172112

City of Phoenix

Minutes

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

City Council Formal Meeting

Wednesday, January 10, 2018 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, January 10, 2018 at 2:35 p.m. in the Council Chambers. In the absence of the Mayor, Vice Mayor Pastor assumed the role of Chair, and called the meeting to order.

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

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

Note: Mayor Stanton and Councilman Valenzuela were not present during roll call,but both joined the voting body during Citizen Comments made by Pat Vint. Mayor Stanton temporarily left the voting body during Item 1. Mayor Stanton left the voting body but joined the meeting via telephone prior to the vote on Item 135. Councilman DiCiccio and Councilwoman Gallego left the voting body after the discussion and vote for Item 136. Councilman Valenzuela left the voting body during Citizen Comments at the end of the meeting being made by Purple Fire but joined the voting body by telephone.

CITIZEN COMMENTS

John Rusinek addressed the City Council regarding his concerns over a property next door to his. He stated his opinion that he was not helped by the Neighborhood Services Department and Maricopa County could not help him.

Pat Vint spoke against the City Manager. He told the City Council he had spoken

to various Detectives from the Phoenix Police Department and he asked for a recording of a meeting that took place at his home with detectives.

Li Li spoke in support of the Chinese Cultural Center. He played a video regarding the Chinese Cultural Center.

Allen Serbin told the City Council he was a ticket broker. He inquired about expanding the area north of Jackson Street, from 7th Avenue and 7th Street, north of Fillmore. He said there was nothing wrong with the re-selling of tickets. He wanted everyone to compete equally.

Shane Phillips told the City Council he was with an organization called One World Voice Foundation. He said he had been working with the homeless for the past couple of years in the Phoenix area. He gave his opinion about Item 71 on the meeting agenda, stating that the City Council wanted to put a law in place against providing for the needs of the homeless.

Steve Anguis spoke about homelessness. He said he had been a pastor for the past 20 years and had fed the homeless during that time. He talked about there being specific needs for people out in the street. He stated that people should not be prohibited from providing food, clothes and blankets to the homeless and encouraged individuals to work together to provide necessities to the homeless.

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6398 through G-6408, S-44159 through S-44208, and Resolutions 21603 through 21610 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

Note: Items 1 and 2 were held until after items 3 and 4.

BOARDS AND COMMISSIONS

3 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.

The following individuals were recommended for appointment by Mayor Stanton:

Ethics Committee

Appoint Cylee Gutting, serving as one of two Republicans, for a three-year term, expiring on December 13, 2020.

Appoint Sheila Wood, serving as one of two Republicans, for a five-year term, expiring on December 13, 2022.

Appoint Mario Bayne, serving as the Independent, for a five-year term, expiring on December 13, 2022.

Appoint Marcia Busching, serving as one of two Democrats, for a three-year term, expiring on December 13, 2020.

Appoint Kendra Tollackson, serving as one of two Democrats, for a five-year term, expiring on December 13, 2022.

Fire Safety Advisory Board

Eric Bates was the owner of Canyon State Propane. Mr. Bates would represent the Liquefied Petroleum and Gas industry. He would serve a first full term, which would expire on January 10, 2022.

Jeff Moloznik was a commercial real estate developer with RED Development. Mr. Moloznik would represent Developers. He would serve a first full term, which would expire on January 10, 2022.

Nick Tedesco was the manager of design and construction for St. Joseph’s Hospital & Medical Center. Mr. Tedesco would be represent the healthcare industry. He would serve a first full term, which would expire on January 10, 2022.

Pacific Rim Advisory Council

Lloyd Asato was the Executive Director for Asian Pacific Community in Action. He would serve a first full term, which would expire on January 10, 2022.

Phoenix Business and Workforce Development Committee

Nicholas Bielinski was a Technical Recruiter and Veteran Lead for West and Northwest Regions (Military Veteran USAF) for TEKSystems. Mr. Bielinski would serve a first full term, which would expire on August 31, 2021.

Sister Cities Commission

Robert Dubberly was a partner with KPMG and would serve a first full term, which would expire on January 10, 2021.

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that this item be approved, except the Ethics Commission which was withdrawn to be brought back for Council consideration at the January 24, 2018 City Council Formal Meeting.

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

No: 0

4 City Council Appointments to Boards and Commissions

Summary

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

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

The following individuals were recommended for reappointment by Councilman Sal DiCiccio:

Ahwatukee Foothills Village Planning Committee

Melanie Beauchamp for a fifth term to expire on November 19, 2019.

