172461

City of Phoenix

Minutes

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

City Council Formal Meeting

Wednesday, May 2, 2018 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, May 2, 2018 at 2:32 p.m. in the Council Chambers.

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

Councilwoman Gallego, Councilman Nowakowski, and Councilman Valenzuela entered the Chambers and joined the voting body during Citizen Comments held at the beginning of the meeting. Councilwoman Pastor and Councilman Valenzuela temporarily left the voting body during discussion on Item 41 and returned during discussion on Item 42. Councilman Waring left the Chambers and the voting body prior to the vote on Item 43. Councilwoman Pastor temporarily left the voting body during discussion on Items 72 and 74 and returned during discussion on Item 97. Councilman DiCiccio left the Chambers but remained part of the voting body telephonically during discussion on Item 97, and left the voting body during discussion on Items 99 and 100. Councilwoman Pastor left the Chambers and the voting body during Citizen Comments held at the end of the meeting.

During Mayor Stanton's absence on Liquor Licenses, Bingo, and Off-Track Betting Licence Applications, Vice Mayor Williams assumed the Chair.

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

CITIZEN COMMENTS

Note: Councilwoman Gallego entered the Chambers and joined the voting body.

Anthony Yeung presented handouts to the Council that detailed the situation between the Chinese Cultural Center and David Tedesco and his companies. He denounced the actions of Mr. Tedesco and said he was violating the rights of the minority owners who had the same property rights. He asked the Council to listen to the plea of the Chinese community and oppose Mr. Tedesco and his companies.

Note: Councilman Nowakowski entered the Chambers and joined the voting body.

Frank Zhang mentioned it was Small Business Week and cited a social media post from Mayor Stanton that said 95 percent of all businesses in Phoenix were small businesses. He spoke for the owner of Beijing Garden, and said the owner had been bullied, harrassed, and threatened by True North. He detailed the actions by True North, and stated True North was not the sole owner, but was a co-owner.

Kim Baker spoke on behalf of his son Joshua, and gave handouts to the Council. He talked about the legal process his son went through, and said he wanted the police officers who arrested his son to face punishment.

George Papa spoke in support of the Chinese Cultural Center, and asked if there could be a meeting between representatives from True North, the Chinese Cultural Center, and a councilmember.

Pat Vint mentioned he had a meeting set up for himself and John Rusinek in the office of Councilman DiCiccio with City Manager Ed Zuercher. He stressed his concern about leaders in the United States and made a disparaging remark.

Note: Councilman Valenzuela entered the Chambers and joined the voting body.

Councilman DiCiccio responded to the disparaging remark from Mr. Vint and said that was not acceptable.

An affidavit was presented to the Council by the City Clerk stating that copies of

the titles of Ordinances G-6454 through G-6460, S-44503 through S-44549, and Resolutions 21633 through 21637 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

MINUTES OF MEETINGS

1 For Approval or Correction, the Minutes of the Formal Meeting on March 7, 2018

Summary

This item transmits the minutes of the Formal Meeting of March 7, 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 Councilman Nowakowski, seconded by Councilwoman Gallego, that this item be approved. The motion carried by the following vote:

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

No: 0

BOARDS AND COMMISSIONS

2 Mayor's Appointments to Boards and Commissions

Summary

This item transmits the Mayor's recommendations for appointments and reappointments to various city boards and commissions.

Discussion

Note: Helen Houser submitted a speaker comment card in favor of Item 2, but did not wish to speak.

Anne Hanyak stated she was not against the appointments, but asked how their vote on specific voting rights would be affected by the vote from Council.

Councilman DiCiccio moved to continue Item 2 to the June 6, 2018 City Council Formal Meeting, which was seconded.

Mayor Stanton mentioned someone from the Planning and Development Department could talk to Ms. Hanyak about the issues that could affect their ongoing case.

Councilwoman Pastor asked if new members were placed on the Board of Adjustment that day with a meeting the next day, would the exisiting boardmembers hear the case or would it be the new members.

Planning and Development Director Alan Stephenson responded the new members who were appointed that had reconsideration requests would be heard by the exisiting boardmembers and they would decide if those requests would be granted.

Councilman DiCiccio mentioned his concern for the way the board members were treated. He talked about the recent history of legal cases in the City of Phoenix with contracts and other City business, then stated he would not allow this to continue for the City of Phoenix. He said he asked for the continuance to allow time for things to work out and added the motion had nothing to do with the new members.

Mayor Stanton commented he asked those citizens to serve on the Board of Adjustment to replace people who were on expired terms at his request.

Councilwoman Gallego asked if the motion was to continue all boards or just the Board of Adjustment.

Councilman DiCiccio answered all boards should have been continued.

Mayor Stanton stated he opposed the motion to continue, because he

chose the people to serve on the Board of Adjustment and wanted those new members to serve soon.

Councilwoman Pastor asked for clarity on the members serving on expired terms, and how long those expired terms were.

Mr. Stephenson responded 3 of the 4 members were on expired terms, and the fourth member stepped down due to other obligations. He followed up the question from Councilwoman Pastor and said he would get her the exact dates on how long they had served.

Councilwoman Pastor stated her understanding was the Mayor had the ability to name new members to the Board of Adjustment, and said to at least contact those who were already on the board.

Mayor Stanton remarked it was accurate under City Council rules the mayor has the opportunity to recommend appointments to boards and commissions with approval from the rest of the Council.

Vice Mayor Williams mentioned she supported the continuance, but it had nothing to do with the appointments and she asked for more information on the situation.

Councilman Nowakowski asked how many people were serving on the board, and inquired about those who served on expired terms.

Mr. Stephenson responded it was a 7 member board, and listed the 3 members who were serving on expired terms.

The roll call vote for continuance of the Mayor's Appointments to Boards and Commissions was as follows:

Yes: 3 - Councilman Nowakowski, Councilman Waring, Vice Mayor Williams

No: 6 - Councilman DiCiccio, Councilwoman Gallego, Councilwoman Pastor, Councilwoman Stark,

Councilman Valenzuela, Mayor Stanton

Councilman DiCiccio indicated he voted no so he could reconsider the item, and mentioned he would be supporting the original motion for the same reason.

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

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

3 City Council Appointments to Boards and Commissions

Summary

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

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

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

Mayor Stanton administered the oath of office to the following Boards and Commissions appointees:

Jose de Jesus Rivera and Abraham James, Board of Adjustment;
Sara Anderson, Anne DeGraw, and Brian Stark, Development Advisory Board;
Dwayne Allen, Environmental Quality and Sustainability Commission;
Melina Conroy and Whitney Walker, Human Relations Commission;
Bruce Meyerson, Sister Cities Commission;
James Wallin, Ahwatukee Foothills Village Planning Committee; and

Luke Bevans, Neighborhood Block Watch Oversight.

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

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

George Ibrahim - Agent, Item 4
Edward Chaput - Agent, Item 5
Tariq Husayno - Agent, Item 6
Sun Ahn - Agent, Item 8
Genesis Hernandez - Agent, Item 9
Natasha Turra, Item 10
Sofia Vasquez - Applicant, Item 11
Tonya Robinson - Applicant, Item 17
Francisco Peralta, Item 18
Erika Garrett - Agent, Item 19
Naveen Ali - Agent, Item 23

Note: Mayor Stanton temporarily left the voting body during Liquor Licenses, Bingo, and Off-Track Betting License Applications and returned after the vote on those items.

A motion was made by Councilwoman Gallego, seconded by Councilwoman Pastor, that Items 4-24 be recommended for approval as part of an omnibus motion. The motion carried by the following voice vote:

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

4 Liquor License - AZ Mini Market

Request for a liquor license. Arizona State License Application 11888.

Summary

Applicant
George Ibrahim, Agent

License Type
Series 10 - Beer and Wine Store

Location
3437 W. Dunlap Ave., Ste. C
Zoning Classification: C-2
Council District: 1

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

The 60-day limit for processing this application is May 12, 2018.

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

Other Active Liquor License Interest in Arizona

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.

A to Z Mart (Series 10)
2259 W. Broadway Road, #B, Mesa
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I've been in convenience stores business for long time too many years. My clean and good record and history of oparating business is real example for that, plus we have monitoring and watching for miners, making sure alcohole won't find its way to under age and drank indeviduales keeping our citizen safe."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Quality service, good customer service making sure alchohol stay away from the reach of our kids and miners. Convenient, save time, money, traffic by carrying best and veriaty of devesified items, grocery, snack that does'nt required consuming in traffic by car or buss. Comperalive prices! My business history got me expericence on how I run compertive price and operate very accoradig."

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 - AZ Mini Market
Liquor License Map - AZ Mini Market

This item was recommended for approval.

5 Liquor License - Blazin' Mongolian BBQ

Request for a liquor license. Arizona State License Application 10793.

Summary

Applicant
Edward Chaput, Agent

License Type
Series 12 - Restaurant

Location
9620 N. Metro Pkwy. W., #20
Zoning Classification: PUD
Council District: 1

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

The 60-day limit for processing this application is May 5, 2018.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am a responsible business owner that is very active in my community. I made sure to take both liquor board classes and am paying for all my employees to take the classes as well. I also plan on purchasing an ID scanner to ensure that we take the proper steps in ensuring there is no underage drinking."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We would like to offer our valued customers the option to purchase liquor with their meals."

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 - Blazin' Mongolian BBQ
Liquor License Map - Blazin' Mongolian BBQ

This item was recommended for approval.

6 Liquor License - Craft Beer Hop Stop

Request for a liquor license. Arizona State License Application 10076555S.

Summary

Applicant
Tariq Husayno, Agent

License Type
Series 10S - Addition of Sampling Privileges

Location
717 W. Union Hills Drive, Ste. 2
Zoning Classification: C-2
Council District: 2

This request is for the addition of Sampling Privileges to an existing liquor license for a beer and wine store. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is May 12, 2018.

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

use for more than 180 days.

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 operated many establishments in Michigan and Arizona and understand & follow all of the rules and regulations."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We would follow all of the Arizona liquor license rules and be able to provide convenience for our customers & community."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Craft Beer Hop Stop
Liquor License Map - Craft Beer Hop Stop

This item was recommended for approval.

7 Liquor License - Flower Child

Request for a liquor license. Arizona State License Application 12197.

Summary

Applicant
Samuel Fox, Agent

License Type
Series 12 - Restaurant

Location
21001 N. Tatum Blvd., Ste. 16-1000
Zoning Classification: C-2 DRSP
Council District: 2

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in May 2018.

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

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

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

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

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are

shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
“We are a subsidiary of Fox Restaurant Concepts, a responsible operator of restaurants throughout Arizona. We train our employees to be reliable, qualified servers of alcohol in the operations of our restaurants.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“We will be operating a healthy, fast-casual restaurant, Flower Child, with the service of organic beer and wine which will be an amenity to the public and an attractive addition to the Desert Ridge community.”

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

Attachments
Liquor License Data - Flower Child
Liquor License Map - Flower Child

This item was recommended for approval.

8 Liquor License - O2 Sushi

Request for a liquor license. Arizona State License Application 10860.

Summary

Applicant
Sun Ahn, Agent

License Type
Series 12 - Restaurant

Location
21043 N. Cave Creek Road, Ste. A10A
Zoning Classification: C-2
Council District: 2

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in June 2018.

The 60-day limit for processing this application is May 6, 2018.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I've been lived the Phoenix Metro Area for 30 years. My husband and I

have been doing business (retail Grocery) for 25 years with #10 Liquor licence in the City of Glendale. With my long expirience, I'm really familiar with the laws and Regutations. I followed and complyed with all the requtations of city and State Goverment for many years. I strongly believ that I am capable and reliable to hold a Liquor license."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Our Restaurant will serve a great foods and beverage including wines. Also will provide with Asian culture to help creating a value in the diversity community. This Restaurant and members will be a part of community that working with Neighbourhood organizations."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - O2 Sushi
Liquor License Map - O2 Sushi

This item was recommended for approval.

9 Liquor License - El Rey de los Ostiones

Request for a liquor license. Arizona State License Application 11421.

Summary

Applicant
Genesis Hernandez, Agent

License Type
Series 10 - Beer and Wine Store

Location
4141 N. 35th Ave., Ste. 1
Zoning Classification: C-2
Council District: 4

This request is for a new liquor license for a specialty market. This location was previously licensed for liquor sales and does not have an

interim permit. This location requires a Use Permit to allow package liquor sales.

The 60-day limit for processing this application is May 7, 2018.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been consistent with meeting the needs of customer satisfaction. There are plans to hire a bigger staff and put procedures in place to properly train staff to meet proper liquor license standards."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "As a growing successful business our product demands are ever increasing. We believe a liquor license can take our fast growing business to the next level and not only that our customer will have the convenience of finding all their needs in one place."

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 - El Rey de los Ostiones
Liquor License Map - El Rey de los Ostiones

This item was recommended for approval.

10 Liquor License - Original Gravity

Request for a liquor license. Arizona State License Application 11807.

Summary

Applicant
Holly Knudsen, Agent

License Type
Series 12 - Restaurant

Location
4700 N. 12th St., Ste. 101
Zoning Classification: C-2
Council District: 4

This request is for a new liquor license for a restaurant. This location is currently licensed for liquor sales with a Series 7 - Beer and Wine Bar, liquor license.

The 60-day limit for processing this application is May 12, 2018.

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

Other Active Liquor License Interest in Arizona
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.

Original Gravity (Series 7)
4700 N. 12th St., Ste. 101, Phoenix
Calls for police service: 28
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 am a responsible business owner with proper training, knowledge and experience."

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 upstanding members of the community."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Original Gravity
Liquor License Map - Original Gravity

This item was recommended for approval.

11 Liquor License - Special Event - Hermandad del Senor de los Milagros (Mesa, AZ)

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

Summary

Applicant
Sofia Vasquez Diaz

Location
2647 W. Glendale Ave., Ste. 4-5
Council District: 5

Function
Dinner/Dance

Date(s) - Time(s) / Expected Attendance
May 11, 2018 - 7 p.m. to 1 a.m. / 150 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

12 Liquor License - Farm and Craft

Request for a liquor license. Arizona State License Application 10910.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
5538 N. 7th 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.

The 60-day limit for processing this application is May 6, 2018.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I will continue to ensure my employees attend the basic Title 4 liquor training courses."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We wouldl ike to continue to offer out patrons an alcoholic beverage if they choose to have one."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Farm and Craft
Liquor License Map - Farm and Craft

This item was recommended for approval.

13 Liquor License - Max Stores

Request for a liquor license. Arizona State License Application 12193.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 10 - Beer and Wine Store

Location
1201 E. Missouri Ave.
Zoning Classification: C-1
Council District: 6

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 May 15, 2018.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Applicant is committed to upholding the highest standards for retail sales of alcohol. Managers and staff will be trained in Arizona liquor law and the

techniques of responsible sales and service to guests 21 and over."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Max Stores has offered fuel, grocery, household and convenience items, including beer and wine since 1989. Applicant would like to continue to offer beer and wine to its customers 21 and over."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Max Stores
Liquor License Map - Max Stores

This item was recommended for approval.

14 Liquor License - The Bar

Request for a liquor license. Arizona State License Application 06070548.

Summary

Applicant
Amy Nations, Agent

License Type
Series 6 - Bar

Location
3174 E. Indian School Road
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application is May 4, 2018.

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

Other Active Liquor License Interest in Arizona

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

Nook Kitchen (Series 12)
15 E. Monroe St., Phoenix
Calls for police service: 34
Liquor license violations: None

Dilly Dally Cocktail Lounge (Series 6)
3639 E. Indian School Road, Phoenix
Calls for police service: 12
Liquor license violations: None

Nook Kitchen (Series 12)
3623 E. Indian School Road, Phoenix
Calls for police service: 1
Liquor license violations: None

Public Opinion

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"The owners of The Bar hold many businesses with liquor licenses here in Arizona such as Nook Kitchen both downtown and Arcadia locations and Dilly Dally Cocktail Lounge also located in Arcadia. They have owned and managed many successful businesses over the years. Owners have gone through basic and management liquor training as will their staff to ensure compliance with Arizona liquor laws. They are very capable on running this type of business."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The Bar is a friendly neighborhood establishment that provides the utmost in patron satisfaction with top notch beverage offerings and local food provisions. It's already an establishment bar that is a neighborhood favorite."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data -The Bar
Liquor License Map - The Bar

This item was recommended for approval.

15 Liquor License - Rehab Burger Therapy

Request for a liquor license. Arizona State License Application 1207B316.

Summary

Applicant
Wiley Arnett III, Agent

License Type
Series 12 - Restaurant

Location
1534 E. Bethany Home Road
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 was April 23, 2018. However, the applicant submitted a written request for more time.

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

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

Rehab Burger Therapy (Series 12)
7210 E. 2nd St., Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: In January 2016, a fine of $500 was paid for failure to keep records for two years.

Rehab Burger Therapy (Series 12)
21 E. 6th St., Ste. 146, Tempe
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:
"I have over 30 years in the restaurant business. I have owned / oporated Rehab Burger Therapy since 2012 reliably without incident. I have current Arizona Title 4 Manager Liquor Law Certification."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We will provide a fun place to relax and enjoy award winning hamburgers. Rehab Burger like environment. Therapy is a full service restaurant that serves alcohol not to be confused serves burgers. We maintain a trained friendly staff to insure liquor laws are respected and adhered to. We pride ourselves on award winning food and service in a fun beach like environment."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Rehab Burger Therapy
Liquor License Map - Rehab Burger Therapy

This item was recommended for approval.

16 Liquor License - Rito's Mexican Food

Request for a liquor license. Arizona State License Application 10829.

Summary

Applicant
Jonathan Hansen, Agent

License Type
Series 12 - Restaurant

Location
5813 N. 7th St., Ste. 135
Zoning Classification: C-2
Council District: 6

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently under construction with plans to open in June 2018.

The 60-day limit for processing this application is May 5, 2018.

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

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

Ritos Mexican Food (Series 12)
15643 N. Reems Road, Ste. 106, Surprise
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:
"I have completed the Title 4 basic liquor law training as well as the title 4 management liquor law training courses. I plan to train staff accordingly with the best practices in mind with respect to the liquor law."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Rito's will provide an atmosphere for great tasting Authentic Mexican Food and responsible alcohol service. Staff will be vigilant to prohibit over consumption."

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 - Rito's Mexican Food
Liquor License Map - Rito's Mexican Food

This item was recommended for approval.

17 Liquor License - Special Event - Divas With Purpose

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

Summary

Applicant
Tonya Robinson-Suddath

Location
3602 S. Central Ave.
Council District: 7

Function
Concert

Date(s) - Time(s) / Expected Attendance
May 12, 2018 - 8 p.m. to Midnight / 400 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

18 Liquor License - El Charro Hipster Bar & Cafe

Request for a liquor license. Arizona State License Application 11567.

Summary

Applicant

Rebeca Peralta, Agent

License Type
Series 12 - Restaurant

Location
1325 Grand Ave., Ste. 4
Zoning Classification: C-3 HP SP
Council District: 7

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

The 60-day limit for processing this application is May 8, 2018.

