per page fee.
2. A request submitted in person with a "view-only" option will not be charged unless a printed report is requested.
3. A request from a victim will result in the charge being waived in accordance with A.R.S. § 39-127.

The City Auditor Department completed a Public Records Fee review to assist the Police Department in determining a fair, up-front fee for Police public records that are requested via the portal or in person. The City Auditor Department researched 14 other local agencies and identified up-front fees averaging $6.42, with a median rate of $5. The cities of Chandler, Mesa, Scottsdale and Tempe all advertise a $5 up-front fee for police records based on a number of specified pages.

The benefits of a $5 up-front fee will be to improve customer service with quicker turnaround times, establish a more efficient submission, reduce the number of citizen complaints, improve public record request specificity and reduce the number of unclaimed public records requests.

Financial Impact

There is no financial impact associated with this item.

Concurrence/Previous Council Action

This item was unanimously approved by the Public Safety and Veterans Subcommittee at the March 13, 2019 meeting.

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

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

74 Request to Evaluate Advancing the Capitol / I-10 West Phase II Light Rail Extension

Request City Council to direct staff to analyze the Transportation 2050 (T2050) Plan, evaluate funding and develop options to potentially advance the construction and opening of the Capitol / I-10 West Phase II light rail extension currently scheduled to open in 2030. Additionally, staff should review the options with the community for input at public meetings, present the options and public input to the Citizens Transportation Commission, and return to the Council in May 2019.

Summary

On April 4, 2019, Council members Felicita Mendoza, Michael Nowakowski and Thelda Williams sent a letter to the City Manager requesting an item be placed on the April 17, 2019 Council Formal agenda to direct staff to evaluate advancing the Capitol / I-10 West Phase II light rail extension based on analysis of the Transportation 2050 Plan, community input at public meetings, and discussion with the Citizens Transportation Commission. The letter also requests the analysis and public input/vetting process be conducted in time to return to the Council in May 2019 (**Attachment A**).

The Capitol / I-10 West light rail extension is a planned T2050 project approved by voters in Proposition 104 that extends the existing rail system approximately 10 miles from downtown Phoenix to 79th Avenue where there is an existing park-and-ride. The project is currently divided into two phases. The first phase extends the existing light rail line from downtown Phoenix to the State Capitol. Phase II extends light rail from the Capitol to 79th Avenue and is currently scheduled to be operational in 2030.

Discussion

Note: Councilwoman Guevara returned to the voting body.

Councilwoman Williams commented this was one of the memos she signed when she learned about the issues with the Camelback light rail project. She noted residents in Maryvale were upset because they thought the City canceled light rail in their direction, and added the City should be careful to not repeat the lack of performance on the South Central light rail extension. She acknowledged it was important to have a

tentative schedule for a public hearing process to engage people and talk about the positive and negative impacts. She asked to see the schedule brought back to Council by May 2019 and to have a public hearing scheduled in early May.

Mayor Gallego asked if the public hearing schedule would come out in early May.

Councilwoman Williams responded yes.

Mayor Gallego asked Councilwoman Williams to repeat her motion.

Councilwoman Williams noted she wanted to move this forward to have a tentative schedule made to begin the public process in May while knowing it would take a year to 18 months to have numerous public hearings and to identify a route. She said if this was still feasible she would anticipate it coming back to Council for re-evaluation for future funding.

Mayor Gallego inquired if this would be a public process for rail investments on the west side of Phoenix.

Councilwoman Williams responded absolutely, and asked Deputy City Manager Mario Paniagua for clarification on the Maryvale line if this would be feasible going down Interstate 10 if that would be widened.

Mr. Paniagua answered yes, the request was to look at the Interstate 10 West Alignment Light Rail Extension. He noted based on the motion it would take another look at the alignment and see how different options could be phased in with different modes of transportation.

Councilwoman Williams noted that was correct, and acknowledged it was important to provide the service to Maryvale. She mentioned the Park-n-Ride at 79th Avenue, and said the route would stop at the Capital. She explained the public needed to be engaged in conversation, and requested this would be a very public process to avoid what happened on the South Central Light Rail Extension.