Chad Blostone for a fifth term, to expire on November 19, 2019.

Scott Crouch for a second term, to expire on November 19, 2018.

Spencer Elliott for a second term, to expire on November 19, 2018.

Michael Hinz for a fifth term, to expire on November 19, 2019.

Benjamin Holt for a second term, to expire on November 19, 2018.

Max Masel for a fifth term, to expire on November 19, 2019.

Peter Meier for a second term, to expire on November 19, 2018.

Blanche Prokes for a third term, to expire on November 19, 2019.

T J- Nile Rachford for third term, to expire on November 19, 2019.

Mike Schiller for a second term, to expire on November 19, 2018.

Darin Ann Sender for a fifth term, to expire on November 19, 2019.

Brian Symes for a fifth term, to expire on November 19, 2019.

Camelback East Village Planning Committee
Councilwoman Kate Gallego recommended the following individual for appointment:

Hayleigh Crawford was an Attorney with Osborn Maledon and a resident of District 8. She would serve a first full term to expire on November 19, 2020.

Councilman Sal DiCiccio recommended the following individuals for reappointment:

Greg Abbott for a fifth term, to expire on November 19, 2019.

Linda Bair for a second term, to expire on November 19, 2019.

Ronda Beckerleg Thraen for a fourth term, to expire on November 19, 2018.

Richard Cole for a third term, to expire on November 19, 2018.

Kathryn Langmade for a fifth term, to expire on November 19, 2019.

Lee Miller for a second term, to expire on November 19, 2018.

Tom O'Malley for a third term, to expire on November 19, 2018.

Barry Pacelay for a fourth term, to expire on November 19, 2018.

Marc Scher for fourth term, to expire on November 19, 2018.

Daniel Sharaby for a second term, to expire on November 19, 2018.

Jay Swart for a fifth term, to expire on November 19, 2019.

Craig Tribken for a third term, to expire on November 19, 2018.

Steve Vondran for a third term, to expire on November 19, 2019.

Central City Village Planning Committee
Councilwoman Kate Gallego recommended the following individuals for appointment:

Michael Langley was the Deputy Director of the Global Chamber. He would serve a first full term, to expire on November 19, 2020.

Amanda Straight was the Market Research Director for the Greater Phoenix Economic Council and a resident of District 8. She would serve a first full term to expire on November 19, 2020.

Councilwoman Kate Gallego recommended the following individuals for reappointment:

Bryan Bazley for a second term, to expire on November 19, 2018.

Shannon Dubasik for a second term, to expire on November 19, 2018.

Bob Graham for a fourth term, to expire November 19, 2018.

Dana Johnson for a second term, to expire on November 19, 2018.

Dominique Medina for a second term, to expire on November 19, 2019.

Eva Olivas for a second term, to expire on November 19, 2018.

Louisa Stark for a second term, to expire on November 19, 2018.

Sean Sweat for a second term, to expire on November 19, 2019.

Encanto Village Planning Committee
Councilwoman Kate Gallego recommended the following individual for reappointment:

Abraham James for a third term, to expire on November 19, 2018.

Laveen Village Planning Committee
Councilwoman Kate Gallego recommended the following individual for appointment:

Randy Schiller was a Laveen resident and a governing board member for Phoenix Union. He would serve a first full term to expire November 19, 2020.

Councilwoman Kate Gallego recommended the following individual for reappointment:

John Mockus for a second term, to expire on November 19, 2018.

South Mountain Village Planning Committee
Councilwoman Kate Gallego recommended the following individuals for

reappointment:

Dr. George Brooks for a sixth term, to expire on November 19, 2018.

Marcia Busching for a second term, to expire on November 19, 2018.

Greg Brownell for a second term, to expire on November 19, 2019.

Sara Christopherson for a second term, to expire on November 19, 2018.

Tamala Daniels for a second term, to expire on November 19, 2018.

Gene Holmerud for a second term, to expire on November 19, 2019.

Barbara Kutnick for a second term, to expire on November 19, 2019.

David Vera for a second term, to expire on November 19, 2018.

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

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

No: 0

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

Scott Crouch
Peter Meier
Mike Schiller
Hayleigh Crawford
Kathryn Langmade
Barry Pacelay

Marc Scher
Michael Langley
Amanda Straight
Dana Johnson
Louisa Stark
Abraham James
Greg Brownell
Gene Holmerud
Nicholas Bielinski

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

MINUTES OF MEETINGS

1 For Approval or Correction, the Minutes of the Formal Meeting on Nov. 15, 2017

Summary

This item transmits the minutes of the Formal Council meeting of Nov. 15, 2017, 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.