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

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

Public Opinion
Three letters supporting the issuance of this license have been received and are on file in the Office of the City Clerk. The letters are from local businesses. They feel that the restaurant will help revitalize the area and support the issuance of the liquor license.

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We have a system that ensure safety and responsible sale, supply and consumption of alcohol. Myself and All our staff have training and hold the licenses to comply with the law; these will allow us to avoid excessive or inappropriate drinking; preventing disorder, public nuisance and negative public health outcomes."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"El Charro Hipster is located in the pedestrianized Art district at Downtown Phoenix. The city is investing in this area, and our concept will help with this revitalizing project. We have noticed that neighbors will well welcome a place which will appeal to bringing back the good art of conversation, in a relaxed, refreshing and personable vibe; seasoned with our in-house ground coffee, artisanal cocktails, and delighting food. The community will have more variety of quality options to choose."

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 - El Charro Hipster Bar & Cafe
Liquor License Map - El Charro Hipster Bar & Cafe

This item was recommended for approval.

19 Liquor License - AP's Blueprint

Request for a liquor license. Arizona State License Application 10807.

Summary

Applicant

Erika Garrett, Agent

License Type
Series 12 - Restaurant

Location
1801 W. Van Buren St.
Zoning Classification: C-3 CMOD
Council District: 7

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

The 60-day limit for processing this application is May 6, 2018.

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

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
“I have been in the restaurant business for over 15 years and have experience managing a bar restaurant. I was responsible for six store in the airport under a company named Hms Host three of which were bars at the age of 22. I have a passion for food and I know I am more than capable.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“It would give me the opportunity to serve a larger customer base, and give the ability to add more staff, which is creating more job, also myself and any staff members scheduled for Sunday will weekly feed the homeless with food from our restaurant at the food kitchen. This not just an opportunity to hold a liquor license it is also a chance to give back to the community where I grow-up.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - AP's Blueprint
Liquor License Map - AP's Blueprint

This item was recommended for approval.

20 Liquor License - Special Event - Children's Museum of Phoenix

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

Summary

Applicant
Cheyanne Tietje

Location
215 N. 7th St.

Council District: 8

Function
Conference Reception

Date(s) - Time(s) / Expected Attendance
May 8, 2018 - 7:30 p.m. to 10 p.m. / 2,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

21 Liquor License - Special Event - Children's Museum of Phoenix

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

Summary

Applicant
Cheyanne Tietje

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

Function
Community Event

Date(s) - Time(s) / Expected Attendance
May 19, 2018 - 7 p.m. to 11 p.m. / 800 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

22 Liquor License - Special Event - Phoenix Parks Foundation

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

Summary

Applicant
Layla Ressler

Location
10919 S. Central Ave.
Council District: 8

Function
Dinner

Date(s) - Time(s) / Expected Attendance
May 18, 2018 - 6 p.m. to 10:30 p.m. / 280 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

23 Liquor License - N & A Market

Request for a liquor license. Arizona State License Application 10076970.

Summary

Applicant
Naveen Ali, Agent

License Type
Series 10 - Beer and Wine Store

Location
2247 N. 32nd St., Ste. A & B
Zoning Classification: C-2
Council District: 8

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

The 60-day limit for processing this application was March 30, 2018. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

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

Gus's New York Pizza & Bar (Series 12)
13824 W. McDowell Road, Ste. A100, Goodyear
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:
“I have multiple businesses with current liquor licenses in them. I have experience with keeping the liquor licenses current and up to date. I am fimilar with the law and regulations. In one location I had the license for six years and the other for two years without any violations.”

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 that I am applying for has been a staple at the community for nearly 15 years. And is a sort of moms & pops location where the customers are known by first names and it's a very friendly environment.”

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 - N & A Market
Liquor License Map - N & A Market

This item was recommended for approval.

24 Liquor License - Sun Asian Kitchen

Request for a liquor license. Arizona State License Application 10851.

Summary

Applicant
Tony Tsang, Agent

License Type
Series 12 - Restaurant

Location
2070 E. Baseline Road, #D112
Zoning Classification: C-2 BAOD
Council District: 8

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 May 6, 2018.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have attended the basic and management liquor law training on 1/27/2018. I have been in bar and restaurant business for 30 years and had 4 liquor license priviuosly 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: “Customers from our neiborhood very much like to come in our restaurant to enjoy our delicious Asian foods and relaxing atmosphere.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Sun Asian Kitchen
Liquor License Map - Sun Asian Kitchen

This item was recommended for approval.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

A motion was made by Councilwoman Pastor, seconded by Vice Mayor Williams, that Items 25-101 be approved or adopted, except Items 41-43, 60, 72, 74, 97, and 99-101; noting that Items 30 and 98 are withdrawn. The motion carriedby the following vote:

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

No: 0

Items 25-40, Ordinance S-44503 were requests to authorize the City Controller to disburse funds, up to amounts indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code Section 42-13.

25 Various Vendors for Legal Advertisement

For $50,000.00 in payment authority for required advertisements in The Arizona Republic, Arizona Informant, La Voz, and Asian American Times, for the City's budget process and Truth in Taxation annual notification for the Budget and Research Department. Advertisements are legally

required and assist in the notification of residents about involvement opportunities.

Phoenix Newspapers, Inc., doing business as The Arizona Republic
Arizona Informant Newpaper
La Voz Publishing
Q Design, LLC, doing business as Asian American Times

This item was adopted.

26 L.N. Curtis and Sons

For $80,000.00 in additional payment authority for Contract 137390 through Oct. 31, 2018 to purchase flashlights and accessories for the Fire Department. The flashlights are plastic and melt in heated environments, resulting in a high rate of damage and replacement. Flashlights help firefighters maneuver and safely treat patients in the dark.

This item was adopted.

27 ON Advertising, Inc.

For $37,500.00 in additional payment authority for Contract 144560, State of Arizona Cooperative Contract ADSPO16-145336 with ON Advertising for media services to raise public awareness on avoiding victimization for the Police Department. Additional payment authority will allow the Police Department to utilize the current contract for multimedia advertisements in English and Spanish to address issues such as victims rights, domestic violence, and neighborhood associations.

This item was adopted.

28 Various Vendors for Appliance Repair

For $25,000.00 in additional payment authority for the service and repair of residential and commercial appliances for citywide departments. Contractors provide service and repair for kitchen appliances, stoves, ranges and other commercial gas/electric kitchen equipment. The additional funds are needed during the summer season for repairs of refrigerators and ice makers that assist in keeping customers hydrated during emergencies and to support children afterschool programs.

Byassee Equipment, Inc., Contract 136570
Arrowhead Commercial Equipment Service, Inc., Contract 136568

This item was adopted.

29 Valley Communications Systems, Inc., doing business as Valley Systems

For $16,700.00 in payment authority to purchase window intercom systems for the handling of customers arriving for public records, vehicle impound, and alarm services for the Police Department. The new window intercom systems will replace the existing systems that are broken and beyond repair, since parts are no longer available for these systems that have been in operation for more than 10 years.

This item was adopted.

30 Neology, Inc.

For $77,000.00 in payment authority for the purchase of four Automated License Plate Readers (ALPR) for the Police Department. ALPRs use image processing technology to identify vehicles by their license plates and uses a special form of optical character recognition that will be used as an investigative tool to aid in the recovery of stolen vehicles, locating criminals, and conducting other intelligence and investigative activities. These readers automate a process that in the past was conducted manually by patrol officers.

This item was withdrawn.

31 Avolve Software Corporation

For $40,000.00 in payment authority to purchase annual maintenance of the ProjectDox System software for the Planning and Development Department (PDD). The ProjectDox software is used by PDD to support electronic plan review which provides the ability to submit development plans online, and the annual maintenance will allow department staff to continue to use the most current version of the software and ensure continued support from the vendor.

This item was adopted.

32 Porter Corp.

For $30,000.00 in payment authority to purchase two ramadas at Desert West Park for the Parks and Recreation Department. The ramadas will provide a shade structure for visitors at Desert West Park and will also be

used as a venue for special events. The addition of the ramadas will greatly improve the customer experience and potentially increase park usage.

This item was adopted.

33 Diamondback Police Supply Co., Inc.

For $19,056.00 in payment authority for a new contract, entered on or about May 1, 2018, for a term of three years, to purchase Oleoresin Capsicum Spray (Spray) for the Police Department. The Spray is vital for the Police Department to help subdue a detainee from causing any injury to themselves or any injuries to others. In addition, the Spray is a safety item used by the Police Officers. This equipment is a critical part of the Police Department's effort to provide life safety services to the public and for use in critical incidents and complicated scenes.

This item was adopted.

34 Ohamara, LLC

For $15,000.00 in payment authority for a new contract, entered on or about June 1, 2018 for a term of five years, for courier services used by departments citywide to pick-up and deliver confidential files and information requiring proof of delivery to residential and commercial addresses.

This item was adopted.

35 LEGO Brand Retail, Inc., doing business as LEGO Education North America

For $50,000.00 in payment authority for a new contract, entered on or about June 1, 2018 for a term of five years, for LEGO educational products for the Library Department. The Library Department will utilize this contract to purchase LEGO educational materials to facilitate the science, technology, engineering and mathematics programs being offered by the Children and Teen Division. Providing these tools to the Library Department's customers will allow them to prepare to compete within this field and to learn coding and engineering.

This item was adopted.

36 OpenGov, Inc.

For $170,000.00 in payment authority for Contract 144640 for the

second year of support of the City's open data portal for the Information Technology Services Department. Payment authority is being requested to extend the current contract term from Feb. 1, 2018 through Feb. 28, 2019. The initial contract included implementation costs and optional annual support for up to five years. This request is for funding for the second year of support, which includes technical assistance services, hosting services, and services for performance dashboards. This support is necessary to continue to provide the open data portal for residents and businesses.

This item was adopted.

37 AM Signal, Inc.

For $43,400.00 in payment authority to purchase 10 Road Trend sensors for the Street Transportation Department. These sensors are a component of traffic signal cabinets and are used to collect travel time volume congestion data to report and expedite travel times and to inform drivers of travel time frames.

This item was adopted.

38 Grimco, Inc.

For $16,300.00 in payment authority for a one-time purchase of traffic sign manufacturing equipment for the Street Transportation Department. This equipment is crucial to the operation of the Traffic Services Sign Shop because it provides the ability to fabricate larger size signs that are compliant with the Manual on Uniform Traffic Control Devices specifications.

This item was adopted.

39 Salt River Project Agricultural Improvement and Power District doing business as SRP

For $11,000.00 in payment authority for Salt River Project to relocate an electrical pole to allow for the installation of new improvements to La Pradera Park located at the southwest corner of 39th Avenue and Glendale Avenue per City Project PA75200584 for the Street Transportation Department.

This item was adopted.

40 Hunter Contracting Co.

For $1,450,000.00 in additional payment authority for Change Order 1, for Contract 140324, for Construction Manager At Risk construction services for the Water Services Department WS85200010 Verde WTP Facilities Demolition and Site Restoration project. The contract duration will not be impacted by this change order. After the construction started, arsenic soils were discovered in the vicinity of the abandoned percolation pond, requiring remediation. Remediation of the contaminated soils was not included in the original scope of work. Change Order 1 requests addition to the scope for removal and replacement of arsenic-contaminated soils in the area of the abandoned percolation pond.

This item was adopted.

44 Case Management System Design, Development and Implementation - RFA 18-243 (Ordinance S-44527)

Request to authorize the City Manager, or his designee, to enter into a contract with Avtex Solutions, LLC (Avtex) to design, develop, and implement a case management system for the Equal Opportunity Department. The aggregate contract value will not exceed $295,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This request is for Information Technology professional services to design, develop, and implement a comprehensive web-based case management system for the Equal Opportunity Department (EOD). The department has never had an electronic case management system. In compliance with audit recommendations, the web-based system will allow EOD to receive and track complaints related to employment discrimination and harrassment, Title VI and Americans with Disability Act, house investigative documentation related to cases, and to timely generate reports ensuring the City is in compliance with federal requirements governed by the Department of Labor, Department of Justice, Department of Transportation, and Housing and Urban Development. The system also will provide data sharing ability with City departments such as Human Resources and Law, ensure the integrity of electronic files and staff's adherence to established investigative procedures, and enable management to monitor the quality and

efficiency of staff's investigation efforts.

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

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo citing that a competitive process would hinder the implementation timeline. Avtex currently has a model system in place that can be configured to meet the City's business needs in a short period of time utilizing the City's current customer relationship management (CRM) application.

Contract Term
The one-year term shall begin on or about May 2, 2018.

Financial Impact
The aggregate contract value will not exceed $295,000. Funds are available in the Information Technology Services Department's Capital Improvement Program budget.

This item was adopted.

45 Acquisition of Easements for Roadway Improvements and Utilities Along the 27th Avenue Alignment, North of Jomax Road For Fire Station 55 (Ordinance S-44505)

Request to authorize the City Manager, or designee, to voluntarily acquire and dedicate easements to public use for right-of-way purposes, across portions of vacant unassessed land located along the 27th Avenue alignment, north of Jomax Road from the Arizona State Land Department (ASLD) for the construction of Fire Station 55. Further request authorization to enter into short-term leases to accommodate construction staging needs, as may be necessary to and in furtherance of this acquisition. Acquisition is to be for a purchase price and upon such other terms as are established at the ASLD's public auction. Further request authorization for the City Controller to disburse all funds related to this item.

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

Summary

27th Avenue north of Jomax Road is currently a private road constructed across portions of ASLD land for access to City-owned property located at 26639 N. Black Canyon Highway. Construction on the City-owned site for future Fire Station 55 is scheduled to begin the summer of 2018. Roadway and underground utility improvements requiring additional easements from ASLD are required to accommodate construction of the fire station.

Location

Along the 27th Avenue alignment, north of Jomax Road.
Council Districts: 1, 2

Financial Impact

The project is funded by impact fees, with funding available in the Street Transportation's capital improvement program (CIP) budget.

This item was adopted.

46 Law Enforcement Psychological Services - Requirements Contract - RFP 18-122 (Ordinance S-44507)

Request to authorize the City Manager, or his designee, to enter into a contract with Crisis Preparation and Recovery for law enforcement psychological services for the Police Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $773,705.

Summary

This contract will provide professional psychological services to Police Department sworn and civilian employees, and their families, following a

critical incident. Following a critical incident, the Contractor will assume case management and oversight, and assist in the appropriate course of treatment. Crisis Preparation and Recovery will also develop and deliver customized training to Police Department staff and identify best practices to enhance the overall well-being of Police Department employees and their families.

Procurement Information
Request for Proposal (RFP) 18-122 was conducted in accordance with Administrative Regulation 3.10. One offer was received by the Procurement Division on Jan. 26, 2018 and the proposal was scored by an evaluation panel based on the following criteria:

A. Qualifications, Experience, and References (0 - 400 Points)
B. Method of Approach (0 - 400 Points)
C. Pricing (0 - 400 Points)

The offer was scored and Crisis Preparation and Recovery received 1,000 Points.

The solicitation notice was sent to 31 potential offerors that are registered in the City's e-Procurement system. The pricing from the offeror is deemed fair and reasonable based on comparisons with similar City contracts and other contracts with another local law enforcement agency.

The Deputy Finance Director recommends that the offer from Crisis Preparation and Recovery be accepted as the responsive and responsible offer.

Contract Term
The five-year contract term will begin on or about June 1, 2018.

Financial Impact
The aggregate contract value will not exceed $773,705. Funds are available in the Police Department's budget.

This item was adopted.

47 Contract for Cellebrite Universal Forensic Extraction Device Hardware, Software and Support - State of Arizona - ADPS17-170241 (Ordinance S-44508)

Request to authorize the City Manager, or his designee, to access the State of Arizona Cooperative Contract ADPS17-170241 and enter into a contract with Tri-Tech Forensics, Inc., to purchase Cellebrite universal forensic extraction device (UFED) hardware, software and support for the Phoenix Police Department in an amount not to exceed $116,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This request is to purchase Cellebrite UFED technology, which is a mobile forensics extraction, decoding and analysis tool that extracts logical, file system and physical data from mobile devices, including live and deleted data, contacts, phone numbers, call logs, text messages, SMS messages, app data, location data, pictures, videos and voice messages. The UFED technology tool includes hardware, software and support and is utilized by the Digital Forensics Investigative Unit to perform comprehensive digital forensic examinations of mobile communication devices.

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

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The State contract was awarded through a competitive process consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43. Utilization of cooperative agreements allows the City to benefit from national government pricing and volume discounts. The State of Arizona contract covers UFED hardware, software and support and was awarded on May 12, 2017.

Contract Term

The three-year contract term shall begin on or about May 2, 2018.

Financial Impact
The aggregate contract value will not exceed $116,000. Funds are available in the Police Department's budget.

This item was adopted.

48 Scrap Metal Recycling Services - Contract Extension (Ordinance S-44516)

Request to authorize the City Manager, or his designee, to extend Contract 137035 with Liberty Iron & Metal Southwest, LLC for up to six months through March 31, 2019, to allow for the procurement process for scrap metal recycling services to be completed. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary
This contract will be used to divert ferrous and non-ferrous metals from the landfill and repurpose metals to contribute to a more sustainable future. The revenue obtained from the sale of scrap metals is used for operational expenses.

Financial Impact
The estimated revenue for the six-month extension is approximately $100,000.

Concurrence/Previous Council Action
Contract 137035 was approved by City Council on Oct. 2, 2013.

This item was adopted.

49 Cold Mix Asphalt and Traffic Chips - Requirements Contract IFB 18-228 (Ordinance S-44518)

Request to authorize the City Manager, or his designee, to enter into contracts with Vulcan Materials Company and Brewer Cote of Arizona to purchase various types of Cold Mix Asphalt and Traffic Chips as needed by the Street Transportation and Water Services departments. The

aggregate value will not exceed $3,811,000, with an estimated annual expenditure of $762,200. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The two contracts will supply various types of cold mix asphalt and traffic chips. These materials are environmentally friendly, energy efficient, and cost effective products used for paving and asphalt preservation. The Street Transportation Department utilizes various cold patch products to make minor repairs to asphalt citywide. Also, the cold patch material is used to fill potholes and to provide a temporary patch to asphalt cuts. High volume traffic chips are used in combination with a bonding agent to dust proof alleys and are highly effective in handling the weight of sanitation vehicles in open alleys.

Procurement Information

IFB 18-228 was conducted in accordance with Administrative Regulation 3.10. There were two offers received by the Procurement Division on Feb. 21, 2018. The following companies are the recommended offerors based on the lowest unit prices for individual paving material products:

Vulcan Materials Company:
3/8" Cold Patch: $99.50/ton
Traffic Chips: $16.00/ton

Brewer Cote of Arizona:
Cold Patch AS UPM 557: $270/ton
Hydro-Patch: $270/ton

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

Contract Term

The term of the contracts will be five years and will begin on or about May 2, 2018.