Councilman Nowakowski seconded the motion.

Councilwoman Guevara asked if the motion included bringing this back for a May City Council Formal Meeting.

Councilwoman Williams answered she asked for a tentative schedule on how to start and proceed.

Councilwoman Guevara questioned if this would go before the Citizens Transportation Committee (CTC).

Councilwoman Williams clarified the entire process would go before the Transportation and Infrastructure Subcommittee, the CTC, and through the public as it moves along.

Councilwoman Pastor asked if this was for Interstate 10 on the west side.

Councilwoman Williams replied yes, and to be determined by the public.

Councilman Nowakowski talked about the plan on Interstate 10 to downtown and the State Capitol, and discussed how there needed to be a reliever for traffic from 3:00 p.m. to 6:00 p.m. He suggested to move the route to the side of the freeway by a canal, and added that would save revenue. He discussed the difference of ending the route at the Park-n-Ride at 79th Avenue or at Desert Sky Mall.

David Schwartz was neutral on the item, and noted it was an honor for him to serve as Executive Director for Friends of Transit. He said his organization educated the community on the benefits of mass transit as part of a balanced regional transportation plan. He explained his organization cared about all modes of transportation, and said the voters had spoken on the issue of transit. He expressed concern with moving this segment of light rail up because it may affect other planned routes for the future, and said light rail in Phoenix had been approved by the voters three times over the last 19 to 20 years.

Councilwoman Guevara asked for clarification if this item voted on would allow the City to conduct an updated transportation study with a review of

other transit modes, as well as examine funding for all options to complete the process and engage other cities in the west Valley for developing a regional approach.

Councilwoman Williams answered that could be done as part of the planned study. She mentioned part of the system would set up the process, and added she specifically did not include that in the motion because she did not think it was necessary at the time.

Councilwoman Pastor noted she was worried staff would come back without clarity.

Councilwoman Williams asked Mr. Paniagua if that would be needed to be made clear.

Mr. Paniagua noted he understood what the intent was, and added if it was possible to include that in the motion to direct staff that would assist moving forward.

Councilwoman Williams agreed to add that to the motion.

Mayor Gallego expressed appreciation from what they heard from neighboring cities, and said light rail operators would love to be part of the dialogue. She thanked the Council and staff for considering regionalism to have dialogue with the community.

Michael Kelly was neutral on the item, and noted he had been an active volunteer in support of an improved transit system since 1989 with the ValTrans Initiative. He suggested most of his neighbors and residents in south Phoenix were supportive of the South Central Light Rail Extension moving forward, and stated those who were opposed were largely due to lack of information. He said this item would speed the process up on Interstate 10 West Light Rail Extension, and expressed concern with the same challenges faced with the South Central Light Rail Extension. He asked Council to proceed with caution.

Mayor Gallego stated these were complicated decisions because the light rail was heavily linked with other modes of transit. She noted the

timeline Councilwoman Williams proposed would give staff time to work with engineers to understand implications on the impacts different areas had on each other.

Mr. Paniagua commented this would give staff adequate time to do an analysis that was requested, as well as laying out a public input process that would be robust enough to incorporate public input from the community. He asked if it was intended that this item would go through the CTC as well as the Aviation and Transportation Subcommittee before coming to Council.

Mayor Gallego clarified Councilwoman Williams did say that. She said there were many stakeholders involved in Transportation 2050, and added it was wonderful the City would keep the level of engagement to have a transparent process. She thanked councilmembers who were fighting to make sure the west side of Phoenix received a fair share of infrastructure investment.

Councilwoman Mendoza asked how much was spent on this specific light rail extension before it was delayed.

Mr. Paniagua answered the project went back several years to when it was initially planned, and added the total cumulatively was $8 million.

Councilwoman Mendoza inquired about how far the light rail process was.

Mr. Paniagua explained an alternatives analysis had been completed, but not an environmental analysis.