Discussion

These minutes were assigned to Councilman DiCiccio for review.

A motion was made by Councilman DiCiccio, seconded by Councilman Valenzuela, that this item be approved. The motion carried by the following vote:

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

2 For Approval or Correction, the Minutes of the Formal Meeting on Nov. 29, 2017

Summary

This item transmits the minutes of the Formal Council meeting of Nov. 29, 2017, 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.

Discussion

These minutes were assigned to Councilwoman Gallego to review.

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

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

No: 0

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

The Mayor 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:

Paul Bell - Item 9
Jenna Leahy - Applicant, Item 13
Laura Ryerson - Applicant, Item 16
Elisabeth Tometich - Item 16
Mario Rana - Applicant, Item 19
Mario Rana - Applicant, Item 20
Charanjit Sahnan - Agent, Item 23

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that this Items 5 through 25 be recommended for approval except Item 24, which was withdrawn by the applicant at the State. The motion carried by voice vote:

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

No: 0

5 Liquor License - Special Event - The Arizona Animal Welfare League

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

Summary

Applicant
Judith Gardner

Location
4250 W. Anthem Way
Council District: 1

Function
Festival

Date(s) - Time(s) / Expected Attendance
Jan. 20, 2018 - 2 p.m. to 7 p.m. / 2,500 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

6 Liquor License - Denny's #8551

Request for a liquor license. Arizona State License 1207B240.

Summary

Applicant

Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
9030 N. Black Canyon Hwy.
Zoning Classification: C-2
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 Jan. 19, 2018.

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

Other Active Liquor License Interest in Arizona
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 will ensure all employees attend the Title 4 liquor law class and abide by all 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:
“I would like to offer my patrons an alcoholic beverage with their meal if they choose to have one.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Denny's #8551
Liquor License Map - Denny's #8551

This item was recommended for approval.

7 Liquor License - The Sicilian Butcher

Request for a liquor license. Arizona State License 1207B233.

Summary

Applicant
Joseph Maggiore, Agent

License Type
Series 12 - Restaurant

Location
15530 N. Tatum Blvd., Ste. 160
Zoning Classification: C-1
Council District: 2

This request is for a new liquor license for a restaurant. This location was

previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Jan. 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
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.

Hash Kitchen (Series 12)
14838 N. Frank Lloyd Wright Blvd., Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Hash Kitchen (Series 12)
8777 N. Scottsdale Road, #308, Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: In January 2015, a fine of $375 was paid for delinquent taxes. In February 2017, a fine of $375 was paid for delinquent taxes.

Public Opinion

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"My husband and I have been in the business for over 20 years. We currently own and operate to other locations in Scottsdale. We feel that this concept will bring a great family eatery to the area."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This location is a great family dining establishment. We have been able to suceed and create fun concepts that have offerings for all ages."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - The Sicilian Butcher
Liquor License Map - The Sicilian Butcher

This item was recommended for approval.

8 Liquor License - Over Easy

Request for a liquor license. Arizona State License 1207B223.

Summary

Applicant
Jeffrey Miller, Agent

License Type

Series 12 - Restaurant

Location
10637 N. Tatum Blvd., Ste. 101A
Zoning Classification: C-1, C-2
Council District: 3

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.

The 60-day limit for processing this application was Jan. 7, 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
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 will ensure our employees attend the Title 4 basic liquor law class. We abide by the City and State 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 like to offer our customers an adult beverage with their meal if they choose.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Over Easy
Liquor License Map - Over Easy

This item was recommended for approval.

9 Liquor License - Special Event - Caledonian Society of Arizona

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

Summary

Applicant
Paul Bell

Location
300 E. Indian School Road
Council District: 4

Function
Cultural Celebration

Date(s) - Time(s) / Expected Attendance
March 3, 2018 - 9 a.m. to 7 p.m. / 12,000 attendees
March 4, 2018 - 9 a.m. to 4 p.m. / 7,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

10 Liquor License - Mariscos El Malecon De Mazatlan

Request for a liquor license. Arizona State License 1207B232.