Financial Impact

The aggregate value will not exceed $3,811,000, with an estimated annual expenditure of $762,200. Funds are available in the Street Transportation and Water Services Departments' operating budgets.

This item was adopted.

50 Dedicate a Public Utility Easement across a Portion of City-Owned Land located at 9630 N. 13th Ave. (Ordinance S-44520)

Request for the City Council to dedicate a public utility easement across a portion of City-owned land; further ordering the ordinance be recorded.

Summary

This dedication is a requirement of the Planning and Development Department's lot split dedication stipulation that an eight-foot public utility easement be dedicated along all public street frontages pursuant to City Code 32-30.A(4). The public utility easement is approximately 840 square feet, and is located along the easterly boundary line of said lot(s). The property, owned by the Housing Department, is improved with two detached single-family homes, each consisting of 1,300 square feet. The lot division is necessary to facilitate the Housing Department's Section 32 Homeownership Program, which offers homebuyers who are at, or below, 80 percent Area Median Income (AMI), the opportunity to purchase an affordable home. This lot division was initiated for the purposes of creating two individual parcels to provide two separate homeownership opportunities.

Location

Easterly boundary line of 9630 N. 13th Ave.
Council District: 3

This item was adopted.

51 Outside Bindery Services - Requirements Contract - IFB 18-227 (Ordinance S-44524)

Request to authorize the City Manager, or his designee, to enter into contracts with Pavlik Laminating, Inc. and American Bindery and Mailing to purchase outside bindery services for the City Clerk Department. The aggregate contract value will not exceed $105,000 over a period of five years, with an estimated annual expenditure of $21,000. Further request

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

Summary
The City Clerk Department uses these contracts to complete projects for other City departments and programs that require specialized equipment that is not cost effective for the City to own. Examples include special folding, cutting, laminating and binding for public awareness and training initiatives, including pocket-sized brochures on domestic violence safety plans, transit route schedules, large reference guides and manuals, and other unique items.

Procurement Information
Invitation For Bid (IFB) 18-227 was conducted in accordance with Administrative Regulation 3.10. Two offers were received by the Procurement Division on Feb. 23, 2018. Following are the recommended offerors. Group II - Foil & Embossing - is not awarded as no offers were received.

Pavlik Laminating Inc.:
Group I - Lamination

American Bindery and Mailing:
Group III - Die Cut
Group IV - Ancillary Services
Group V - Wire-O-Binding & Plastikoil Binding
Group VI - Books
Group VII - Saddle Stitch Booklets

The Deputy Finance Director recommends that the offers from Pavlik Laminating, Inc. and American Bindery and Mailing be accepted as the lowest priced, responsive and responsible offers.

Contract Term
The term of the contract will be five years, which will begin on or about May 15, 2018.

Financial Impact

The aggregate contract value will not exceed $105,000 over a period of five years, with an estimated annual expenditure of $21,000. Funds are available in the City Clerk Department's budget.

This item was adopted.

52 Dedicate Right of Way Over a Portion of City-Owned Land for a Transit Improvement Project Along the East Side of 19th Avenue, North of Virginia Avenue (Ordinance S-44530)

Request that the City Council dedicate to public use, for right of way purposes, a portion of City-owned land, and further order the ordinance be recorded.

Summary

This dedication is required as part of a Transit Improvement project to construct a new bus stop located on the east side of 19th Avenue, north of Virginia Avenue. The new bus stop will include transit furniture to provide riders with shade and protection from the outdoor elements, and will be compliant with the Americans with Disabilities Act. The land to be dedicated is approximately 1,600 square feet and was transferred from the Parks and Recreation Department to the Public Transit Department. The proposed right of way is located within a portion of Maricopa County Assessor Parcel Number 111-12-004, more fully described in the legal description sent directly to the Law Department.

Location

Along the east side of 19th Avenue, approximately 80 feet north of Virginia Avenue.
Council District: 4

This item was adopted.

53 Authorization to Grant an Easement for Construction of a Sewer Line on City-Owned Property Located at 26 E. Columbus Ave. and 25 E. Weldon Ave. (Ordinance S-44532)

Request to authorize the City Manager, or his designee, to grant an easement to Columbus Apartments, L.P., its agents, employees, and contractors for construction of a sewer line on City-owned property located at 26 E. Columbus Ave. and 25 E. Weldon Ave. in the amount of the appraised value and/or other valuable consideration. Further request

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

Summary
The Planning and Development Department is requiring relocation of an existing 20-foot sewer line to accommodate construction of a multi-family residential apartment complex at the northeast corner of Central and Columbus avenues. The relocated sewer line will encumber approximately the west 10 feet of a City-owned property, which has been approved by the Housing Department. An easement for construction is necessary for the contractor to relocate the sewer line which will be owned and maintained by the Water Services Department.

Financial Impact
Compensation for the easement will be reflective of market value, approved by the Finance Department's Real Estate Division.

Location
26 E. Columbus Ave. and 25 E. Weldon Ave., identified by assessor parcel numbers 118-33-068 and 118-33-029.
Council District: 4

This item was adopted.

54 Safety Flares Cooperative Contract ADSPO13-045660A (Ordinance S-44533)

Request the City Manager, or his designee, to authorize additional expenditures for the State of Arizona Cooperative Contract ADSPO13-045660 with Standard Fusee Corporation. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The contract with Standard Fusee Corporation will continue to provide the Police and Fire departments with safety flares to be used at accident scenes to block roadways and direct cars out of lanes. The flares are also used to put around disabled vehicles until help arrives. The safety flares are necessary for public safety, as well as the safety of Police and Fire personnel.

Financial Impact
Upon approval of the additional expenditures of $130,000, the revised aggregate value will be $510,000 through the contract term of April 15, 2019. Funds are available in the Police and Fire departments' budgets.

Concurrence/Previous Council Action
This contract was originally approved by Formal Council Action on June 19, 2013.

This item was adopted.

55 Acquisition of Electrical Easement for Dog Park at Reach 11 (Ordinance S-44534)

Request to authorize the City Manager, or his designee, to acquire, by donation, purchase within the City's appraised value or by the power of eminent domain, an electrical easement for a dog park at Reach 11. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The dog park is being constructed pursuant to terms and conditions of Contract 48792. Acquisition of an electrical easement is required to provide an electrical feed to the dog park which will power the lights, automatic gates, irrigation timers, and other electrical components. The property impacted by this project is located at 3535 E. Mayo Blvd., identified by Maricopa County Assessor's Parcel Number 212-38-022A.

Financial Impact
Funding is available in the Parks and Recreation Capital Improvement Program budget.

Location
3535 E. Mayo Blvd.
Council District: 2

This item was adopted.

56 STEM Program Supplies for Library Department - Requirements Contract - IFB 18-259 (Ordinance S-44535)

Request to authorize the City Manager, or his designee, to enter into contracts with AKJ Wholesale, LLC (dba AKJ Education), Digital Dream Labs, LLC, Tout About Toys, Inc., New Pueblo Tech, Troxell Communications, Inc., Ardusat Inc., Midwest Shop Supplies Inc. (dba Midwest Technology Products), PC Links, LLC, and AZTECH Educational Resources, LLC to provide STEM program supplies, on an as-needed basis, for the Library Department. Further request authorization for the City Controller to disburse funds related to this item. The five-year aggregate value of all contracts will not exceed $290,000, with an annual estimated expenditure of $58,000.

Summary

The MACH1 program located at the Burton Barr Central Library is a no-cost, out-of-school learning environment for all ages which emphasizes the learning of Science, Technology, Engineering and Math (STEM) through play, hands-on activities, and in a relaxed and un-graded environment. Students who attend the MACH1 Program are able to learn 3D Modeling, Coding, and Robotics and are able to work at their own pace and meet like-minded enthusiasts. These contracts will support the Library Department's MACH1 Program by providing educational toys, games and other supplies that encourage students to learn about STEM.

Procurement Information

Invitation for Bid (IFB) 18-259 was conducted in accordance with Administrative Regulation 3.10. There were 10 offers received by the Finance Department's Procurement Division on March 16, 2018. One offer was deemed non-responsive for including exceptions to City's terms and conditions with their submittal. The following are recommended as lowest-priced offers:

AKJ Wholesale, LLC dba AKJ Education: $862.34
Digital Dream Labs, LLC: $999.90
Tout About Toys, Inc.: $2,619.21
New Pueblo Tech: $2,860.00
Troxell Communications, Inc.: $3,558.28

Ardusat Inc.: $4,300.00
Midwest Shop Supplies Inc. dba Midwest Technology Products: $8,470.48
PC Links, LLC: $9,693.80
AZTECH Educational Resources, LLC: $23,969.38

The Deputy Finance Director recommends that the offers from AKJ Wholesale, LLC (dba AKJ Education); Digital Dream Labs, LLC; Tout About Toys, Inc.; New Pueblo Tech; Troxell Communications, Inc.; Ardusat Inc.; Midwest Shop Supplies Inc. (dba Midwest Technology Products); PC Links, LLC; and AZTECH Educational Resources, LLC be accepted as the lowest-priced, responsive, and responsible offers.

Contract Term
The five-year term will begin on or about June 1, 2018.

Financial Impact
The five-year aggregate value will not exceed $290,000 with an estimated annual expenditure of $58,000. Funds are available in the Library Department's budget.

Location
Burton Barr Central Library, 1221 N. Central Ave.
Council District: 7

This item was adopted.

57 Authorization to Grant an Electrical Easement to Salt River Project for Booster Station 4SA-B1 Located at 3201 E. Equestrian Trail (Ordinance S-44536)

Request authorization for the City Manager, or his designee, to grant an electrical easement to Salt River Project (SRP) across City-owned property within Tract A of the Ahwatukee Custom Estates-4 Subdivision for Booster Station 4SA-B1, for consideration in the amount of one dollar and/or other valuable consideration.

Summary
SRP has existing easements across Tract A for electrical service to the

City's Water Booster Station 4SA-B1. An additional easement of approximately 96 square feet is required for installation of electrical facilities and a pad-mounted transformer to support necessary upgrades to the booster station.

Location
Adjacent to 3201 E. Equestrian Trail, within Tract A and identified by Assessor Parcel Number 301-56-658.
Council District: 6

This item was adopted.

58 Arts, Crafts, and Specialty Supplies - Requirement Contract - IFB 18-170 (Ordinance S-44538)

Request to authorize the City Manager, or his designee, to enter into contracts with S&S Worldwide, Inc. and NASCO to provide arts, crafts, and specialty supplies 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 $375,000 over the life of the contract.

Summary
These contracts will provide arts, crafts, and specialty supplies to enhance the quality of summer, afterschool, and recreational programs that are provided to the residents of Phoenix. The arts, crafts, and specialty supplies will be used in various programs provided by the Parks and Recreation Department.

Procurement Information
Invitation for Bid (IFB) 18-170 was conducted in accordance with Administrative Regulation 3.10. There were four offers received by the Procurement Division on March 16, 2018; however, one offer was deemed non-responsive for including exceptions to the solicitation standard terms. The following are the recommended offerors who provide the lowest overall cost to the City. Individual line items will be awarded to the lowest-priced bidder.

S&S Worldwide, Inc. : Unit price range $0.01 to $24.70

NASCO: Unit price range $0.08 to $3.38

The Deputy Finance Director recommends that the offers from S&S Worldwide, Inc. and NASCO be accepted as the lowest-priced, responsive and responsible offers.

Contract Term
The five-year contract term will begin on or about May 15, 2018.

Financial Impact
The five-year aggregate value of the contract will not exceed $375,000, with an annual estimated expenditure of $75,000. Funds are available in the Parks and Recreation Department's budget.

This item was adopted.

59 Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-44543)

Request authorization for the City Manager, or his designee, to transfer retirement funds for Carolee Stees in the amount of $32,657.77 to the Arizona State Retirement System, and further request authorization for the City Controller to disburse funds.

Summary
Pursuant to Arizona Revised Statutes, sections 38-730 and 38-922, retirement service credits for former members of the City of Phoenix Employees' Retirement System (COPERS) may be transferred to the Arizona State Retirement System (ASRS) upon approval by the Council. The following former City of Phoenix employee has requested the balance of their credited service:

Stees, Carolee $32,657.77

Concurrence/Previous Council Action
The COPERS Board approved this item at its April 5, 2018 meeting.

This item was adopted.

61 Phoenix Starfish Place Corporation Amendment

Request to authorize the City Manager, or his designee, to amend Phoenix Starfish Place Corporation's Articles of Incorporation and Bylaws to seek federal tax-exempt status. There is no impact to the General Fund.

Summary

In Fall 2017, through an innovative partnership with Arizona State University's (ASU) Office of Sex Trafficking Intervention Research, the City opened Phoenix Starfish Place. The first of its kind in Arizona, Phoenix Starfish Place is a 15-unit permanent supportive housing community dedicated to the healing and empowerment of human trafficking survivors. The Housing and Human Services departments partnered with ASU to design and implement social service programming to promote healing in a trauma-informed environment, and assist residents on their journey to recovery and self-sufficiency. Seven families with children ranging from ages one to 11 currently reside at Phoenix Starfish Place. Since moving on-site, all seven survivor heads of household have obtained employment.

Phoenix Starfish Place is owned by a Housing Department instrumentality known as Phoenix Starfish Place Corporation (the Corporation). To provide supportive services and maintain the site, Phoenix Starfish Place receives funding from federal sources, grants, and donations. The Housing Department would like to improve its ability to attract donations and obtain grants for the site by amending the Corporation's Articles of Incorporation and Bylaws, and seeking recognition of tax-exempt status from the Internal Revenue Service (IRS) under Section 501(c)(3) of the Internal Revenue Code. On March 14, 2018, the Corporation's Board of Directors approved the amendments needed to apply for federal recognition of tax-exempt status, subject to City Council approval. Staff requests City Council approval to amend the Articles of Incorporation and Bylaws to permit the Corporation to apply to the IRS for recognition of tax-exempt status.

Financial Impact

There is no impact to the General Fund. Filing fees will be paid from the

property's operating account. In addition, federal funds, grants, and donations will be used to fund resident services and ongoing operations.

Concurrence/Previous Council Action
This item was heard at the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee on April 17, 2018, and approved by a vote of 3-0. On Dec. 14, 2016, City Council authorized the Housing Department to acquire the property and create an instrumentality of the City of Phoenix to serve as the ownership entity.

Location
Address: Confidential
Council District: 3

This item was approved.

62 Head Start Birth to Five Program Meeting and Conference Facilities Qualified Vendors List (Ordinance S-44529)

Request to authorize the City Manager, or his designee, to approve a Qualified Vendors List (QVL) and enter into contracts with eligible contractors to provide meeting and conference facilities for the Head Start Birth to Five Program. Further request authorization for the City Controller to disburse all funds related to this item for the life of the contract. Contracts will be entered into on an as-needed basis, in an amount not to exceed $1,500,000 over the life of the QVL.

Summary
The Human Services Department (HSD) is seeking to establish a Qualified Vendors List (QVL) to provide meeting and conference facilities for the Head Start Birth to Five Program. Head Start programs prepare America's most vulnerable young children to succeed in school and in life beyond school. To achieve this goal, Head Start programs deliver services to children and families in core areas of early learning, health, and family well-being while engaging parents as partners every step of the way.

The City of Phoenix Head Start Birth to Five Program serves a total of 3,451 children in three service options. Head Start encompasses Head

Start Preschool programs, which primarily serve three- and four-year-old children, and Early Head Start programs for infants, toddlers, and pregnant women in a home-based setting or through a Child Care Partner. Head Start services are delivered throughout the City of Phoenix which tailor the federal program to the local needs of families in our service area. The Head Start Birth to Five Program has an ongoing need to convene parents, staff and community partners for which meeting and conference facilities are needed.

Procurement Information
Request for Qualifications RFQu-18-EDU-20 was conducted in accordance with City of Phoenix Administrative Regulation 3.10 to establish a QVL. The Human Services Department received one offer on March 23, 2018.

The offer was determined to be responsive and responsible to the solicitation requirements.

The Evaluation Panel evaluated the offer on the following evaluation criteria: Facility Set-up; Facility Accommodations; Accessibility.

The following offeror met all solicitation criteria and is recommended to be placed on the QVL:
Sodexo America, LLC

Contract Term
This QVL will be in effect from May 3, 2018 through May 2, 2023 with no options to extend.

Financial Impact
Contracts will be entered into on an as-needed basis, in an amount not to exceed $1,500,000 over the life of the QVL. Funding is available from the U.S. Department of Health and Human Services, Administration of Children, Youth and Families. No general funds are required.

This item was adopted.

63 Authorization to Enter into Contracts for Homeless and Victim

Services (Ordinance S-44540)

Request to authorize the City Manager, or his designee, to enter into contracts with Arizona Coalition to End Sexual and Domestic Violence, Chicanos Por La Causa, Inc., Community Bridges, Inc., Native American Connections, Inc., and Southwest Behavioral Health to provide homeless and victim services for the Human Services Department. Further request authorization for the City Controller to disburse all funds related to this item for the life of the contracts. The aggregate value of the contracts will not exceed $2.4 million.

Summary

The Human Services Department (HSD) recommends the City enter into contracts with the following vendors for the services identified below:

Scope of Work 1 - Victim Services
Arizona Coalition to End Sexual and Domestic Violence: $200,000
The purpose of this contract is to provide victim services to include oversight, coordination and operation of a 24-hour centralized screening hotline and placement services for emergency shelter or housing vouchers. This is geared toward individuals and families experiencing domestic and sexual violence, and sex trafficking in Maricopa County. The goal will be to assist individuals and families in need to be placed in shelter and provide individuals and families with services that are an alternative to shelter.

Scope of Work 2 - Emergency Crisis Shelter for Families Prioritized by Phoenix Public Safety and Human Services
Chicanos Por La Causa, Inc.: $166,818
The purpose of this contract is to obtain emergency shelter operations and services for families identified by City of Phoenix Police, Fire and Human Services. Access to shelter should be available seven days per week, 24 hours per day, as beds and/or units are available. The goal will be to serve a minimum of 52 families per year.

Scope of Work 3 - Case Management Services for Single Individuals
*No offers received.

Scope of Work 4 - Rapid Rehousing Bridge Support for Individuals Moving from Homelessness to Permanent Housing
Community Bridges, Inc.: $174,665
The purpose of this contract is to support bridge to permanency services for individuals moving from unsheltered homelessness to permanent housing. The goal will be to serve a minimum of 90 clients per year to increase the rate of engagement leading to housing and decrease the length of time between engagement and housing.

Scope of Work 5 - Rapid Rehousing Support Services for Unaccompanied Youth
Native American Connections, Inc.: $97,650
The purpose of this contract is to provide rapid rehousing support services for unaccompanied youth. The goal will be to serve a minimum of 90 unaccompanied youth per year, age 25 and under, experiencing homelessness in moving directly into permanent housing in the community.