Councilwoman Mendoza asked why this was delayed.

Mr. Paniagua answered the project was delayed in January of 2016 after Proposition 104 had been approved. He noted the project was divided into two phases so the project going to the Capital kept the date of 2023, and the second phase was moved to 2030 for the route from the Capital to 79th Avenue. He said one of the reasons was because of the competitiveness for Federal Transit Administration dollars, and suggested having this project be one large project would make it less

competitive. He stated the other reason was Council was interested in moving projects up for the Northwest and South Central Light Rail Extensions that allowed it to happen at that time. He noted the South Central Light Rail Extension was moved up from 2034 to 2023 and Northwest Light Rail Extension was moved up from 2026 to 2023.

Councilwoman Mendoza inquired about community input on the delay.

Mr. Paniagua stated there was no community input process at that point.

Councilwoman Mendoza questioned the impact to the entire light rail system. She noted the traffic was like a parking lot at 2:00 p.m. on Interstate 10, and added the community was upset because she did not have answers for them on the light rail extension.

Mr. Paniagua clarified Light Rail Administrator Marcus Coleman notified him an environmental analysis had been completed previously on the proposed route.

Mayor Gallego commented this was an exciting opportunity to make sure the City invested in light rail for all areas of Phoenix.

Councilman DiCiccio asked for clarification if this was just a study on whether or not the City could expedite the process, rather than guaranteeing it would occur.

Mr. Paniagua responded yes, and added at this point it would be studied and brought to the public to talk about potential options with it brought back to Council as well in the future.

Mayor Gallego questioned if this would not just be a yes or no, but an analysis of the connectivity and how the decisions impact others.

Councilman DiCiccio noted there was an initiative for the August 27, 2019 election. He acknowledged this item would not impact that because the process could not start fast enough. He stated he understood the motion, but added he would vote no.

Note: Diane Barker submitted a comment card for the record as neutral on Item 74.

A motion was made by Councilwoman Williams, seconded by Councilman Nowakowski, that this item be approved as amended to: bring a plan back to Council by May 2019 with a tentative schedule for public hearings to identify a route for the light rail line in west Phoenix; update the transportation study for Interstate 10 West to include other transit modes or commuter transit solutions; fully examine funding for all potential options; complete an earnest and complete public process; engage other west Valley cities on developing a regional approach; and to have community outreach and engagement in the staff analysis that includes the Citizens' Transportation Commission and the Aviation and Transportation subcommittee. The motion carried by the following vote:

Yes: 7 - Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams and Mayor Gallego

No: 2 - Councilman DiCiccio and Vice Mayor Waring

75 North/South Transit Facilities Fixed Route Services

Request to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for the fixed route (bus) transit services operated from the City-owned North and South transit facilities for a contract period beginning July 1, 2020.

Summary

Since July 1, 2015, Transdev Services, Inc. has provided the City with fixed route transit services operated from the North and South facilities under a fixed cost contract model. The contract, which is set to expire on June 30, 2020, comprises about 70 percent of Phoenix’s bus service, and has a current estimated value of $440 million. Public Transit Department staff is currently developing an RFP for a future contractor to be determined as the result of the competitive procurement process.

The North Transit Facility is located at 2010 W. Desert Cove Drive and houses transit fleet vehicles, as well as facilities for the contractor to utilize for administration and operations including: vehicle maintenance, facility maintenance, bus fueling, a bus wash and multiple vehicle

maintenance bays. The recently refurbished South Transit Facility is located at 2225 W. Lower Buckeye Road and serves as the contractor's administrative offices, in addition to operations, and also includes safety and training rooms, facilities for vehicle maintenance, and bus and road supervisor dispatching.

There are currently 134 transit vehicles assigned to the North Transit Facility, and 211 transit vehicles assigned to the South Transit Facility. The joint fleet provides service on 36 routes throughout the region, comprising approximately 15.2 million revenue (service) miles per year. The routes operated from both facilities consist of 30 local and circulator routes and six RAPID routes. Currently, this contract provides service to an average of two million passengers per month.