Summary

Applicant
Lourdes Pineda, Agent

License Type
Series 12 - Restaurant

Location
3416 W. Thomas Road
Zoning Classification: IND. PK.
Council District: 4

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 Jan. 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:
"I have been employed in the restaurant industry for the past 16 years of my employment. Most recently I was employed as a restaurant supervisor and over saw the day to day operations of both dinning room and kitchen. I have work hard and long hours to become able one day to operate my own business."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"My restaurant severs the community in that we have an employee roster of 19 employees that are that are from the local communityand pay city taxes."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Mariscos El Malecon De Mazatlan
Liquor License Map - Mariscos El Malecon De Mazatlan

This item was recommended for approval.

11 Liquor License - Club Envy

Request for a liquor license. Arizona State License 06070170.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 6 - Bar

Location
5030 W. McDowell Road, Ste. 29-30
Zoning Classification: C-2
Council District: 4

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. This location requires a Use Permit to allow patron dancing and live entertainment.

The 60-day limit for processing this application was Jan. 2, 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
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:
"My wife and I have owned and operated a restaurant in Surprise for 7 yrs and are familiar with customer service as well as managing employees in a manner that will be beneficial to our customers. We also worked in the industry an additional 3 years for a total of 10 years. Prior to completing the purchase of Empire, I shadowed the owners for several weeks to become familiar with this particular business. Liquor law training has been scheduled after Thanksgiving to ensure all staff and owners are familiar with city, state, and county laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This is an existing bar that has been in operation for over one year now. There have been no violations and it has adequate parking with no outdoor activities to disturb the neighborhood. All employees will attend liquor law training to ensure that valid identification is checked and accepted and that over service of alcoholic beverages does not occur. My main objective is to have a safe entertainment venue for the community to enjoy themselves."

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 - Club Envy
Liquor License Map - Club Envy

This item was recommended for approval.

12 Liquor License - Yass Convenience & More

Request for a liquor license. Arizona State License 10076939.

Summary

Applicant
Gregory Lopez II, Agent

License Type
Series 10 - Beer and Wine Store

Location
4002 N. 43rd Ave., Ste. 6
Zoning Classification: C-2
Council District: 4

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 does not have an interim permit.

The 60-day limit for processing this application is Jan. 13, 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:
"This neighborhood convenience store will be operated in compliance with the liquor laws of the State of Arizona."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This neighborhood convenience store has been leased since 2010. A No. 10 Beer and Wine Store application has been applied for because some customers who frequent the business have requested that beer and wine products be stocked as part of the inventory of merchandise for sale."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Yass Convenience & More
Liquor License Map - Yass Convenience & More

This item was recommended for approval.

13 Liquor License - Special Event - CASA Academy

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

Summary

Applicant
Jenna Leahy

Location
1500 W. Maryland Ave.
Council District: 5

Function
Dinner

Date(s) - Time(s) / Expected Attendance
Feb. 23, 2018 - 7 p.m. to 10 p.m. / 250 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

14 Liquor License - Special Event - Knights of Columbus SS. Simon & Jude Cathedral 12708

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

Summary

Applicant
Keith Johnson

Location
6351 N. 27th Ave.
Council District: 5

Function
Dinner

Date(s) - Time(s) / Expected Attendance
Feb. 9, 2018 - 6 p.m. to 10 p.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

15 Liquor License - Federico's

Request for a liquor license. Arizona State License 1207B220.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 12 - Restaurant

Location
7616 W. Indian School Road
Zoning Classification: C-2
Council District: 5

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

The 60-day limit for processing this application was Jan. 5, 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.

Federico's Mexican Food (Series 12)
16995 W. Greenway Road, Ste. 100, 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:
"My husband and I have operated several restaurants. We have been operating a restaurant in Surprise with a series 12 restaurant license since 2012 and have not had any violations. We have attended liquor law classes as well as our employees in the past. We will be attending another liquor law class as a refresher and due to changes in the liquor laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We have been operating this restaurant since 2013. Many customers have requested beer to compliment their food service. When they are told we do not sell alcohol many customers leave without eating. Although the restaurant license allows us to sell all types of alcoholic beverages we will most likely only sell beer and perhaps margaritas. We want our business to be a safe place for families to come and enjoy themselves."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Federico's
Liquor License Map - Federico's

This item was recommended for approval.

16 Liquor License - Special Event - A New Leaf, Inc.

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

Summary

Applicant
Laura Ryerson

Location
2802 E. Devonshire Ave.
Council District: 6

Function
Cornhole Tournament

Date(s) - Time(s) / Expected Attendance
Feb. 16, 2018 - Noon to 6 p.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

17 Liquor License - Special Event - Madison Traditional Academy Guild, Inc.

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

Summary

Applicant
Mark Hiland

Location
5752 N. 2nd Ave.
Council District: 6

Function
Corn Hole Tournament

Date(s) - Time(s) / Expected Attendance
Feb. 24, 2018 - Noon to 8 p.m. / 150 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

18 Liquor License - Cheba Hut

Request for a liquor license. Arizona State License 1207B225.