Scope of Work 6 - Navigation and Wrap Round Services for Justice Involved Individuals Experiencing Homelessness
Southwest Behavioral Health: $151,504
The purpose of this contract is to provide navigation and support to persons charged in Phoenix Municipal Court with repeat misdemeanor offenses related to their homelessness. Two full-time navigators will work directly with Phoenix Police and Prosecutor's Office to provide court ordered services and follow-up to eligible repeat offenders. The goal of the service will be to reduce the rate of justice involvement by 60 percent per year for crimes related to homelessness, reduce individual recidivism, and increase positive outcomes for persons experiencing homelessness.

TOTAL: $790,637

Procurement Information
In accordance with City of Phoenix Administrative Regulation 3.10, a solicitation was completed. The Human Services Department received a total of 10 offers, which were determined to be responsive to the solicitation requirements. No offers were received for Scope of Work 3 -

Case Management Services for Single Individuals. Arizona Coalition to End Sexual and Domestic Violence, Chicanos Por La Causa, Inc., Community Bridges, Inc., Native American Connections, Inc., and Southwest Behavioral Health were determined to be the most highly rated responsible offerors, therefore are recommended for award.

Scope of Work 1
Arizona Coalition to End Sexual and Domestic Violence: 860 points.

Scope of Work 2
Chicanos Por La Causa, Inc.: 767 points.
UMOM New Day Centers, Inc.: 610 points.
The Salvation Army: 540 points.

Scope of Work 4
Community Bridges, Inc.: 940 points.
UMOM New Day Centers, Inc.: 649 points.

Scope of Work 5
Native American Connections, Inc.: 968 points.
1n10, Inc.: 480 points.

Scope of Work 6
Southwest Behavioral Health: 880 points.
Community Bridges, Inc.: 720 points.

Contract Term
The contract term will begin on July 1, 2018 and will expire on June 30, 2019, with two one-year options to extend, for an aggregate contract term of three years.

Financial Impact
Expenditures are not to exceed $2.4 million over the life of the contracts. Funds are available from a combination of Emergency Solutions Grant, Community Development Block Grant and City of Phoenix General Funds.

Concurrence/Previous Council Action

This item was recommended for approval by the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee on April 17, 2018, by a vote of 3-0.

This item was adopted.

64 Issuance of Education Facility Revenue and Refunding Bonds (Ball Charter Schools (Val Vista) Project), Series 2018 (Resolution 21635)

Request City Council approval for the issuance of Education Facility Revenue and Refunding Bonds (Ball Charter Schools (Val Vista) Project), Series 2018, to be issued in one or more tax-exempt and/or taxable series in an aggregate principal amount not to exceed $8,000,000.

Summary

Request City Council adoption of a resolution granting approval of the proceedings under which The Industrial Development Authority of the City of Phoenix, Ariz., (the “Phoenix IDA”) has previously resolved to issue up to $8,000,000 of Education Facility Revenue and Refunding Bonds (the “Revenue Bonds”) for use by Ball Charter Schools (Val Vista) (the “Borrower”), an Arizona nonprofit corporation, to
a) finance or refinance the acquisition, construction, improvement, and equipping of charter school facilities in Gilbert, Arizona,
b) finance or refinance improvements of additional charter school facilities in Chandler, Arizona, and
c) pay certain costs related to the issuance of the Revenue Bonds.

Concurrence/Previous Council Action

The Phoenix IDA Board has previously resolved to issue the Revenue Bonds at its meeting held on April 12, 2018.

Location

The Projects are located at 4120 S. Val Vista Drive in Gilbert, Arizona, and 2207 N. Dobson Road in Chandler, Arizona, respectively.

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

This item was adopted.

65 Audio Visual and Other Services for Phoenix Convention Center (Ordinance S-44512)

Request to authorize the City Manager, or his designee, to enter into a five-year contract with AV Concepts, Inc. or its City-approved designee, for services at the Phoenix Convention Center (PCCD). Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

Authorization is being requested to enter into a contract with AV Concepts, Inc. for non-exclusive audio-visual services, equipment rental, and exclusive rigging services for events taking place at the Phoenix Convention Center (theaters are excluded). The current contract expires on June 30, 2018, and a new contract is required for continuity of services.

Procurement Information

On Dec. 29, 2017, PCCD issued a Request for Proposals (RFP) to award a five-year contract for non-exclusive audio-visual services, equipment rental, and exclusive rigging services at the Phoenix Convention Center. The procurement was conducted in accordance with Administrative Regulation 3.10. The RFP was posted on the City of Phoenix website and advertised in the Arizona Business Gazette, Arizona Informant, Prensa Hispana, the Record Reporter, and the International Association of Venue Managers (IAVM) weekly electronic publication, VenueNet.

Proposal submittals were to be evaluated on the proposed commission structure, operational plan, firm history and experience, equipment inventory and quantities, financial strength, and customer service initiatives totaling 1,000 points. There were three firms in attendance at the mandatory pre-proposal conference, with one firm submitting a proposal. The evaluation panel scored the proposal and awarded the contract to: AV Concepts, Inc., which scored 890 out of a possible 1,000 points.

Contract Term
The term of this contract will be for five years covering July 1, 2018, through June 30, 2023.

Financial Impact
This is a revenue-generating contract, anticipated to result in approximately $4.5 million in revenue over the life of the contract.

Concurrence/Previous Council Action
The Downtown, Aviation, Economy, and Innovation Subcommittee recommended this item for approval on April 4, 2018, by a vote of 3-0.

Location
Council Districts: 7 and 8.

This item was adopted.

66 Authorization to Enter into Agreements with Federal Bureau of Investigation to Support Child Exploitation Task Force Investigations (Ordinance S-44541)

Request authorization for the City Manager, or his designee, to authorize the Police Department to enter into a Memorandum of Understanding and Cost Reimbursement agreements with the Federal Bureau of Investigation (FBI) in support of the Child Exploitation Task Force (CETF) investigations. The Cost Reimbursement agreements will reimburse the Police Department for police services for up to $76,678 annually, not to exceed $300,000 over the life of the agreements. The term of the agreements is three years, with the opportunity to extend for two additional, one-year periods, not to exceed a total of five years. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary
The Police Department has engaged in numerous successful interagency agreements with the FBI in an effort to combat crimes against children in the metropolitan Phoenix area. The mission is to provide a rapid, proactive, and intelligence driven investigative response to the sexual victimization of children as well as other crimes against

children. The CETF provides support to identify and rescue child victims; to reduce vulnerability of children to sexual exploitation and abuse; and to strengthen the capabilities of the FBI and federal, state, local, and international law enforcement through training, intelligence sharing, technical support, and investigative assistance. Through the implementation and support of the CETF, the Police Department is reimbursed for task force member's overtime. The agreement does not reimburse for related fringe benefits.

Contract Term
Three years beginning Oct. 1, 2018, through Sept. 30, 2021.

Financial Impact
Total funding reimbursement to accept up to $300,000. Cost to the City is related fringe benefits and in-kind resources only.

This item was adopted.

67 Authorization to Apply for, Accept and Enter into Agreements for 2018 Paul Coverdell Forensic Science Grant Programs (Ordinance S-44542)

Request authorization for the City Manager, or his designee, to authorize the Police Department to apply for, accept and enter into agreements for state and federal grant funds through the Paul Coverdell Forensic Science Improvement Grant Programs. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary
The Police Department has applied for these types of grant funds continually over the last several years through the Arizona Criminal Justice Commission at the state level, and through the National Institute of Justice at the federal level. Funding is used to implement innovative solutions to the backlog issues facing many crime laboratories nationwide. The Police Department's Crime Lab has made significant strides in addressing these issues by utilizing these grant funds as part of a comprehensive approach to support and enhance the services provided to the criminal justice community. These funds will be utilized for

overtime, fringe benefits, equipment, supplies and training to improve the timeliness of forensic science services and to address the backlogs in the analysis of forensic evidence.

Contract Term

One-year period beginning Jan. 1, 2019 through Dec. 31, 2019, not to exceed three years.

Financial Impact

The two grant programs will provide up to $650,000. No matching funds are required. Cost to the City would be in-kind resources only.

This item was adopted.

68 Authorization to Apply for, Accept and Enter into Agreement for 2018 DNA Capacity Enhancement and Backlog Reduction Grant Program (Ordinance S-44548)

Request authorization for the City Manager, or his designee, to authorize the Police Department to apply for, accept and enter into an agreement for federal grant funds through the National Institute of Justice's FY 2018 DNA Capacity Enhancement and Backlog Reduction grant program. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The Police Department's Laboratory Services Bureau (LSB) has applied for, and been awarded, funds through this grant program for several years. This grant funding is to provide for the processing, recording, screening and analysis of forensic DNA and/or DNA database samples. The grant objective is to increase the capacity of public forensic DNA and DNA database laboratories to process more samples, thereby reducing the backlog. All DNA profiles will be entered into the Combined DNA Index System and ultimately, where applicable, uploaded to the National DNA Index System. If awarded, grant funding will be utilized for forensic science overtime, related fringe benefits, equipment, travel/training, consultants for outsourcing DNA testing, and other costs to improve the quality and timeliness of forensic DNA analysis. The grant application is due May 7, 2018.

Contract Term

Two years beginning Jan. 1, 2019 through Dec. 31, 2020.

Financial Impact

Eligible funding amount is approximately $500,000. No matching funds are required. Cost to the City would be in-kind resources only.

This item was adopted.

69 Maintenance and Repair of Various Aviation Doors - AVN IFB 18-028 (Ordinance S-44523)

Request to authorize the City Manager, or his designee, to enter into a contract with D.H. Pace Company, Inc. (D.H. Pace) for maintenance, repair, installation, testing, and inspection services on an as-needed basis for various aviation doors, including hangar doors, overhead doors, dock leveling devices, and automatic doors, at Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, and Phoenix Goodyear Airport (Airports) in an amount not to exceed $1.5 million over the five-year term of the contract if all options to extend are exercised. The contract may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Further request authorization for the City Controller to disburse all funds relating to this item.

Summary

Under the contract, D.H. Pace will provide maintenance, repair, installation, testing, and inspection services on an as-needed basis for various aircraft hangar doors, overhead doors, dock leveling devices, and automatic doors throughout the Airports.

Procurement Information

Solicitation AVN IFB 18-028 was conducted in accordance with Administrative Regulation 3.10. One bid was received on March 14, 2018 from D.H. Pace. The offer was evaluated based on price, responsiveness, terms and conditions, and responsibility to provide the required goods and services. The offer from D.H. Pace was deemed to be fair and reasonable based on the market and previous contract pricing.

Contract Term
The contract term is two years and will begin on or about June 1, 2018. The contract will include three options to extend the term for one year at the sole discretion of the Aviation Director.

Financial Impact
The cost of the contract will not exceed $1.5 million over the five-year term of the contract if all options to extend are exercised. Funds are available in the Aviation Department's operating budget.

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

This item was adopted.

70 Noise and Flight Track Monitoring System Service (Ordinance S-44525)

Request to authorize the City Manager, or his designee, to spend additional money in an amount not to exceed $131,100 under Contract 136823 (Contract) with Harris Corporation for the Noise and Operations Monitoring Software (NOMS) that maintains and monitors Phoenix Sky Harbor International Airport's Noise and Flight Tracking Monitoring System (NFTMS), which includes 20 permanent noise monitors. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The additional spending authority is necessary because unavoidable invoicing delays, due to a change of company ownership. This caused approved funds not to be drawn down. Harris corporation provides software, hardware, and related parts and services to maintain the NFTMS. The Aviation Department utilizes integrated flight-tracking and complaint management software to analyze and communicate data from those devices. The services are essential to maintaining compliance with the intergovernmental agreement between the City of Phoenix and the

City of Tempe and to assist with fielding public concerns.

Financial Impact
The additional $131,100 increases the current spending authority, but not the aggregate cost of the service over the life of the contract. The funds are available in the Aviation Department budget.

Concurrence/Previous Council Action
The Contract was awarded by Formal Council Action on May 5, 2013.

This item was adopted.

71 Event Management System with Saab Sensis Corporation - Contract 143769 (Ordinance S-44526)

Request to authorize the City Manager, or his designee, to add additional payment authority for the contract with Saab Sensis Corporation for Phase 2 development of Event Management System (EMS) in an amount not to exceed $185,000 and for an aggregate total of $2,371,772. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The Aviation Department utilizes the EMS to provide real-time management of both emergency and routine events. This is done by providing event-specific response plans and tracking of field staff and resources while automatically updating event records. This system provides robust reporting of events, including variables such as date/time, geographical area, coverage area, and event type. The functionality in phase 2 EMS will enable real-time updates on all incidents and allow field staff to document shift activity electronically. Phase 2 EMS also includes implementation of mobility functionality to provide users the ability of real-time accessibility of information and the development of an electronic shift log. This allows users to generate activity reports and update existing incidents with new information.

Contract Term
The contract commenced on Sept. 1, 2016 for an aggregate five-year term.

Financial Impact
The additional $185,000 payment authority will increase the aggregate contract value from $2,186,772 to $2,371,772.

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

This item was adopted.

73 Amend Scheidt & Bachmann Contract to Increase Funding for Serviced Fareboxes (Ordinance S-44531)

Request to authorize the City Manager, or his designee, to enter into a contract change order to Maintenance Service Agreement 123686 with Scheidt & Bachmann, to increase the contract amount for increased fare collection system maintenance and services as part of expanded bus service provided through the Transportation 2050 (T2050) Plan. Further request authorization for the City Controller to disburse funds in the amount not to exceed $100,000 over the life of the contract.

Summary
This contract was originally approved by City Council on July 2, 2007 for a period of up to 16 years to provide Life Cycle and Extended Maintenance service to the City of Phoenix fareboxes. City Council has approved funding for the initial eight-year contract term and the first of two four-year options available for this contract. This contract change order is necessary to increase the contract budget to reflect an increase in the number of fareboxes serviced by Scheidt & Bachmann. The City's fleet size has increased due to service expansion for local bus service as a direct result of the voter approved T2050 Plan. Correspondingly, the number of fareboxes must be increased from 485 to 505, which represents the Public Transit Department's anticipated fleet size.

Financial Impact
The total amount of this change order will not exceed $100,000, resulting in a total approved contract value of $27,982,750. Funds are available in the Public Transit Department current year and proposed 2018-19

operating budgets using T2050 funds.

This item was adopted.

75 Transfer Station Misting System Maintenance and Repair - Contract Recommendation (Ordinance S-44506)

Request to authorize the City Manager, or his designee, to enter into an agreement with Universal Fog Systems, Inc. to provide quarterly maintenance service and repairs to the high pressure misting equipment at the City's transfer stations, in an amount not to exceed $90,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract will provide quarterly maintenance services and repairs to the misting equipment at the 27th Avenue and North Gateway transfer stations. The misting systems are used to maintain dust control and compliance in accordance with the Arizona Department of Environmental Quality and Maricopa County Air Quality Department.

Procurement Information

Request for Quote (RFQ) 18-SW-061 was conducted in accordance with Administrative Regulation 3.10. One offer was received by the City on Feb. 14, 2018. The offer was evaluated based on responsiveness to all specifications, terms and conditions, and lowest bid. The offer for maintenance and repair is based on Total Annual Maintenance Fee at each transfer station.

Universal Fog Systems, Inc.: $14,000 annually for maintenance services and $4,000 for repairs.

Contract Term

The initial two-year contract term will begin on or about Aug. 1, 2018 and end on July 31, 2020. Provisions of the contract include an option to extend the term up to three additional years, in increments of up to one year, which may be exercised by the City Manager or his designee.

Financial Impact

The aggregate contract value will not exceed $90,000, with an estimated annual expenditure of $18,000. Funds are available in the Public Works Department's budget.

Location
27th Avenue Transfer Station is located at 3060 S. 27th Ave.
North Gateway Transfer Station is located at 30205 N. Black Canyon Hwy.
Council Districts: 2 and 7

This item was adopted.

76 Purchase of Tandem Axle Tilt Bed Trailers (Ordinance S-44513)

Request to authorize the City Manager, or his designee, to enter into a contract with Fleming Trailers, Inc. for the purchase of two tandem axle tilt bed trailers via State of Arizona cooperative agreement ADSPO13-035792 in an amount not to exceed $24,200. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The Public Works Department is requesting approval to purchase two tandem axle tilt bed trailers. The request is to replace two units, one involved in an accident and deemed a total loss, and another unit with extensive damage and high ongoing maintenance and repair costs. These units are used to transport articulating wheel loaders, which are used to pick up bulk trash from City of Phoenix residents.

Procurement Information
In accordance with Administrative Regulation 3.10, the normal procurement process was waived as the result of a Determination Memo for alternative competition to use cooperative agreement ADSPO13-035792 that was awarded on Nov. 8, 2012.

Contract Term
This contract will begin on or about May 1, 2018, for the one-time purchase of two tandem axle tilt bed trailers.

Financial Impact

Expenditures shall not exceed $24,200 over the life of the contract. Funds are available in the Public Works Department's budget.

This item was adopted.

77 Purchase of Electric Vehicles (Ordinance S-44514)

Request to authorize the City Manager, or his designee, to enter into a contract with Midway Chevrolet and Courtesy Chevrolet for purchase of four electric vehicles: two Nissan Leafs, and two Chevrolet Bolts, via the State contracts ADSPO17-166122 and ADSPO17-166120, for the Public Works Department's motor pool. Expenditures shall not exceed $133,838 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department has a pilot program underway that includes using electric vehicles in the City's Motor Pool. Staff will assess and test vehicle performance, driving range and the total cost of the ownership. This initiative supports City environmental sustainability initiatives with the goal to reduce carbon pollution by introducing the use of electric vehicles into the fleet. During the pilot, staff will evaluate vehicle usage to determine the best model vehicle for use in the motor pool. The use of electric vehicles supports the Public Works' vehicle strategy to increase alternative fuel vehicles for increased environmental sustainability.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo for alternative competition to use State cooperative agreement contracts ADSPO17-166122 and ADSPO17-166120, Vehicles, New Purchase, that began on April 1, 2017, with a current extension through March 31, 2019.

Contract Term

This contract will begin on or about May 1, 2018, for one-time purchase of two Nissan Leafs and two Chevrolet Bolts.

Financial Impact

Expenditures shall not exceed $133,838 over the life of the contract. Funds are available in the Public Works Department's budget.

This item was adopted.

78 Exemption for Unmarked City Vehicles (Resolution 21633)

Request Phoenix City Council adopt a resolution to exempt certain City vehicles from displaying the wording: "For Official Use Only" as referenced under Arizona Revised Statutes (A.R.S.) Sections 38-538, 38-538.01 and 38-358.03, for the period of July 1, 2018, to June 30, 2019.

Summary

This resolution exempts certain vehicles owned or leased by the City of Phoenix including vehicles in the Police, Fire Human Services, and Aviation departments. A.R.S. Section 38-538.03 stipulates that the governing body may grant such exemption for a period of time not to exceed one year. These vehicles are used to conduct social service programs, investigations, or other confidential activities.

This item was adopted.