Routes operated under the current contract include some of the region's busiest, including Route 19 (19th Avenue), Route 35 (35th Avenue), Route 50 (Camelback Road), and Route 70 (24th Street/Glendale Avenue). The current contractor employs approximately 980 local staff to operate, maintain and administer this contract on behalf of the City.

Procurement Information
The contract will be fixed price (cost per revenue mile) for a five-year term beginning July 1, 2020, with two additional one-year options to extend at the City's discretion. The total seven-year contract term provides known costs as Phoenix continues implementing the T2050 plan, and allows the contractor to spread fixed and capital costs over a longer period, which results in lower cost proposals to the City. The two-year extension option will be exercised only if it is in the City's best interest to do so and the contractor has performed satisfactorily during the five-year base period.

The RFP will include performance standards and monetary assessments based on performance data from the past three calendar years. These contract provisions will be implemented in accordance with the Federal Transit Administration (FTA) guidelines.

The RFP will contain evaluation criteria and processes, as well as a transparency in lobbying clause. The RFP criteria will focus on the

following areas, with a maximum of 1,000 possible points, mirroring the recent process utilized for procuring similar services operated from the City's West Transit Facility:
Qualifications, expertise and experience (250 points)
Proposed management and personnel (150 points)
Understanding of work scope and transition plan (200 points)
Cost (400 points)

A tentative procurement schedule is shown below:
July 2019: RFP released
August 2019: Proposals due
September 2019: Panel evaluations
October 2019: Best and final offers due
October 2019: Award recommendation
July 1, 2020: Contract start date

Financial Impact
The resultant contract will be funded with T2050 and federal funds.

Concurrence/Previous Council Action
• On Feb. 28, 2019, the Citizens Transportation Commission recommended approval of this item by a vote of 11-0.

• This item was recommended for approval at the Aviation and Transportation Subcommittee meeting on March 26, 2019, by a vote of 3-0.

Discussion
Vice Mayor Waring made a motion to approve Item 75.

Councilwoman Williams seconded the motion.

Councilman DiCiccio noted this was a huge contract for a large contractor, and commented he would like Council to have an emphasis on small business owners when looking at Requests for Proposals (RFP). He acknowledged that could not be guaranteed, and added he would at least like to see what kind of community engagement they had with small business owners in any RFP issued. He mentioned this was something former Mayor Greg Stanton did and expressed appreciation

for that. He asked for a broader perspective involving nonprofits, community groups, and members of the homeless community when looking at these large contracts.

Mayor Gallego commented the City had great success with the Workforce initiative and others as well.

Public Transit Director Jesus Sapien noted this RFP would be done according to Administrative Regulations that have to do with procurement. He mentioned this was a service contract with an estimated 70 to 80 percent of the contract being manpower.

Councilman DiCiccio said he would like to see an emphasis for the small business owner, and suggested they get left out and he wanted to make sure they would not be forgotten.

Councilman Nowakowski talked about Sky Harbor International Airport as an example of this with the push for local businesses and restaurants and the companies that were issued RFPs would look into those small businesses.

Mr. Sapien stated part of the information submitted by proposers would be reviewed to look at how they work with the community and how they represent Phoenix.

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

Yes:	9 -	Councilman DiCiccio, Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Waring and Mayor Gallego
No:	0	

77 Authorization to Apply for and Accept Federal Transit Administration Grant Funds and Enter Into Grant Agreement (Ordinance S-45567)

Request to authorize the City Manager, or his designee, to: (1) submit applications for Federal Transit Administration (FTA) grant assistance; (2) enter into agreements with the FTA for the purpose of accepting awarded grants; and (3) enter into agreements with other agencies receiving a share of the FTA grant funds as pass-through monies from the City of Phoenix; and, authorizing the City Treasurer to receive and the City Controller to disburse grant funds in accordance with the terms of the aforementioned grants and agreements.