79 Sewer Manhole/Structure Replacement Rehabilitation Program - Construction Administration and Inspection Services - WS90500012 (Ordinance S-44504)

Request to authorize the City Manager, or his designee, to enter into an agreement with Dibble Associates Consulting Engineers, Inc. to provide Construction Administration and Inspection (CA&I) Services for the Sewer Manhole/Structure Replacement Rehabilitation Program. Further request authorization to execute amendments to the contract as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $567,328.

Additionally, request authorization for the City Manager, or his designee, to take all action as deemed necessary to execute all utilities-related

design and contraction 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 Sewer Manhole/Structure Replacement Rehabilitation Program involves work to rehabilitate sanitary sewer manholes and structures primarily through surface restoration and application of corrosion-resistant coatings. Dependent on condition, rehabilitation may also include structural inserts or replacement of manholes or structures. The City of Phoenix wastewater collection system includes more than 94,000 manholes and structures.

Dibble Associates Consulting Engineers, Inc.'s CA&I services include, but are not limited to: providing oversight of the 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

Dibble Associates Consulting Engineers, Inc. was selected for this project using a qualifications-based selection process according to Section 34-603 of the Arizona Revised Statutes (A.R.S.). Pursuant to A.R.S. Title 34, the City may not release the scoring of proposers until a contract has been awarded. Three firms submitted proposals. The rankings follow:

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

Contract Term

The term of the contract is for five years. Contract work scope identified and incorporated into the contract prior to the end of the contract term

may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

Financial Impact

The total fee for contract services will not exceed $567,328, including all subconsultant and reimbursable costs. Staff will execute the initial contract for a fee not-to-exceed $317,328, including all subconsultant and reimbursable costs. Contract amendments may be executed for other contract services totaling an amount not-to-exceed the remaining $250,000. The total amount of $567,328 is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to the contract limits for all rendered contract services, which may extend past the contract termination.

This item was adopted.

80 Small Diameter Sanitary Sewer Rehabilitation Fiscal Year 2017-18 - Design-Bid-Build - WS90500118 (Ordinance S-44509)

Request to authorize the City Manager, or his designee, to accept Insituform Technologies, LLC as the lowest-priced, responsive and responsible bidder and to enter into an agreement with Insituform Technologies, LLC for construction services. Further request authorization for the City Controller to disburse all funds related to this item. The fee for services will not exceed $3,176,966.50.

Summary

Insituform Technologies, LLC will provide construction services in support of the Small Diameter Sanitary Sewer Rehabilitation Fiscal Year 2017-18 project. This work includes, but is not limited to: rehabilitation of approximately 100,025 linear feet of 8-inch to 15-inch diameter, primarily Vitrified Clay Pipe (VCP) and other sanitary sewer pipe, within the City of Phoenix wastewater collection system. The rehabilitation process will include: installing cured-in-place-pipe (CIPP) lining; performing cleanout removal/replacement, manhole repairs, lateral reinstatement, odor control and public notifications; and other work as it relates to rehabilitation of the sanitary sewer system. A Small Business Enterprise (SBE) goal has not been established for this project due to lack of availability of SBE

contractors for this type of work.

Procurement Information
Insituform Technologies, LLC, was selected for this project using an Invitation for Bids (IFB) procurement process in accordance with section 34-201 of the Arizona Revised Statutes (A.R.S.). Two bids were received by the Street Transportation Department on Feb. 27, 2018. The bids ranged from a low of $3,176,966.50 to a high of $3,594,115.50. The Engineer's estimate and the two lowest responsive, responsible bidders are listed below:

Engineer's Estimate: $2,965,568.00
Insituform Technologies, LLC: $3,176,966.50
SAK Construction, LLC: $3,594,115.50

Contract Term
The term of the contract is expected to be completed within 270 calendar days from the date of issuance of the Notice to Proceed. The contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination of the contract for work in progress. No additional contract work scope changes may be executed after the end of the contract term.

Financial Impact
Insituform Technologies, LLC's fee for construction services will not exceed $3,176,966.50, including all subcontractors and reimbursable costs. Funding is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to the contract limits for all rendered contract services, which may extend past the contract termination.

Concurrence/Previous Council Action
The City Council approved the Construction Administration and Inspection Services Contract 147034 (Ordinance S-44298) on March 7, 2018.

Location

Various locations, in **Attachment A**.
Council Districts: 4, 7, and 8

This item was adopted.

81 Val Vista Transmission Main Rehabilitation - Construction Manager at Risk Construction Phase Services Amendment - WS85500437 (Ordinance S-44510)

Request to authorize the City Manager, or his designee, to execute Amendment 2 to Contract 144854 with Achen-Gardner Construction, LLC to provide additional Construction Manager at Risk (CMAR) construction services for the Val Vista Transmission Main Rehabilitation 2016 project. The fee for services will not exceed $9,450,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The Val Vista Transmission Main includes pipe sizes ranging from 72 inches to 108 inches in diameter. A scoping analysis was completed on the Val Vista Transmission Main in 2016, which determined approximately 4,898 linear feet of 90-inch to 96-inch transmission main needed slip-lining. Additional sections will be rehabilitated in future construction phases.

Achen-Gardner Construction, LLC will assume the risk of delivering the project through a Guaranteed Maximum Price (GMP) contract. The CMAR services will include performing the designated rehabilitation of the Val Vista Water Transmission Main slip-lining per plans and specifications, procurement of materials and equipment, coordination with City of Phoenix Water Operations and the City of Mesa, and management of all construction-related contracts while meeting City bid requirements, including implementation of the local and Small Business Enterprise participation goal. A Small Business Enterprise goal of one percent has been established for this project.

Procurement Information
Achen-Gardner Construction, LLC was chosen to provide CMAR Services for this project using a qualifications-based selection process

according to section 34-603 of the Arizona Revised Statutes (A.R.S.). Scoring and selection were made in conjunction with the CMAR Design Phase Services procurement process.

Contract Term
The term of the additional construction services is for two years. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

Financial Impact
The contract will be increased by $9,450,000 for a total contract value not to exceed $18,224,973.78, including all subcontractors and reimbursable costs.

The initial contract was established at a not-to-exceed amount of $24,973.78 to provide GMP Preparation Services. Contract Amendment 1 for Construction Phase Services was executed and increased the contract capacity by $8,750,000, for a revised contract value of $8,774,973.78. Contract Amendment 2 will now add $9,450,000 in additional construction services for a new contract value of $18,224,973.78. Funding for these services is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to the contract limits for all rendered contract services, which may extend past the contract termination.

Concurrence/Previous Council Action
City Council approved the CMAR Design Phase Services Contract 144855 on April 19, 2017.

City Council approved the CMAR Construction Services Contract 144854 on April 19, 2017, and Amendment 1 to Contract 144854 on May 31, 2017.

Location
Rio Salado Parkway and Tempe Canal (SRP) (Mesa, Ariz.), Center Street and Inglewood Street (Mesa, Ariz.) and Mesa Drive and Jensen Street

(Mesa, Ariz.).

Council District: Out of City

This item was adopted.

82 91st Avenue Sub-Regional Operating Group Wastewater Treatment Plant - Electrical, Instrumentation and Control System Inspection and Testing Services Amendment - WS90100092-1 (Ordinance S-44511)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 144670 with Wilson Engineers, LLC to execute the option to extend the contract two additional years and increase the contract value for continued professional services. Further, request authorization for the City Controller to disburse all funds related to this item. The fee for services will not exceed $1,475,000.

Summary
The Water Services Department (WSD) developed electrical, instrumentation, and control standards which are used to provide consistency and safety throughout the Department. Wilson Engineers, LLC's role is to ensure adherence to WSD-developed standards during design, construction, calibration, testing, and commissioning of the electrical, instrumentation and control systems. In addition, Wilson Engineers, LLC provides operations and maintenance support when City staff are replacing existing equipment or installing new equipment, and may be required to provide arc flash hazard testing services.

This facility is owned by the Sub-Regional Operating Group (SROG) and operated by the City of Phoenix.

Procurement Information
Wilson Engineers, LLC was selected for this project using a qualifications-based selection process according to section 34-603 of the Arizona Revised Statues (A.R.S.).

Contract Term
The contract had an initial two-year term with one, two-year option to

extend. This amendment would execute the option to extend the contract an additional two years, for a total of four years. Contract work scope identified and incorporated into the contract prior to the end of the contract may be agreed to by the parties, and work may extend past the termination of the contract. No additional contract work scope changes may be executed after the end of the contract term.

Financial Impact

The initial contract value was established at a not-to-exceed amount of $775,000. The contract capacity will be increased by $1,475,000 for a new contract value of $2,250,000. The total amount of $2,250,000 is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to the contract limits for all rendered contract services, which may extend past the contract termination.

Concurrence/Previous Council Action

The City Council approved Professional Services Contract 144670 (Ordinance S-43347) on March 22, 2017.

Location

5615 S. 91st Ave.
Council District: 7

This item was adopted.

83 Concrete Reservoir Rehabilitation Program - 64th Street Reservoir 3 (1-ES1-3) - Construction Administration and Inspection Services - WS85050050 (Ordinance S-44517)

Request to authorize the City Manager, or his designee, to enter into an agreement with Wilson Engineers, LLC to provide construction administration and inspection (CA&I) services for the Concrete Reservoir Rehabilitation Program - 64th Street Reservoir 3 (1-ES1-3). The fee for services will not exceed $537,037. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

An April 2013 assessment identified the need to rehabilitate Reservoir

1-ES1-3, a 20 million gallon reservoir dam located at the 64th Street Reservoir Facility. Rehabilitation will include, but is not limited to: new standing seam aluminum roof deck replacement, column and roof framing repair, new membrane liner, replacement of roof drainage channel curbs, and installation of a mixer system within the reservoir.

Wilson Engineers, LLC's CA&I services include, but are not limited to: providing oversight 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
Wilson Engineers, LLC was chosen for this project using a qualifications-based selection process according to section 34-603 of the Arizona Revised Statutes (A.R.S.). Scoring and selection were made in conjunction with the Design Services selection process.

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

Financial Impact
The total fee for contract services will not exceed $537,037, including all subconsultants and reimbursable costs. Funding is available in the Water Services Department Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered services, which may extend past the contract termination.

Previous Council Action
City Council approved Design Services Contract 144302 with Wilson Engineers, LLC on Jan. 11, 2017.

Location

6307 E. Thomas Road, Scottsdale, Ariz.
Council District: Out of City

This item was adopted.

84 23rd Avenue Wastewater Treatment Plant Job Order Contract Program Engineering Support Services - WS90200001, WS90450008, WS90200053, WS90200055 (Ordinance S-44519)

Request to authorize the City Manager, or his designee, to enter into an agreement with Wilson Engineers, LLC to provide assessment, design, and construction administration and inspection services (CA&I) for the 23rd Avenue Wastewater Treatment Plant Job Order Contract Program. The fee for services will not exceed $3,435,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
Projects identified by City staff under the Wastewater Facilities Job Order Contract (JOC) Program for the 23rd Avenue Wastewater Treatment Plant include, but are not limited to: assessment of the existing water heating system that serves the digesters, design for replacement boilers and controls, design for new variable frequency drives for dewatering and thickening centrifuges, and design for automated influent wastewater sampling. These projects differ in size, scope, and complexity and require some level of engineering evaluation and/or design support, as well as CA&I services.

Wilson Engineers, LLC's services include, but are not limited to: developing contract documents including construction plans, providing independent cost estimates of JOC projects, performing resident engineering/inspection activities, and representing the City's interest in construction related matters.

Procurement Information
Wilson Engineers, LLC was chosen for this project using a qualifications-based selection process according to section 34-603 of the Arizona Revised Statutes (A.R.S.). Pursuant to A.R.S. Title 34, the City is not to release the scoring of proposers until a contract has been

awarded. Three firms submitted proposals. The rankings follow:

Wilson Engineers, LLC: Ranked 1
Brown and Caldwell, Inc.: Ranked 2
Garver, LLC: Ranked 3

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

Financial Impact
The total fee for contract services will not exceed $3,435,000, including all subconsultants and reimbursable costs. The total amount of $3,435,000 is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to the contract limits for all rendered contract services, which may extend past the contract termination.

Location
2470 S. 22nd Ave.
Council District: 7

This item was adopted.

85 Intergovernmental Agreement with Arizona Department of Transportation for 35th Avenue and Indian School Road Safety Improvements - Amendment 2 (Ordinance S-44528)

Request to authorize the City Manager, or his designee, to execute Amendment 2 to the Intergovernmental Agreement (IGA) with the Arizona Department of Transportation (ADOT) to add an additional $79,000 of federal funds to provide railroad safety improvements at 35th Avenue and Indian School Road. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. This amendment will change the City's local match from $6,861 to $26,166.

Summary

The Street Transportation Department entered into an IGA with ADOT in May of 2016 for railroad safety improvements at the intersection of 35th Avenue and Indian School Road. The City agreed to provide design, furnish and install a traffic pre-signal at 35th Avenue and Indian School Road, provide new traffic pre-emption equipment for the intersection, and make a connection to the railroad signal house. The City also agreed to obtain permits and coordinate the underground trenching work necessary for the construction of these items. Additionally, the City agreed to coordinate efforts to obtain an easement from Burlington Northern Santa Fe (BNSF) Railway to add sidewalk around the new gate/flasher units on Indian School Road.

The low bid submitted for this project was higher than the Engineer's Estimate. ADOT Railroad agreed to provide an additional $79,000 in Section 130 Railroad funds to complete the portion of this project that qualifies for Federal Aid. The City will need to provide an additional $19,305.

Financial Impact

The original cost of the project was established at $300,784, including the City's local match of $6,861. Amendment 1 increased the project cost to $396,784 and did not change the City's local match. Amendment 2 will increase ADOT's cost share by $79,000 and the City's local match by $19,305, for a new total project cost not to exceed $495,089.

Funding for this project is available in the Street Transportation Department's capital improvement program (CIP) budget.

Concurrence/Previous Council Action

City Council approved the original request to enter into this IGA on May 4, 2016 (S-42512), and approved Amendment 1 on Oct. 5, 2016 (S-42914).

Location

35th Avenue and Indian School Road
Council Districts: 4, 5

This item was adopted.

86 Ordinance Granting a Franchise to Southwest Gas Corporation (Ordinance S-44545)

An ordinance granting Southwest Gas Corporation, a California corporation, and its permitted successors and assigns, the right, privilege and franchise to construct, maintain, and operate its gas system and gas system facilities, upon, over, along, across and under the present and future public rights-of-way. These public rights-of-way include, but are not limited to, present and future public roads, public streets, alleys, ways, bridges, and highways of the City. The franchise permits Southwest Gas to supply natural and artificial gas, including gas manufactured by any method whatsoever, or gas containing a mixture of natural and artificial gas to the City, its successors, inhabitants, and all individuals and entities, either within or beyond Phoenix corporate boundaries, for all purposes. The franchise prescribes certain rights, duties, terms, and conditions, and provides for the submission to qualified Phoenix electors for their approval. If approved by qualified Phoenix electors in an election, the franchise is effective Jan.1, 2019.

Summary
Southwest Gas Corporation currently operates within the City of Phoenix under a twenty-five year franchise agreement, originally approved by Phoenix voters on Oct. 5, 1993. The existing franchise agreement will expire on Dec. 31, 2018.

Contract Term
If approved by Phoenix qualified electors in an election, the new franchise agreement **(Attachment A)** will have a 25-year term that begins on Jan. 1, 2019 and expires on Dec. 31, 2043.

Financial Impact
In consideration of the grant of this franchise, Southwest Gas Corporation will pay to the City:
1. franchise fee equal to two percent (2%) of the gross revenues of Southwest Gas Corporation;
2. general ad valorem property taxes;

3. transaction privilege and use tax authorized by City ordinance;
4. other charges, taxes or fees levied upon businesses generally throughout the City; and
5. applicable City right-of-way management and inspection fees, and pavement damage fees established by ordinance necessary for the services provided by Southwest Gas Corporation under this franchise.

Concurrence/Previous Council Action
The City Council approved the referral to voters for their approval or rejection a gas franchise with Southwest Gas Corporation on April 18, 2018.

This item was adopted.

87 Resolution Declaring that Granting of a Gas Franchise to Southwest Gas Corporation Be Beneficial to the City of Phoenix (Resolution 21634)

A Resolution of the Council of the City of Phoenix finding and declaring that said legislative body of the City of Phoenix deems the granting of a certain gas franchise to Southwest Gas Corporation beneficial for the City of Phoenix.

The franchise will not be in effect until approved by voters residing within Phoenix in an election.

Summary
Southwest Gas Corporation currently operates within the City of Phoenix under a twenty-five year franchise agreement, originally approved by Phoenix voters on Oct. 5, 1993. The existing franchise agreement will expire on Dec. 31, 2018.

A gas franchise would grant Southwest Gas Corporation, the right, privilege and franchise to construct, maintain and operate its gas system and gas system facilities, upon, over, along, across and under the present and future public rights-of-way. The gas system is for the purpose of supplying natural gas and/or artificial gas to the City and its inhabitants.

If approved by voters residing within Phoenix in an election, the new franchise agreement (**Attachment A**) will have a 25-year term, beginning on Jan. 1, 2019 and terminating on Dec. 31, 2043.

In consideration of the grant of this franchise, Southwest Gas Corporation will pay to the City:
1. franchise fee equal to two percent of the gross revenues of Southwest Gas Corporation;
2. general ad valorem property taxes;
3. transaction privilege and use tax authorized by City ordinance;
4. other charges, taxes or fees levied upon businesses generally throughout the City; and
5. applicable City right-of-way management and inspection fees, and pavement damage fees established by ordinance necessary for the services provided by Southwest Gas Corporation under this franchise.

Concurrence/Previous Council Action
The City Council approved the referral to voters for their approval or rejection a gas franchise with Southwest Gas Corporation on April 18, 2018.

This item was adopted.

88 MERX Cold Vapor Atomic Fluorescence Mercury Analyzer (Ordinance S-44515)

Request to authorize the City Manager, or his designee, to enter into a contract with Brooks Rand Inc., to provide maintenance, repairs, and consumable parts for the Water Services Department. Further request authorization for the City Controller to disburse all funds related to this item over the life of the contract in an amount not to exceed $69,300.

Summary
The Water Services Department currently has a MERX Cold Vapor Atomic Fluorescence Mercury Analyzer located in the Environmental Services Lab. This instrument is used in detecting trace metals in drinking water, and allows the City to be in compliance with the Safe Drinking Water Act and the Clean Water Act.

Procurement Information
In accordance with City of Phoenix Administrative Regulation 3.10, normal competition was waived because there in only one source for the necessary goods and services. Brooks Rand Inc., is the only company that is authorized to provide certified parts and technicians, and to ensure that the City receives the proprietary software updates for the MERX Cold Vapor Atomic Fluorescence Mercury Analyzer.

Contract Term
The contract term is for seven years effective from April 1, 2018, through March 31, 2025.

Financial Impact
The aggregate value of the contract is not to exceed $69,300. Funding for this contract is available in the Water Services Department's operating budget.

This item was adopted.

89 Mega Metering Services - Contract Amendment (Ordinance S-44522)

Request to authorize the City Manager, or his designee, to add funds in the amount of $211,881.42 to Contract 145527 with Brown and Caldwell for meter installation, monitoring, and data reporting for the Water Services Department (WSD). Further request authorization for the City Controller to disburse all funds related to this item.

Summary
Significant sewer improvements over the past 10 to 15 years have warranted the need to recalibrate the City sewer model. The original Mega Metering project scope included installation of 170 portable sewer meters, water flow monitoring for 30 days, and use of flow meter data to fully calibrate the sewer model.

The revised scope of work includes installation of an additional 44 portable sewer meters, performing field investigations to verify system schematics, providing additional portable metering services to verify the accuracy of WSD permanent meters, and quantifying the diversion of

flow from various split manholes. The data gathered from each meter location will confirm or allow for adjustments of flow rates within the expected range for that meter's location.

Contract Term
The contract term remains at one year, ending on June 30, 2018.

Financial Impact
With the one-time addition of $211,881.42, the revised aggregate contract value is now $831,131.82. Funds are available in the Water Services Department's Capital Improvement Program budget.

Concurrence/Previous Council Action
This contract is the result of Solicitation 84-16-102-RFP-8442, awarded by City Council (Payment Ordinance S-43663) on June 21, 2017, with an original aggregate value of $619,250.40.

This item was adopted.

90 Final Plat - San Mateo Townhomes - 170095 - South of Campbell Avenue on the East Side of Longview Avenue

Plat: 170095
Project: 16-3423
Name of Plat: San Mateo Townhomes
Owner(s): San Mateo Townhomes, LLC
Engineer(s): EPS Group, Inc.
Request: A 1 Lot Residential Plat
Reviewed by Staff: April 11, 2018

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 161.03 feet south of Campbell Avenue on the east side of Longview Avenue.
Council District: 4

This item was approved.

91 Development Agreement with Taylor Morrison Communities and Laveen Elementary School District for Park Construction in Tierra Montana (Ordinance S-44539)

Request to authorize the City Manager, or his designee, to enter into a Development Agreement with Taylor Morrison Communities and Laveen Elementary School District for Park Construction.

Summary

The proposed ordinance authorizes the City Manager to execute a three-party development agreement between the City of Phoenix (COP), Taylor Morrison Communities (TM), and Laveen Elementary School District (LESD) related to a joint school/park site at Tierra Montana, a subdivision in Laveen Village. COP and LESD have executed an Intergovernmental Agreement that established use and maintenance responsibilities for the site. A Development Agreement would establish the terms for constructing the park site and sharing the cost of park improvements. Staff has worked with TM and LESD to identify the following items for inclusion in the proposed Development Agreement that incorporates the following:

Parties: Tri-party Development Agreement between TM, LESD, and COP.

Land Dedication: TM will dedicate approximately 17.8 acres to LESD to be used as a joint elementary school/public park site. This is a condition precedent to all other development agreement obligations.

Deed Restriction: Upon completion of park construction, LESD will record a deed restriction that limits future use of the park portion (estimated to be 8.5 acres) of the school/park site to a neighborhood park.

Park Construction: LESD, with rights by TM to takeover construction, will cause park amenities and improvements to be constructed to City Standards consistent with the park site/design plan and schedule agreed to by COP, TM and LESD. Park Construction anticipated to occur simultaneously with construction by LESD of a school on the school/park site, unless TM exercises takeover rights to construct park amenities and improvements prior to construction of the school. TM or LESD will comply with Title 34 requirements for all expenses

reimburseable by COP.

Park Costs: TM will contribute a maximum of $1,505,187 towards the park amenities and improvements. Costs of park amenities and improvements that exceed contributions will be reimbursed by COP up to $1 million of actual costs incurred by TM. COP may reimburse TM up to an an additional $1 million (up to $2 million total) for eligible costs exceeding $2,505,187 with prior written approval by the Parks and Recreation Department Director. Reimbursement by COP will occur within 60 days after the presentation of invoices and/or payment receipts by TM or LESD. Reimbursement may be requested as costs are incurred.

Park Impact Fee Credit: TM will be eligible to receive Park impact fee credit for eligible costs incurred toward park amenities and improvements, not including costs otherwise reimbursed by COP, up to TM's maximum contribution of $1,505,187. Credit can be used to reduce park impact fees within the Southwest Impact Fee area. Upon completion of the park amenities and improvements, TM and COP will enter into a Final Credit Agreement pursuant to Phoenix City Code Ch. 29. The Final Credit Agreement will address impact fees paid and credits to be issued for permits pulled prior to completion of the park amenities and improvements.

Intergovernmental Agreement: LESD and COP entered into an Intergovernmental Agreement that establishes use and maintenance requirements for the park amenities and improvements.

Future Maintenance and Improvements: TM will have no responsibility towards the maintenance or additional improvements to the park amenities and improvements once TM's maximum contribution of $1,505,187 has been made.

Financial Impact

Under the proposed terms, the City would provide Park Impact Fee Credit for eligible park construction costs incurred by TM up to $1,505,187. The City would reimburse TM up to $1 million for eligible construction costs exceeding $1,505,187. The Parks and Recreation Director would have the option to reimburse TM up to an additional $1 million (total $2 million) for eligible costs exceeding $2,505,187. Any City financial contributions would come from available Park Impact Fee revenues that can only be used within the Southwest Park Impact Fee

Area.

Location
Laveen Village, Southwest Park Impact Fee Area
Council District: 8

This item was approved.

92 Amend City Code - Ordinance Adoption - Rezoning Application Z-91-17-1 - Approximately 320 Feet East of the Northeast Corner of 51st Avenue and Bell Road (Ordinance G-6458)

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-91-17-1 and rezone the site from PSC to PSCOD to allow for an open carwash.

Summary
Current Zoning: PSC
Proposed Zoning: PSCOD
Acreage: 2.78 acres
Proposed Use: Open carwash

Owner: AMRESCO Commercial Finance, LLC
Applicant/Representative: Keilah Casillas, PM Design Group, Inc.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Deer Valley Village Planning Committee heard this case on March 15, 2018 and recommended approval per staff recommendation by a 6-0 vote.
PC Action: The Planning Commission heard this case on April 5, 2018 and recommended approval as recommended by the Deer Valley Village Planning Committee, with an additional stipulation and a modified stipulation as read into the record by a 5-1 vote.

Location
Approximately 320 feet east of the northeast corner of 51st Avenue and Bell Road.
Council District: 1

Parcel Address: 5050 W. Bell Road

This item was adopted.

93 Amend City Code - Ordinance Adoption - Rezoning Application Z-46-17-2 (Sonoran Crossing PUD) - Northeast Corner of the I-17 Freeway and Dove Valley Road (Ordinance G-6457)

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-46-17-2 (Sonoran Crossing PUD) and rezone the site from PUD NBCOD to PUD NBCOD to allow for a Planning Unit Development to allow a mix of residential and commercial uses.

Summary

Current Zoning: PUD NBCOD (North Black Canyon PUD)
Proposed Zoning: PUD NBCOD (Sonoran Crossing PUD)
Acreage: 87.21
Proposed Use: Mix of residential and commercial uses

Owner: Scottsdale Healthcare Hospitals dba Honor Health
Applicant: Wendy Riddell - Berry Riddell, LLC
Representative: Wendy Riddell - Berry Riddell, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The North Gateway Village Planning Committee heard this case on March 8, 2018 and recommended approval with modifications by a 5-0 vote.
PC Action: The Planning Commission heard the case on April 5, 2018 and recommended approval as recommended by the North Gateway Village Planning Committee with the modified stipulations as read into the record by a 6-0 vote.

Location

Northeast corner of the I-17 freeway and Dove Valley Road.
Council District: 2
Parcel Address: 33423 N. 32nd Ave., 3220 W. Dove Valley Road, and 3304, 3362, 3364, 3366, 3368, 3375 W. Long Shadow Trail

This item was adopted.

94 Amend City Code - Ordinance Adoption - Rezoning Application Z-2-18-2 - Approximately 300 Feet West of the Southwest Corner of 43rd Street and Forest Pleasant Place (Ordinance G-6456)

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-2-18-2 and rezone the site from S-1 to R1-18 to allow for single-family residential.

Summary
Current Zoning: S-1
Proposed Zoning: R1-18
Acreage: 8.03
Proposed Use: Single-family residential

Owner: Ecovista Lone Mountain, LLC
Applicant: Wendy Riddell, Berry Riddell, LLC
Representative: Wendy Riddell, Berry Riddell, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Desert View Village Planning Committee heard this case on March 6, 2018 and recommended approval per the staff recommendations with modifications by an 11-0 vote.
PC Action: The Planning Commission heard this case on April 5, 2018 and recommended approval as recommended by the Desert View Village Planning Committee by a 5-1 vote.

Location
Approximately 300 feet west of the southwest corner of 43rd Street and Forest Pleasant Place.
Council District: 2
Parcel Address: 31612 N. 43rd St., and 4225, 4237 E. Forest Pleasant Place

This item was adopted.

95 Amend City Code - Ordinance Adoption - Rezoning Application Z-5-18-4 - Approximately 410 Feet East of the Southeast Corner of 17th Avenue and Colter Street (Ordinance G-6454)

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-5-18-4 and rezone the site from R-3 to WU Code T4:3 SL to allow single-family attached residential.

Summary

Current Zoning: R-3 (Multifamily Residence District)
Proposed Zoning: WU Code T4:3 SL (Walkable Urban Code, Transect 4:3 District, Transit Solano Character Area)
Acreage: 0.77 acres
Proposed Use: Single-family attached residential

Owner: Caroline Cancel, NHSP Holdings, LLC
Applicant: Doug McCord, Architectural Resource Team
Representative: Caroline Cancel, NHSP Holdings, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Alhambra Village Planning Committee heard this case on March 27, 2018 and recommended approval, per the staff recommendation by a 9-0 vote.
PC Action: The Planning Commission heard the case on April 5, 2018 and recommended approval as recommended by the Alhambra Village Planning Committee by a 6-0 vote.

Location

Approximately 410 feet east of the southeast corner of 17th Avenue and Colter Street.
Council District: 4
Parcel Addresses: 1617 W. Colter St.

This item was adopted.

96 Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-1-18-5 - Northwest Corner of 24th Avenue and Royal Palm Road (Ordinance G-6459)

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-1-18-5 and rezone the site from C-2 HGT/WVR to C-2 HGT/WVR SP zoning to allow a self-storage facility with a height waiver for up to 40 feet.

Summary

Current Zoning: C-2 HGT/WVR
Proposed Zoning: C-2 HGT/WVR SP
Acreage: 2.22
Proposed Use: Self-storage facility with a height waiver for up to 40 feet

Owner: Southern Hospitality, LLC
Applicant: Taylor Earl - Earl, Curley & Lagarde, PC
Representative: Taylor Earl - Earl, Curley & Lagarde, PC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The North Mountain Village Planning Committee heard this case on March 21, 2018 and recommended approval per the staff recommendation by a 9-0 vote.
PC Action: The Planning Commission heard this case on April 5, 2018 and recommended approval as recommended by the North Mountain Village Planning Committee by a 6-0 vote.

Location

Northwest corner of 24th Avenue and Royal Palm Road.
Council District: 5
Parcel Addresses: 8135 and 8145 N. 24th Ave.

This item was adopted.

98 Amend City Code - Public Hearing and Resolution Adoption - General Plan Amendment GPA-MV-1-18-5 - Approximately 1,300 Feet North of the Northwest Corner of 107th Avenue and Camelback Road (Resolution 21636)

Request to hold a public hearing on the General Plan Amendment request for the following item to consider adopting the Planning Commission's recommendation and the related Resolution if approved.

Summary

Application: GPA-MV-1-18-5
Current General Plan Land Use Map Designation: Residential 1 to 2 dwelling units per acre and Residential 3.5 to 5 dwelling units per acre
Proposed General Plan Land Use Map Designation: Residential 2 to 3.5 dwelling units per acre
Acreage: 66.63

Proposal: Single-family residential

Owner: RLD II Loan, LLC
Applicant: Jordan Rose, Rose Law Group, PC
Representative: Jordan Rose, Rose Law Group, PC

VPC Action: The Maryvale Village Planning Committee heard the request on March 14, 2018 and recommended denial by a 7-1 vote.
PC Action: The Planning Commission heard the request on April 5, 2018 and recommended approval by a 4-2 vote.

Location
Approximately 1,300 feet north of the northwest corner of 107th Avenue and Camelback Road.
Council District: 5
Parcel Address: 5805 N. Ball Park Blvd.

This item was withdrawn.

41 Call of Special Election for Purpose of Submitting to Voters Proposed Charter Amendments Related to Elections, a Proposed Charter Amendment Related to Authority for the City Council to Remove a Member from Office, and a Proposed Franchise Agreement with Southwest Gas Corporation (Ordinance S-44544)

An Ordinance calling a Special Election in the City of Phoenix to be held on Aug. 28, 2018, for the purpose of submitting proposed amendments to the City Charter to the qualified voters of the City of Phoenix for their approval or rejection. Four of these Charter amendments pertain to changing the dates for regular City candidate elections to consolidate with the State General Election in November of even-numbered years, with any necessary runoff election to be held the following March. A fifth proposed Charter amendment would establish a procedure and authority for the City Council to remove a council member from office for a violation of the City of Phoenix ethics, gift, conflict of interest, or non-discrimination and anti-harassment policies for elected officials. A sixth ballot measure seeks voter approval of a new proposed franchise agreement with Southwest Gas Corporation.

Summary

This item calls a Special Election in the City of Phoenix to be held on Aug. 28, 2018. The election would be conducted by Maricopa County as part of the State Primary Election on that date. The election will be conducted by the County in accordance with state law. The City Council has adopted separate ordinances referring the proposed Charter amendments to voters and establishing the text of the amendments. A separate ordinance was also adopted referring to voters a proposed franchise agreement with Southwest Gas Corporation. Separate ordinances to adopt the form of the ballot, which establishes the language to appear on the ballot, and to authorize the City Manager to enter into an agreement with Maricopa County to conduct the election, have also been submitted to the City Council on this Agenda.

Concurrence/Previous Council Action

At the Feb. 27, 2018, Policy Meeting, the City Council approved, by a 9-0 vote, an ordinance proposing a Charter amendment to permit the City Council to remove a City elected official from office for violation of the ethics, gift, conflict of interest, non-discrimination or anti-harassment policies for City elected officials and referring the proposed amendment to voters.

At the April 18, 2018, Formal Meeting, the City Council approved, by a 7-2 vote, an ordinance referring proposed Charter amendments to voters related to changing the dates for regular City of Phoenix candidate elections. On the same date, the City Council also adopted an ordinance, by a 9-0 vote, referring to voters a proposed franchise agreement with Southwest Gas Corporation.

Discussion

Note: Diane Barker submitted a speaker comment card in favor of Item 41, but did not wish to speak.

Leonard Clark spoke in favor of the item. He congratulated the Mayor for his effort and work with Maricopa County to make elections smooth, and added his encouragement for citizens to vote.

Note: Councilwoman Pastor and Councilman Valenzuela temporarily left

the voting body.

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

Yes:	7 -	Councilman DiCiccio, Councilwoman Gallego, Councilman Nowakowski, Councilwoman Stark, Councilman Waring, Vice Mayor Williams and Mayor Stanton
No:	0	
Absent:	2 -	Councilwoman Pastor and Councilman Valenzuela

42 Form of the Ballot for the Special Election to be held on Aug. 28, 2018 (Ordinance S-44546)

Proposition 101 - Dates for Regular City Candidate Elections

This item requests City Council approval of an ordinance establishing the form of the ballot for the City of Phoenix Special Election to be held on Tuesday, Aug. 28, 2018.

Summary

This Ordinance establishes the language that will be printed on the ballot for measures referred to voters by the City Council, including four proposed Charter amendments relating to the dates for regular City of Phoenix candidate elections, a proposed Charter amendment related to removal of a City elected official from office for violation of the ethics, gift, non-discrimination and anti-harassment policies for City elected officials, and a measure seeking voter approval of a proposed franchise agreement with Southwest Gas Corporation. The form of the ballot for this election is consistent with the requirements for the State Primary Election ballot, as Maricopa County will be conducting the election.

Discussion

Note: Leonard Clark submitted a speaker comment card as neutral on Item 42, but did not wish to speak.

Note: Councilwoman Pastor and Councilman Valenzuela returned to the voting body.

Mayor Stanton invited City Clerk Cris Meyer, Acting Deputy City Manager

Toni Maccarone, and Assistant City Attorney Derrick Lavelle to address what happened if a Proposition did not receive a unanimous vote.

Ms. Maccarone introduced Mr. Meyer and Mr. Lavelle to the Council. She mentioned there was a City Charter Provision that required full text to be included on the ballot, if the form of the ballot for the propositions did not pass with a unanimous vote. She reminded the Council that Maricopa County would conduct the election for the City of Phoenix.

Mayor Stanton noted the number of ballot propositions that do not pass with a unanimous vote determined if some of those fell to the November ballot because of the lack of space on the August ballot. He explained the Council voted on each proposition separately.

Councilman Valenzuela mentioned he would vote no to stay consistant on the topic. He said this was not the right thing to do for the city, because he stated the topic was not properly vetted in the community. He expressed his support for local control of City elections.

A motion was made by Vice Mayor Williams, seconded by Councilwoman Stark, that Proposition 101 be adopted. The motion carried by the following vote:

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

Proposition 102 - Form of the Ballot

Discussion

City Attorney Brad Holm clarified to Council the Law Department misinterpreted motions made in Subcommittee and Policy, and stated the interpretation was more broad than discussed. He read the new language verbatim as follows, "Shall, chapter 17 of the Charter of the City of Phoenix be amended as described to permit removal of a Councilmember for a violation of the City of Phoenix Nondiscrimination and Anti-Harrassment Policy." He mentioned if the language was approved it would also constitute an amendment of the original ordinance

passed by City Council.

Mayor Stanton noted it was consistent with past actions by Council and expressd appreciation for the acknowledgement of the mistake that was clarified.

Vice Mayor Williams said she disagreed with the proposition personally, but added the voters should have the last say.

Councilman DiCiccio asked if the new language was specific to just discrimination or everything else.

Mr. Holm answered the language was specific to the Nondiscrimination and Anti-Harrasment Policy.

Councilwoman Gallego thanked the Council, and noted the importance for the national and local conversation. She said the proposition asked voters to help end a double standard for elected officials. She mentioned if any City employee or elected official committeed harrasment, then their job should be at risk. She thanked Councilman Waring for his work on the issue, as well as other stakeholders.

Councilman Waring thanked Councilwoman Gallego and added he was happy to get the change made that reflected what was talked about in Subcommittee and supported it.

Councilman DiCiccio said this was very bipartisan and that this was meant to happen and should happen in the City of Phoenix. He thanked both Councilwoman Gallego and Councilman Waring for their work, and said this would serve as a great example for the state.