Summary

The City of Phoenix is the designated recipient of FTA grant funds for the Phoenix-Mesa Urbanized Area (UZA). As such, the City of Phoenix submits FTA grant applications on behalf of all local governments and agencies in the region. All projects are in the MAG-approved Transportation Improvement Program and in the ADOT-approved State Transportation Improvement Program. The funds will be provided to Valley Metro Rail, Inc. for the Gilbert Road Light Rail Extension.

Financial Impact

There is no financial impact to the City as the funds will be passed through to Valley Metro Rail, Inc. The total grant funds in the application is $51,007,760, and the total federal amount by fund type is:

Federal Congestion Mitigation and Air Quality Improvement Program (CMAQ) transferred from the Federal Highway Administration to FTA for capital projects: $9.5 million.

Surface Transportation Block Grant Program (STBGP) funds transferred from the Federal Highway Administration to FTA for capital projects: $41,507,760.

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

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

No: 1 - Vice Mayor Waring

106 ***ADDITIONAL INFORMATION (SEE ATTACHED MEMO)* Public**

Hearing - Amend City Code - Ordinance Adoption - Rezoning Application Z-87-18-4 - Southeast Corner of Central Avenue and Indianola Avenue (Ordinance G-6582)

Request to hold a public hearing on the request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-87-18-4 and rezone the site from C-2 TOD-1 and C-3 TOD-1 to WU Code T5:6 MT to allow multifamily residential.

Summary

Current Zoning: C-2 TOD-1 and C-3 TOD-1
Proposed Zoning: WU Code T5:6 MT
Acreage: 3.70
Proposed Use: Multifamily residential

Owner: MAC Property, LTD
Applicant: Jason Morris - Withey Morris, PLC
Representative: Jason Morris - Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Encanto Village Planning Committee heard this case on Feb. 4, 2019 and recommended approval, per the staff recommendation with an additional stipulation by an 8-1 vote.
PC Action: The Planning Commission heard this case on March 7, 2019 and recommended approval, per the Encanto Village Planning Committee recommendation and the staff memo dated March 7, 2019 by a 7-0 vote.

Location

Southeast corner of Central Avenue and Indianola Avenue
Council District: 4
Parcel Address: 5, 7, 9, 11, 15, 17, and 18 E. Indianola Ave.; and 3815, 3825, and 3833 N. Central Ave.

Discussion

Planning and Development Director Alan Stephenson gave a presentation on the rezoning request. He said this case was not appealed to Council to force a public hearing, and mentioned the applicant

requested withdrawal at the April 3, 2019 City Council formal meeting for re-advertising for a public hearing to make a change to a couple stipulations. He noted one stipulation was the historic preservation stipulation that was met, and another stipulation was to modify the general performance stipulation because of an Arizona Public Service need for a larger transformer on the site. He commented there was no opposition to the case, and stated staff recommended approval based on the memo dated April 15, 2019.

Mayor Gallego declared the public hearing open.

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

The hearing was held. A motion was made by Councilwoman Pastor, seconded by Councilwoman Stark, that this item be approved per the memo dated April 15, 2019 from the Planning and Development Director, and adopt the related ordinance. The motion carried by the following vote:

Yes: 9 - Councilman DiCiccio, Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Waring and Mayor Gallego

No: 0

107 (CONTINUED FROM APRIL 3, 2019) - Public Hearing - PCD Major Amendment - Rezoning Application Z-66-C-96-1 - Northwest Corner of 41st Drive and Fortune Drive

Request to hold a public hearing and approve Rezoning Application Z-66-C-96-1 to allow a height waiver for up to 40 feet in height for a hotel in the existing PCD at the northwest corner of 41st Drive and Fortune Drive. This item requires formal action.

Summary
Current Zoning: C-2 or CP/GCP PCD (1.48 acres) and C-2 PCD (1.59 acres)
Proposed Zoning: C-2 HGT/WVR PCD
Acreage: 3.07

Proposed Use: Height waiver for up to 40 feet in height

Owner: Tim Rutjes
Applicant: Nathan Anderson, LJA
Representative: Nathan Anderson, LJA

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Rio Vista Village Planning Committee heard this case on Feb. 12, 2019 and recommended approval, per the staff recommendation by a 4-1 vote.
PC Action: The Planning Commission heard this case on March 7, 2019 and recommended approval, per the Rio Vista Village Planning Committee recommendation with an additional stipulation by a 7-0 vote.

Location
Northwest corner of 41st Drive and Fortune Drive.
Council District: 1
Parcel Address: 4114 and 4121 W. Fortune Drive

Discussion
Planning and Development Director Alan Stephenson gave a presentation on the rezoning request. He said the existing zoning was C2 and commerce park general, and added the request was to allow a height waiver within the same C2 zoning on the three-acre site. He noted the height waiver would go up to 40 feet for the proposed hotel, and talked about how the area was a mix of C2 and commerce park general zoning. He acknowledged this request was approved by the Rio Vista Village Planning Committee by a 7-0 vote and approved by the Planning Commission by a 4-1 vote.

Mayor Gallego declared the public hearing open.

Tim Rutjes stated he was the applicant, and announced his availability for questions from Council.

Stephen Edling said he owned a business across from the location, and suggested the height variance asked for was uncharacteristic of the area. He listed the types of large and small businesses in the area, and added those businesses could have used more height like this case asked for.

He noted there was only one community meeting held and he was the only person represented there. He asked Council to deny the height variance request and keep the building height at the existing height of 30 feet.

Mr. Rutjes mentioned he provided a proper notice per all codes and regulations along with attending all meetings and providing all notifications required. He stated the Anthem commercial design guidelines allow for a building height of up to three stories, and added the City overlay has less of a requirement.

Mayor Gallego closed the public hearing.

Councilwoman Williams commented she slowly learned about this case as it moved forward, and explained she had been in contact with the public and neighbors in the area. She noted after meeting with some of the people that lived around the location, they did not object to a hotel but said they wanted a two-story limit. She motioned to deny the height waiver request.

Councilman Nowakowski seconded the motion.

Prior to his vote, Councilman DiCiccio stated he would support Councilwoman Williams on this item, and said one of the issues with cases like this is the City does not recognize private agreements. He talked about the process of the outreach program being similar to neighborhood outreach, and repeated he would support the motion made by Councilwoman Williams.

Note: Michael Storing submitted a comment card for the record opposed to Item 107.

The hearing was held. A motion was made by Councilwoman Williams, seconded by Councilman Nowakowski, that this height waiver be denied. The motion carried by the following vote:

Yes: 9 - Councilman DiCiccio, Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Waring and Mayor Gallego

No: 0

108 Consideration of Citizen Petition Related to Homelessness and Personal Property

This report provides the City Council with information in response to a citizen petition submitted by Ms. Elizabeth Venable at the April 3, 2019 Formal City Council meeting regarding requesting the City not seize or destroy property of individuals experiencing homelessness, clarify urban camping laws, and not enforce trespassing laws for legal sleeping and camping (**Attachment A**).

Summary

The petitioner requests the City not seize or destroy property of individuals experiencing homelessness, clarify urban camping laws, and not enforce trespassing laws for legal sleeping and camping. The City responded to a similar request by Ms. Venable at the April 3, 2019, City Council Formal meeting.

In the current petition, Ms. Venable states that “Even under Phoenix CARES, you are only offering mental health and substance abuse treatment." Services offered to individuals experiencing homelessness include but are not limited to: low barrier shelters, transportation to reconnect with family out of state, inpatient/outpatient substance abuse treatment, rapid rehousing, permanent supportive housing, connection to benefits (Medicare, social security, etc.), assistance with and transportation to obtain state identification, and workforce development.

The current petition also requests "officers to desist from seizing and destroying the property of homeless individuals." If individuals are contacted by Phoenix Police, and subsequently arrested, and have property in their possession, the property will be impounded as either prisoner property or impounded as evidence. Individuals are given an opportunity to have someone take control of their property if they choose,

such as a friend, family member or anyone else they decide. Police also will ask if they want to take everything or discard it. Whatever is left behind will be removed by either the Street Transportation or Public Works departments, which is their standard procedure.