Councilwoman Pastor stated it was a good idea, but did not think the culture was here. She commented she was glad this went to the voters and expressed concern for one of her colleagues.

A motion was made by Vice Mayor Williams, seconded by Councilwoman Gallego, that Proposition 102 be adopted as amended. The motion carried by the following vote:

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

No: 0

Proposition 103 - Citizen's Commission on Salaries for Elected Officials

A motion was made by Vice Mayor Williams, seconded by Councilwoman Stark, that Proposition 103 be adopted. The motion carried by the following vote:

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

No: 0

Proposition 104 - Random Sample Verification for Initative and Referendum

A motion was made by Vice Mayor Williams, seconded by Councilwoman Stark, that Proposition 104 be adopted. The motion carried by the following vote:

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

No: 0

Proposition 105 - Power of City Council to Remove Elective Office Holders

Discussion

Mr. Meyer mentioned this change was necessary if the dates of the election changed to the even year. The Salary Commission met at the beginning of odd years to refer something to the ballot in the fall of odd

years. He added the proposition would move the appointment of the Salary Commission to even years so the recommendation in the spring would go on the fall ballot. He noted the proposition implemented a recommendation to reduce the frequency of the Salary Commission appointments from 2 years to 4 years and to align with the Mayoral election.

Councilwoman Pastor asked for explaination on what the Citizens Commission for Salaries on Elected Officials did.

Councilwoman Stark answered the City Charter contained a provision for adjusting the salaries of the Mayor and Council by appointment of a citizens commission. She stated they reviewed salaries of elected officials in other cities and towns and made a recommendation that was filed with the City Clerk to either increase it, decrease it, or leave it and then it would go on the ballot.

A motion was made by Vice Mayor Williams, seconded by Councilwoman Stark, that Proposition 105 be adopted. The motion carried by the following vote:

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

No: 0

Proposition 106 - Franchise Agreement

Discussion

Mayor Stanton asked what the difference was between what the City did versus the proposed random sample.

Mr. Meyer responded the Charter required when an initiative or referendum petition was filed, the City would check 100 percent of the signatures. He noted state law required a random sample of 5 percent which was statistically significant. He mentioned staff recommendation from the core study a few years ago that looked at charter amendments looked to reduce the percentage based on time and ability to do it. He

added with consolidating elections, the process needed to be expedited and it took longer to check 100 percent than a random sample of 20 percent.

Councilman Valenzuela asked if the change would have to be made because of the consolidated elections item.

Mr. Meyer answered this was not something that would have to be changed as a result of consolidated elections, because it was proposed previously. He added this was proposed at this time because when elections occur might affect it, but stated this was not affected directly by consolidation of elections.

A motion was made by Vice Mayor Williams, seconded by Councilwoman Pastor, that Proposition 106 be adopted. The motion carried by the following vote:

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

No: 0

43 Conduct of Special Election to be held on Aug. 28, 2018, to Submit Ballot Measures to Voters (Ordinance S-44547)

Request authorization for the City Manager, or his designee, to enter into an agreement with Maricopa County to conduct the City of Phoenix Special Election to be held on Aug. 28, 2018, in conjunction with the State Primary Election according to State law, and authorizing payment to Maricopa County not to exceed $375,000. Estimated total cost of the election is approximately $500,000; about half of this amount will be paid for by Southwest Gas Corporation. Further authorize the City Controller to disburse all funds related to this item.

Summary

The City Council has referred six ballot measures to voters at a special election to be held on Aug. 28, 2018. The ballot measures include: four proposed Charter amendments related to City of Phoenix elections; one proposed Charter amendment related to City Council authority to remove

a member from office for violation of the ethics, gift, conflict of interest, non-discrimination and anti-harassment policies for City elected officials; and one measure seeking approval of a new franchise agreement with Southwest Gas Corporation.

On the date of the Phoenix Special Election, Maricopa County will be conducting the regular State Primary Election within the City of Phoenix. The City of Phoenix can contract with Maricopa County to conduct the special election as part of the State Primary Election to reduce the total cost for this election by about $500,000 and avoid issues associated with having separate County and City elections on the same day. Approximately half of the election cost will be paid for by Southwest Gas Corporation as required by law to cover the cost to obtain voter approval of the franchise agreement. The County would conduct the election according to State law applicable to the primary election. The City will design, print and mail a publicity pamphlet for the special election, to be paid by the City. The pamphlet will include the official title and text of the City ballot measures and any arguments filed supporting or opposing the ballot measures. The publicity pamphlet will be mailed to each household in the City of Phoenix in which a registered voter resides.

This request seeks City Council authorization to permit the City Manager, or his designee, to enter into an agreement with the Maricopa County Elections Department to conduct the special election by placing the six City ballot measures on the County ballot for the primary election; to conduct early voting, with Phoenix City Hall serving as an early voting site; to conduct voting on Election Day using polling places; to process and tabulate the ballots for the special election; and to provide unofficial results of all ballots tabulated. The item authorizes the County Board of Supervisors to designate the polling places and appoint election board workers for the conduct of the election.

Contract Term

The contract will begin on or about May 2, 2018, and expire on Sept. 14, 2018.

Financial Impact

Payment will be authorized for the duration of the contract, not to exceed $375,000, and will be allotted from the General Fund. Estimated total cost of the election is approximately $500,000; about half of this amount will be paid for by Southwest Gas Corporation.

Note: Councilman Waring left the Chambers and the voting body prior to the vote on Item 43.

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

Yes:	8 -	Councilman DiCiccio, Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Vice Mayor Williams and Mayor Stanton
No:	0	
Absent:	1 -	Councilman Waring

60 Referral to the Ballot - Charter Amendment Relating to City of Phoenix Election Funding Disclosure (Ordinance S-44549)

This report requests approval of an ordinance referring a ballot measure for a proposed amendment to the Charter of the City of Phoenix relating to Election Funding Disclosure, sometimes referred to as "dark money."

Summary

On Feb. 15, 2018, Councilwoman Kate Gallego, along with Mayor Greg Stanton and Councilwoman Debra Stark, requested that an item be placed on a Formal agenda related to a proposed Charter Amendment regarding the disclosure of the contribution source for election-related independent expenditures, sometimes referred to as "dark money." The proposed Charter amendment would be referred to voters at the November 2018 General Election. On March 7, 2018, the City Council approved an eight-hour rule request for staff to conduct research on proposed ballot language for election funding disclosure. This report provides the City Council with information on election funding disclosure for independent expenditures, and provides a draft ordinance based on recommendations approved by the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee on April 17, 2018.

Background

In January 2010, the United States Supreme Court decided *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010), involving regulation of political campaign spending by organizations. The Supreme Court overruled previous decisions and held (5-4) that the Constitution's First Amendment free speech clause prohibits the government from restricting independent expenditures by nonprofit corporations, for-profit corporations, labor unions, and other associations advocating for the election or defeat of a candidate.

The Court concluded that associations of individuals have free speech rights under the First Amendment, and that since spending money is essential to disseminating speech, limiting a corporation's ability to spend money is unconstitutional because it limits the ability of its members to associate effectively and to speak on political issues. The decision permits corporations, labor unions and other associations to spend money on "electioneering communications" and to directly advocate for the election or defeat of candidates (although not to contribute directly to candidates or political parties). The Supreme Court did not invalidate requirements for public disclosure by sponsors of advertisements.

Research

State Legislation

Since the *Citizens United* decision, the Arizona State Legislature has amended campaign finance laws to conform to the decision. Although not required by the Court's decision, the Legislature has also amended provisions decreasing the requirements for public disclosure. The term "dark money" has been used to describe these expenditures by organizations for which there is limited disclosure, particularly related to the funding source.

Immediately after the ruling, in 2010, Arizona law was amended to remove the prohibition on independent expenditures by organizations and to enact the following registration and disclosure requirements:

Organizations making independent expenditures of $1,000 or more to influence an election in a jurisdiction were required to register as an independent expenditure organization within five days of making an expenditure.

Organizations making independent expenditures were not required to register as a political committee, and consequently, were not required to file contribution and expenditure reports, or to disclose the source of the funds for expenditures.

Entities making independent expenditures were required to disclose the expenditures and some details within 24 hours each time the entity cumulatively spent $1,000 or more.

The most recent and significant State legislation was Senate Bill (SB) 1516 in 2016. This Bill changed the requirements for when an association must register as a political committee, resulting in fewer entities and groups being required to register a committee and report contributions and expenditures. The Bill provides that:

Candidate committees must register if contributions and/or expenditures exceed $1,100 in a calendar year;

An entity must register as a political action committee if it exceeds $1,100 in contributions and/or expenditures in a calendar year, and the entity's primary purpose is influencing the outcome of an election. Influencing elections is not the primary purpose of many entities that make independent expenditures, so these entities are no longer required to register as a political committee.

SB 1516 also changed the requirements related to disclosure of independent expenditures. It provides:

Reporting is no longer required at the time an expenditure is made, but rather is required at the time political committees are required to file campaign finance reports. Disclosure would not occur until after the election for independent expenditures made within 16 days prior to an election.

There is still no requirement to disclose contributions or the source of funds.

Disclosure Requirements and Legal Challenges

The effect of the changes to state law in 2016 was to reduce the number of candidates and organizations that are required to register a political committee, and consequently the requirement to report contributions and expenditures. Importantly, however, the *Citizens United* decision did not prohibit disclosure requirements for either independent expenditures or

the source of contributions. Furthermore, the Arizona State Constitution, Article 7, Section 16 states "The legislature, . . . shall enact a law providing for a general publicity, before and after election, of all campaign contributions to, and expenditures of campaign committees and candidates for public office." A legal challenge to SB 1516 is pending in Superior Court related to the reduced public disclosure.

Several other jurisdictions have implemented laws to require the disclosure of the source of contributions for independent expenditures. Austin, Texas, and Denver, Colo., passed laws in 2016 and 2017, respectively, requiring the disclosure of the source of contributions for independent expenditures. A legal challenge has been filed against the Denver ordinance regarding the constitutionality of the requirement to disclose the sources of the contributions for independent expenditures.

In March 2018, voters in the City of Tempe passed, with 91 percent of votes in favor, a ballot measure to amend the Tempe City Charter to require the disclosure of contributors for independent expenditures of $1,000 or more. The Tempe ordinance adopts provisions similar to those in State law prior to the adoption of SB 1516 in 2016. However, the Legislature passed, and on April 5 the Governor signed, House Bill (HB) 2153 that prohibits filing officers of cities and towns in Arizona from requiring disclosure of the source of funds for nonprofit 501(a) entities. This legislation is likely to be the subject of a legal challenge, and at this time does not prevent the Phoenix City Council from referring the proposed Charter amendment to voters.

Referral to Ballot

Per City Council direction, the attached ordinance refers a Charter Amendment to the Nov. 6, 2018, ballot. If approved by voters, the proposed language would amend Chapter XIII, Section 5 of the Phoenix City Charter to permit the City to adopt requirements for disclosure of election funding sources for independent expenditures that impact City of Phoenix elections.

Staff will develop an ordinance for the City Council to consider that adopts City Code provisions requiring the disclosure of the source of contributions for independent expenditures, similar to the Tempe

ordinance, as recommended by the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee. The ordinance could become effective upon voter approval of the proposed Charter amendment.

The Tempe ordinance requires any person or association, other than a candidate committee or a registered political action committee, that makes expenditures to influence a City election totaling more than $1,000 within an election cycle to disclose the original source or sources of all major contributions received during that period and attributed to that expenditure, and any intermediary through which such contributions passed.

The ordinance would require entities currently not subject to disclosure under state law, including nonprofit organizations such as 501(a) entities, to disclose independent expenditures of $1,000 or more to influence the outcome of a City of Phoenix election, as well as the source(s) of contributions received of $1,000 or more, including any intermediary through which such contributions passed. These disclosure reports would be required to be filed with the City Clerk Department within 48 hours of making an independent expenditure of $1,000 or more. The disclosure would be required for any person or association that makes independent expenditures to influence a City candidate or ballot measure election. Entities that are found to be in violation of this policy may be fined up to three times the amount spent on the independent expenditure they failed to disclose.

Concurrence / Prior Council Action

This item was recommended for City Council approval by the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee on April 17, 2018, by a vote of 2-0.

Discussion

Mayor Stanton asked what would happen if the item passed.

Ms. Maccarone answered the Council had direced staff to bring this forward for the November ballot.

Councilwoman Pastor acknowledged it was voted to go on the November ballot, but asked if there was a way to put it on the August ballot.

Ms. Maccarone responded they could ask the county, but with the one item that did not pass with a unanimous vote it would need the full text to be for the consolidated elections item and there was a concern for space.

Councilwoman Pastor stated she asked the question to see if it could save Phoenix money for the taxpayers. She questioned how much space there would be on the August ballot.

Councilman DiCiccio asked if all of the items that were approved to go on the August ballot, would Independents be able to vote on it if they were on the Permanent Early Voting List.

Mr. Meyer replied Independents were eligble to vote, but they would not recieve an early ballot automatically unless they designate what ballot to mail.

Councilman DiCiccio asked for clarification if an Independent voter would have to choose a party ballot for the primary election. He further inquired the percentage of Independents who had chosen to select a party ballot for a primary election.

Mr. Meyer responded an Independent voter would have to indicate any recognized party in Maricopa County, or they could select a nonpartisan or city ballot. He followed up a question from Councilman DiCiccio and stated 15 to 20 percent of Independent voters request a ballot, and in the City of Phoenix election the ballots were mailed to all Independents, with 20 to 25 percent of those voted and returned.

Councilman DiCiccio stated everyone who voted for the August elections and those who wanted to preserve the rights of Independent voters, that the majority of Independents had been excluded. He said he would have assumed there would have been consistency in protecting Independent voters, and added he did not see that happening.

Councilwoman Pastor asked if it was possible for the items that were voted on to be moved to the November ballot and what the process

would be to do that.

Mr. Holm responded when an ordinance had been voted on, there could not be a vote for reconsideration for at least 24 hours.

Mayor Stanton stated his preference was the November ballot, and to have more on that ballot than the August ballot. He said there would have to be a special election conducted by the City if there were some propositions left out on the November ballot.

Councilwoman Pastor mentioned her issue was with some voters that would be disenfranchised who would vote in a City election. She added there would then be an extra step for Independent voters in an August election because they would have to chose a party and decide what ballot they would like.

Mr. Meyer commented the issue with the items going on the November ballot, was there was only room for 2 to 4 items with a small description. He explained the option to get the measures on the ballot this year was to refer them in August because there was a lack of space on the November ballot especially with Proposition 101 that would need the full text.

Mayor Stanton mentioned his feeling was to get the items on the November ballot if possible. He asked the Council if anyone disagreed with the proposition that second choice should be August as opposed to a special election.

Mr. Meyer asked for clarification about when a special election would occur.

Mayor Stanton responded if the policy of the Council was to have a special election rather than an August election, his first choice was November and his second choice was August with the third choice as a special election paid by the City of Phoenix in 2019. He repeated his first choice was for a November election.

Mr. Meyer answered that was correct, and a special election could only

occur on one of four dates, and said if the election consolidation item would not fit in November, it would have to go on March 2019 which was too late for the election in 2019 to consolidate in 2020.

Councilman DiCiccio stated he wanted to point out the hypocrisy of politics, and gave the example of the situation with the Independent voters and their rights that would be taken away. He said he was good with either a March election or a November election.

Councilman Valenzuela clarified no one had voted at the time, and mentioned there were more questions to be asked. He repeated the question asked by Councilwoman Pastor and said it was an important topic because it could leave a sector of voters. He asked Mr. Meyer where the Council could go after the vote and if it was fact that the propositions would not fit.

Mr. Meyer answered there was no difinitive answer if it would fit because the county did not know what else would be on the ballot for November, and added they do not know yet what would fit for August either. He mentioned previously if they knew they would not fit on the August ballot, they would then defer it to November.

Councilman Valenzuela asked if staff would come back to the Council and let them know how it would work and when the advance notice to the public would be.

Mr. Meyer responded he would let the Council know what the City would be able to fit on the ballot, and added they would know later in the month. He said there were other jurisdictions that tried to do the same thing.

Mr. Zuercher asked for clarification if the form of the ballot would not have to be brought back in two weeks if it was put on August. He inquired if it could be referred to August or November, and if it was August then it would have to be approved at the next Formal meeting.

Mr. Meyer answered yes to both questions.

Mr. Zuercher told Councilman Valenzuela that there was a time urgency

for August, and they were not sure until the county told them there was room.

Councilman Valenzuela asked about Independent voters on the Permanent Early Voting List for City elections, and if they would not automatically receive a ballot because it would be considered a special election.

Mr. Meyer responded yes for the August election they would not automatically receive a ballot because it was a partisan primary election.

Vice Mayor Williams asked about the impact for those running for Mayor if it was moved from August to November.

Mr. Zuercher added to Vice Mayor Williams question, and asked when it would take effect.

Councilwoman Pastor clarified there would still be a special election in March with the November election.

Mr. Meyer stated if election consolidation was passed before the 2019 scheduled election, then that election would move to 2020. He added in order to do that, it would have to pass no later than the November election. He talked about candidates who would have to get signatures for petitions as they would have to do it again because of it being a year later. He clarified the dark money proposition would take effect in November if it was on the August ballot, and added charter amendments had to be approved by the Governor.

Vice Mayor Williams asked how much it cost for the City to run a special election, and if it happened on the same date. She further questioned if the election was in August but on a different date, would the City be able to run that.

Mr. Meyer responded it cost the City $1.1 million to run a special election if not on the same date as a primary or general election. He noted if the election was on the same date as the county having a primary or general election, then there would be more outreach that would have to be done

to inform voters because of the confusion of having two elections on the same day. He said the City could only hold elections on four dates, with two of the dates being in August and November.

Vice Mayor Williams mentioned she wanted Independent voters to vote, because she was a big supporter of making sure they did not have to take an extra step to vote.

Mayor Stanton clarified the vote that took place earlier on Propositions 101 through 106 on the August ballot were a practical matter because one or more may not fit on the ballot and would be on the November ballot. He said the vote was to directly refer to the November ballot because they knew there was a lack of space on the August ballot. He stated his preference was November.

Councilwoman Pastor questioned the cost of shutting out voters in the long run, because she said they asked Independent voters to take an extra step for the August election. She asked for elections to be more inclusive to Independent voters.

Mayor Stanton asked about the recommendation related to ballot space by City Clerk.

Mr. Meyer responded the direction he understood was to have the consolidated election and required items go to the voters to have the 2019 election moved to 2020, and noted the only way to have that happen was to have an election occur in either August or November of 2018. He mentioned the issue with November was the chance of it not fitting on the ballot with the full text, and that would move to the March election which meant the consolidation would not occur until after the 2019 election.

Councilwoman Pastor commented if there was a reconsideration and there was a unanimous vote on the item, then the language would be shortened.