Discussion

Note: Councilman DiCiccio disconnected from the voting body.

Elizabeth Venable explained this petition was similar to others she presented before Council, and suggested the City was criminalizing people for sleeping on City property. She noted there was a legal case in Los Angeles that ruled property seized from those sleeping would need to be stored for 90 days. She asked Council for the City to follow that ruling.

Chloe Rakhee Roy asked for better solutions to help the homeless population such as transportation and food provided for those in programs. She suggested some services in behavioral healthcare were very abusive and not helpful compared to other programs on learning life skills.

Charles Haun noted he had lived in Phoenix for over three years and when he first got here he experienced homelessness. He stated it was unfair for homeless people to be labeled as trashing campsites and causing chaos. He mentioned it would be helpful during encounters with law enforcement if they let the homeless population know what their options and resources were.

Jesus Mejias commented he was from Brooklyn, N.Y., and added he has been homeless twice since moving here over four years ago. He said he was a welder, and explained how it was difficult for him to find an affordable apartment because he was a felon. He suggested the City should invest in shelters so people don't sleep in front of government buildings, and asked Council to help the homeless population.

Greeley Peterson said he was an 11-year veteran and was homeless. He noted he was neutral on this petition because he did not want people sleeping outside of businesses, but agreed with Mr. Haun that law enforcement should be more upfront with explaining options and

resources. He asked the Mayor and Council to speak to the homeless and volunteer once a day per year. He acknowledged there were veterans at the shelters that served their country and added their words mattered.

Councilwoman Pastor asked for any representatives of staff to speak with those who spoke and provide some services.

Beverly Wilson mentioned she recently became homeless, and asked for improvements for more shelters and resources for the homeless community. She said they are treated like inmates, and invited Council to spend a day in the life of someone who is homeless.

This item was heard.

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

CITIZEN COMMENTS

Jennifer Menges stated it was a tragedy that children were seen as a burden and not a blessing. She encouraged the Council to declare Phoenix a sanctuary city for the preborn, and quoted verses from the Bible.

Note: Councilman Nowakowski left the Chambers and the voting body.

James Deibler asked for the Maricopa County Sheriff's Department to provide security at Valley Metro light rail stations, and mentioned a blighted home in the Maryvale neighborhood where he used to live for 12 years needed to have the City check out the property to make sure there were no safety violations.

Elaine Stanton commented the public evaluated the performance of elected officials at public meetings, and declared abortion was murder. She asked if Council would declare Phoenix a sanctuary city for the preborn, and questioned why Arizona Revised Statutes (A.R.S.) 13-3603 was not enforced. She explained she was not for or against both the pro-choice or pro-life movements, but stood for abolishing abortion in Phoenix.

Michael Hendrickson noted he was a believer in Jesus Christ and was a member of Apologia Church. He said he was present to plead for the life of

unborn children, and discussed issues regarding the legality of Roe v. Wade. He told the Council the city of Roswell, N.M. was the first city in the United States to declare itself as a sanctuary city for the unborn. He commented Council cared about human dignity based on the items discussed at the meeting.

Tiffany Hendrickson thanked the Council for the opportunity to speak, and spoke in opposition of abortion. She said abortion was anti-woman, and mentioned Council was responsible for allowing abortion to happen in Phoenix.

Jeremiah Roberts noted he was a member of Apologia Church, and commented it was his birthday. He suggested those with special needs and specifically those with Down Syndrome were targeted by Planned Parenthood and abortion. He listed countries where people with Down Syndrome were systematically eliminated, and he asked Council to uphold the right to life for those kids with special needs. He asked Council to uphold A.R.S. 13-3603.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 5:33 p.m.

MAYOR

ATTEST:

CITY CLERK

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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 17th day of April, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 18th day of December, 2019.

CITY CLERK