Mr. Meyer stated that was correct, the language would be shortened. He talked about the other propositions that had to go on the ballot by the end

of the year, and added the county guessed there would be room for two to four propositions on the November ballot but they did not know what other measures would be on the ballot.

Councilwoman Pastor asked about the process for placing the items on the November ballot.

Mr. Meyer responded the items could be refered in priority order, but there was nothing to ensure they would all make it on the November ballot.

Mr. Zuercher clarified the Council already voted on the priority order, and that the current vote was on the dark money item and if that would be on the August or November ballot.

Councilwoman Pastor said she understood what they were voting on, but mentioned she found it interesting the other items were ranked and put on the August ballot that would disenfranchise voters.

Councilwoman Stark discussed her concern with propositions passed on the August ballot that could affect the language for propositions on the November ballot such as Proposition 101.

Mr. Meyer answered he did not believe they would be affected because the charter amendments had to be approved by the Governor before they could be affective if they were voted in August. He mentioned items would have been referred to the November ballot in July.

Councilman DiCiccio asked for clarification on how many items were voted on, and how many of those were voted unanimously.

Ms. Maccarone responded there were six items passed, with five items that were passed unanimously.

Councilman DiCiccio asked about the probability of the items not being able to fit on the November ballot.

Mr. Meyer stated it was his belief based on information he received from

the county that the items would not fit on the November ballot.

Councilman DiCiccio remarked he would like to see the items put on a March election ballot so the Mayoral candidates would have to debate the issue in public. He said most people he spoke to felt very strongly about consolidating elections, and mentioned the options for each election date.

Mayor Stanton asked if the charter amendment was what the City of Tempe voters passed recently.

Mr. Meyer answered that was essentially the same as what Tempe passed, with some slight adjustments to broaden what the Council could regulate.

Morgan Dick spoke in favor on behalf of the Arizona Advocacy Network. She established they were highly involved in the effort with Tempe, and mentioned they were a nonprofit and nonpartisan organization that believed in strengthening democracy in Arizona by mitigating the influence of money in politics. She thanked Councilwoman Gallego, Councilwoman Stark and Mayor Stanton for their leadership on the issue. She cited a Supreme Court case that confirmed disclosure rules did not violate the first amendment, and quoted Justice Scalia. She stated she looked forward to working with staff members and the Council to move this forward.

Shawn Severud was neutral on the item and stated the Supreme Court had made a number of disastrous decisions and gave the example of the Citizens United case. He asked for clarification on the penalties for independent expenditures that were failed to disclose.

Mr. Meyer said the actual ordinance did not come to Council yet, and added the intent would be that a violation would follow the same pattern as other violations of campaign finance law. He mentioned if there were mitigating circumstances, such as if it were intentional or a large sum of money, the penalty would then be up to three times the amount they spent.

Councilman DiCiccio stated government unions had spent $1.1 million attacking him and his family. He said he despised what they did, but believed they had a right to do so anonymously because it was a fundamental right that should be protected. He added you should not go after the family of an elected official, and mentioned he would be voting no on the item which would take it to the November ballot and asked if that was correct.

Mr. Meyer responded the vote was to refer the item, so it did not matter if it was unanimous or not.

Councilwoman Gallego stated Phoenix responded to an important issue, and the public demanded more disclosure in City elections. She noted this would show more accurate expenditures, and voters would know who was speaking, what their motivations were, and there would be better elections. She thanked Councilwoman Stark and Mayor Stanton for their help to bring this forward, as well as the Arizona Advocacy Network.

Councilman Valenzuela mentioned Mr. Meyer explained the situation as best he could, and stated transparency was a good thing because public trust is what was needed. He gave examples of how the City of Phoenix was transparent, and stated he was 100 percent behind this. He added the initiatives that were previously voted on would have been a great idea if they were prioritized from the beginning. He said all of the initiatives were important, and he talked about Independent voters as they related to the ability for them to vote in the August or November elections.

Councilman DiCiccio asked for clarification from Councilman Valenzuela if he was okay with an August election, and stated it disenfrachised voters because it was a partisan election.

Councilman Valenzuela responded to Councilman DiCiccio and mentioned it was interesting to listen to the conversation from his point of view because he always tried to take it somewhere else.

Councilman Nowakowski asked for a call for the question.

Vice Mayor Williams seconded the call for the question.

The roll call vote for the call for the question was as follows:

Yes: 4 - Councilwoman Stark, Councilman DiCiccio, Councilman Nowakowski, Vice Mayor Williams

No: 4 - Councilwoman Pastor, Councilman Valenzuela, Councilwoman Gallego, Mayor Stanton

Absent: 1 - Councilman Waring

Mayor Stanton commented he was excited to vote in favor of the charter amendment because it was a good thing to do for democracy. He said the Citizens United case was a bad decision by the Supreme Court, and added the City was going to take a strong stand against dark money in City elections. He talked about the support of voters in the City of Tempe on the issue and stated his support for the charter amendment.

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

Yes:	7 -	Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Vice Mayor Williams and Mayor Stanton
No:	1 -	Councilman DiCiccio
Absent:	1 -	Councilman Waring

Note: Councilwoman Pastor temporarily left the voting body.

A motion was made by Vice Mayor Williams, seconded by Councilwoman Stark, that Items 72 and 74 be adopted. The motion carried by the following vote:

Yes: 6 - Councilwoman Gallego, Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Vice Mayor Williams and Mayor Stanton

No: 1 - Councilman DiCiccio

Absent: 2 - Councilwoman Pastor and Councilman Waring

72 **Enter into Agreement with Valley Metro Rail for Operational Costs for Light Rail Services (Ordinance S-44521)**

Request to authorize the City Manager, or his designee, to enter into a contract with Valley Metro Rail, Inc. (METRO) for the Phoenix share of costs in operation of the Light Rail service, and for the Phoenix share of agency operating costs; and authorizing the City Controller to disburse funds in an amount not to exceed $33,515,000.

Summary
The operations and maintenance budget includes: transportation contractors, propulsion power, vehicle maintenance, systems and facilities maintenance/materials/supplies, METRO staff costs, safety consultants, regional customer service, utilities, general and administration costs, and liability insurance.

Financial Impact
The Phoenix share of METRO's agency operating cost is $982,000 and operation costs are estimated at $32,533,000 for FY 2018-19. Funds are available in the Public Transit Department's proposed operating budget using Transit 2050 funds.

This item was adopted.

74 **Request Authorization to Submit Annual Federal Transit Administration Grant Application and Enter Into Grant Agreements (Ordinance S-44537)**

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 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. The total of grant funds in the application is $12,320,310.

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 Arizona Department of Transportation-approved State Transportation Improvement Program.

As the designated recipient for regional projects, Phoenix will provide the funds to Valley Metro Rail, Inc. for the building of the Gilbert Road Light Rail Extension and an alternatives analysis study.

Financial Impact
The total of grant funds in the application is $12,320,310. The application and total federal amount by the Federal Congestion Mitigation and Air Quality Improvement Program and the Surface Transportation Block Grant Program funds transferred from the Federal Highway Administration to FTA for capital projects is $1,213,106 and $11,107,204, respectively.

This item was adopted.

97 Amend City Code - Ordinance Adoption - Rezoning Application Z-190-G-84-7(5) - Approximately 300 Feet East of the Northeast Corner of 91st Avenue and McDowell Road (Ordinance G-6455)

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-190-G-84-7(5) and rezone the site from PCD (Approved C-2 PCD) to C-2 HGT/WVR PCD to allow a hotel with a height waiver for up to 50 feet.

Summary

Current Zoning: PCD (Approved C-2 PCD)
Proposed Zoning: C-2 HGT/WVR PCD
Acreage: 2.29 acres
Proposed Use: Hotel with a height waiver for up to 50 feet

Owner: OM SAI 8, LLC
Applican: Benjamin Tate, Withey Morris, PC
Representative: Benjamin Tate, Withey Morris, PC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Maryvale Village Planning Committee heard this case on March 14, 2018 and recommended approval with an additional stipulation by a 9-0 vote.
PC Action: The Planning Commission heard the case on April 5, 2018 and recommended approval as recommended by the Maryvale Village Planning Committee by a 5-1 vote.

Location

Approximately 300 feet east of the northeast corner of 91st Avenue and McDowell Road.
Council District: 5
Parcel Addresses: 9050 W. McDowell Road

Discussion

Note: Councilman DiCiccio left the Chambers and remained part of the voting body via telephone. Councilwoman Pastor joined the voting body.

Councilman Nowakowski made a motion to continue Item 97 to the next City Council Formal Meeting.

Councilman DiCiccio seconded the motion.

Councilman Valenzuela said they had been working on the case with staff and the community and he wanted to move forward with the item.

Councilman Nowakowski stated he received a letter that detailed a dumpster that was at the northeast corner of the property near a playground, and added there were concerns about the smell and odor as

well as the variance of the height that the area is zoned for.

Councilman Valenzuela asked to turn down the continuance, because the school worked with the applicant and his team the entire time and they were ready to move forward with the case.

The roll call vote for continuance of Item 97 to the May 16, 2018 City Council Formal Meeting was as follows:

Yes: 4 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Gallego,
Vice Mayor Williams

No: 4 - Councilwoman Stark, Councilwoman Pastor, Councilman Valenzuela,
Mayor Stanton

Absent: 1 - Councilman Waring

Councilman Nowakowski asked if the trash dumpster in the northeast corner of the property near the playground was addressed, and asked about the stories height of the building.

Mr. Stephenson answered as part of the stipulations, the applicant had agreed to move the trash dumpster location as well as increase the wall height between the proposed hotel and the playground to 8 feet. He further responded the request was for 50 feet in height and the request was a height waiver that would go from 30 feet in height to 50 feet in height.

Councilman Nowakowski asked about the zoning for the area.

Mr. Stephenson said it was zoned C2, which allowed for a maximum height of 30 feet, and the request was for an additional 20 feet.

Councilman Nowakowski explained he would vote no based on the letter he received.

Councilwoman Pastor said she voted yes, and added she was concerned with the zoning situation because she said her colleagues would talk to the representatives.

Councilman Nowakowski said he just received the letter and asked for more information on it.

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

Yes:	6 -	Councilwoman Gallego, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Vice Mayor Williams and Mayor Stanton
No:	2 -	Councilman DiCiccio and Councilman Nowakowski
Absent:	1 -	Councilman Waring

99 Amend City Code - Public Hearing and Resolution Adoption - General Plan Amendment GPA-SM-4-17-8 - Northeast Corner of 23rd Avenue Alignment and Baseline Road (Resolution 21637)

Request to hold a public hearing on the General Plan Amendment request for the following item to consider adopting the Planning Commission's recommendation and the related Resolution if approved.

Summary

Application: GPA-SM-4-17-8
Current General Plan Land Use Map Designation: Residential 1 to 2 dwelling units per acre and Residential 2 to 3.5 dwelling units per acre
Proposed General Plan Land Use Map Designation: Residential 3.5 to 5 dwelling units per acre
Acreage: 23.29
Proposed Use: Single-family residential 3.5 to 5 dwelling units per acre

Owner: Mundall Family, LLC
Applicant: Stephen C. Earl - Earl, Curley & Lagarde PC
Representative: Stephen C. Earl - Earl, Curley & Lagarde PC

Staff Recommendation: Approval
VPC Action: The South Mountain Village Planning Committee heard the request on Feb. 13, 2018 and recommended denial by an 11-2 vote. The

Committee heard the request again on March 13, 2018 and recommended approval per the staff recommendation by a 10-4 vote.
PC Action: The Planning Commission heard the request on April 5, 2018 and recommended approval as recommended by the South Mountain Village Planning Committee by a 6-0 vote.

Location
Northeast corner of 23rd Avenue alignment and Baseline Road.
Council District: 8
Parcel Addresses: 2202 W. Baseline Road

Discussion
Note: Councilman DiCiccio left the voting body.

Mr. Stephenson discussed the General Plan Amendment request, and noted staff recommended approval for Item 99 and recommended approval with stipulations on Item 100. He mentioned the request would go from Residential 1 to 2 and Residential 2 to 3 and a half dwelling units per acre. He said that was the General Plan Amendment, and showed the Council the map that said it would go from 3 and a half to 5 dwelling units per acre. He talked about the zoning case that went with the other item, and showed Council the proposed plan site, as well as some exhibits. He mentioned the request was approved by the South Mountain Village Planning Committee by 11-2 vote for the General Plan Amendment and the zoning case was approved on a 10-4 vote. He added Planning Commission recommended approval on both 6-0.

Mayor Stanton opened the Public Hearing.

Mayor Stanton closed the Public Hearing.

Councilwoman Gallego thanked the applicant for working with the community to get it passed the second time through the South Mountain Village Planning Committee.

Councilman Valenzuela stated he was happy to support Councilwoman Gallego for her work as well as her staff.

A motion was made by Councilwoman Gallego, seconded by Councilwoman Stark, that this item be adopted per Planning

Commission's recommendation. The motion carried by the following vote:

Yes:	7 -	Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Vice Mayor Williams and Mayor Stanton
No:	0	
Absent:	2 -	Councilman DiCiccio and Councilman Waring

100 Amend City Code - Public Hearing and Ordinance Adoption - Rezoning Application Z-71-17-8 - Northeast Corner of 23rd Avenue Alignment and Baseline Road (Ordinance G-6460)

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-71-17-8 and rezone the site from S-1 to R1-8 to allow single-family residential.

Summary
Application: Z-71-17-8
Current Zoning: S-1
Proposed Zoning: R1-8
Acreage: 23.29 acres
Proposal: Single-family residential

Owner: Mundall Family, LLC
Applicant: Stephen C. Earl - Earl, Curley & Lagarde PC
Representative: Stephen C. Earl - Earl, Curley & Lagarde PC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The South Mountain Village Planning Committee heard the case on Feb. 13, 2018 and took no action. The Committee heard the case on March 13, 2018 and recommended approval per the staff recommendation by a 10-4 vote.
PC Action: The Planning Commission heard the case on April 5, 2018 and recommended approval as recommended by the South Mountain Village Planning Committee by a 6-0 vote.

Location
Northeast corner of 23rd Avenue alignment and Baseline Road.

Council District: 8

Parcel Addresses: 2202 W. Baseline Road

For Discussion on Item 100, refer to Discussion on Item 99.

A motion was made by Councilwoman Gallego, seconded by Councilwoman Stark, that this item be adopted per Plannning Commission's recommendation. The motion carried by the following vote:

Yes:	7 -	Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Vice Mayor Williams and Mayor Stanton
No:	0	
Absent:	2 -	Councilman DiCiccio and Councilman Waring

101 Consideration of Citizen Petition Related to Citizenship Question Being Added to Census 2020

This report provides the City Council with information in response to a citizen petition submitted by Shawn Severud at the April 18, 2018, Formal City Council meeting. The petition requests that City Council instruct staff to perform an analysis on the likely reduction in census funds distribution as a result of a citizenship question being added to the 2020 Census and what options are available for the City Council and public regarding Census 2020 efforts, **Attachment A**.

Summary

On March 26, 2018, the U.S. Bureau of the Census (Census Bureau) announced that it would use the 2020 Census to require information on the citizenship status of every resident in the country. As required by the Census Act, on March 29, 2018, the Census Bureau transmitted to Congress the Secretary of Commerce's final determination of the questions that will be asked on the 2020 Census.

The Census Bureau has not sought citizenship information on the decennial census form that goes to every household in the country since 1950. In departing from nearly seven decades of practice, the Bureau also departed from its long-standing, well-established processes for revising the decennial census questionnaire. Decisions to change questions on the decennial census typically take several years to test, evaluate, and implement; but this decision was compressed into an

unprecedented period of less than four months.

Immediately following this decision on April 3, 2018, a multi-state and multi-city lawsuit was filed in the United States District Court. The basis of the lawsuit is to enforce the federal government's constitutional obligation to conduct an actual enumeration of the national population every ten years, by determining the whole number of persons in the United States. The lawsuit challenges the Department of Commerce's decision to add a citizenship query to the 2020 Census questionnaire, claiming it will fatally undermine the accuracy of the population count and cause tremendous harm to the Plaintiffs and their residents.

The decennial enumeration of the population is one of the most critical constitutional functions the federal government performs. It directly determines the apportionment of Representatives to Congress among the states, the allocation of electors to the Electoral College, and distribution of hundreds of billions of dollars in federal funds to states, local government, and other grantees. For every person living in Phoenix who is not counted in the census, the City loses approximately $350 in annual State funding and $155 in annual Federal funding that is issued directly to Phoenix.

It is important to understand the potential impact on the overall population count of the addition of a citizenship question as this has not been a part of the decennial in seven decades. Staff is currently researching how inclusion of the citizenship question could impact response rates within the region and consulting with the Maricopa Association of Governments (MAG) to gather demographic data that will assist with assessing potential impacts of a reduced response rate on federal and state funds the region receives.

Staff is also researching actions taken by other states and cities as well as other organizations to advocate for a complete and accurate count.

City Council and public involvement in Census 2020 is critical in helping Phoenix get an accurate census count, and one key way for City Council and the public to participate is by serving on the Census 2020 Complete

Committee. The Complete Count Committee plans and implements locally-based outreach campaigns that raise awareness of the census and work to achieve a full and complete count. Staff is currently working with the Mayor and City Council Offices to finalize the Census 2020 Complete Count Committee.

Options for Council Action

A. Staff will continue in these efforts and provide updates to the Council on this issue.

B. Provide other direction to staff.

Staff recommends continuing its research on the potential impact of adding a citizenship question to the census, and continuing to maximize ways for the City Council and public to participate in the City's Census 2020 efforts.

Discussion

Shawn Severud stated he submitted this citizen petition to get it out in the open. He pointed out the severity of the issue regarding funds and asked about a timeline on when Phoenix would follow other states and municipalities.

Mayor Stanton acknowledged the importance of the issue and mentioned every member of the Council had a conversation with City management about concerns with federal resources and representation in Congress.

A motion was made by Vice Mayor Williams, seconded by Councilwoman Pastor, that this item be approved with recommendation for staff to continue research on the potential impact of adding a citizenship question to the census, and continue to maximize ways to participate in the City's Census 2020 efforts. The motion carried by the following vote:

Yes:	7 -	Councilwoman Gallego, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Valenzuela, Vice Mayor Williams and Mayor Stanton
No:	0	
Absent:	2 -	Councilman DiCiccio and Councilman Waring

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

CITIZEN COMMENTS

Joanne Scott Woods discussed the incident involving the son of Mr. Baker. She stated there were two particular police officers that showed force in gathering additional officers. She mentioned it was innapropriate for that show of force on a civil violation, as well as the physical force. She said the judge was the only honorable actor because they dismissed the case after reviewing the video.

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

Benjamin Fong submitted a petition that requested Council to declare their support for a Medicare for all plan.

ADJOURN

There being no further business to come before the Council, Mayor Stanton declared the meeting adjourned at 4:43 p.m.

Thelda Williams

MAYOR

ATTEST:

C. Meyer

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 2nd day of May, 2018. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 5th day of July, 2018.

CITY CLERK