Summary

Applicant
Dorian Lenz II, Agent

License Type
Series 12 - Restaurant

Location
4905 E. Ray Road, Ste. 103
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 location requires a Use Permit to allow outdoor dining and outdoor alcohol consumption. This business is currently being remodeled with plans to open in February 2018.

The 60-day limit for processing this application was Jan. 8, 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
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 will ensure our employees attend the Title 4 basic liquor law class. We abide by City and State 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 like to offer our customers an adult beverage with their meal if they 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 - Cheba Hut
Liquor License Map - Cheba Hut

This item was recommended for approval.

19 Liquor License - State 48 Brewery

Request for a liquor license. Arizona State License 03073119.

Summary

Applicant
Mario Rana, Agent

License Type
Series 3 - Domestic Microbrewery

Location
345 W. Van Buren St.
Zoning Classification: DTC - Van Buren HP
Council District: 7

This request is for a new liquor license for a microbrewery. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow a microbewery and to allow outdoor liquor service. This business is currently being remodeled with plans to open in March 2018.

The 60-day limit for processing this application is Jan. 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.

Angela's Kitchen (Series 12)
19900B N. Remington Drive, Surprise
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

State 48 Brewery (Series 12)
13823 W. Bell Road, Surprise
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

State 48 Brewery (Series 3)
13823 W. Bell Road, Surprise
Calls for police service: N/A - not in Phoenix
Liquor license violations: In December 2017, a warning letter was issued for not reporting annual production at the end of a calendar year.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I currently hold 2 liquor licenses for my other locations. I have never had any violations on my liquor licenses."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I will be improving the building. My restaurant will help turn an once inactive area of Phoenix into a arevitallized use providing more dining entertainment for the residential downtown 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 - State 48 Brewery
Liquor License Map - State 48 Brewery

This item was recommended for approval.

20 Liquor License - State 48 Brewery

Request for a liquor license. Arizona State License 1207B226.

Summary

Applicant
Mario Rana, Agent

License Type
Series 12 - Restaurant

Location
345 W. Van Buren St.
Zoning Classification: DTC - Van Buren HP
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. This location requires a Use Permit to allow outdoor liquor service. This business is currently being remodeled with plans to open in March 2018.

The 60-day limit for processing this application is Jan. 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.

Angela's Kitchen (Series 12)

19900B N. Remington Drive, Surprise
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

State 48 Brewery (Series 12)
13823 W. Bell Road, Surprise
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

State 48 Brewery (Series 3)
13823 W. Bell Road, Surprise
Calls for police service: N/A - not in Phoenix
Liquor license violations: In December 2017, a warning letter was issued for not reporting annual production at the end of a calendar year.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I currently hold 2 liquor licenses for my other locations. I have never had any violations on my liquor licenses."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I will be improving the building. My restaurant will help turn an once inactive area of Phoenix into a arevitallized use providing more dining entertainment for the residential downtown 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 - State 48 Brewery
Liquor License Map - State 48 Brewery

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
Alexander Wurth

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

Function
Community Event

Date(s) - Time(s) / Expected Attendance
Feb. 24, 2018 - 7 p.m. to 11 p.m. / 900 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

22 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
Alexander Wurth

Location

215 N. 7th St.
Council District: 8

Function
Dinner

Date(s) - Time(s) / Expected Attendance
March 10, 2018 - 6 p.m. to 11 p.m. / 500 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

23 Liquor License - 7-Eleven #25730C

Request for a liquor license. Arizona State License 10076940.

Summary

Applicant
Charanjit Sahnan, Agent

License Type
Series 10 - Beer and Wine Store

Location
1601 E. Southern Ave.
Zoning Classification: C-2 BAOD
Council District: 8

This request is for a new liquor license for a convenience store that does not sell gas. This location is currently licensed for liquor sales with a Series 9 - Liquor Store, liquor license.

The 60-day limit for processing this application is Jan. 19, 2018.

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

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

Other Active Liquor License Interest in Arizona

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

7-Eleven #25730C (Series 9)
1601 E. Southern Ave., Phoenix
Calls for police service: 54
Liquor license violations: In January 1997, a fine of $500 was paid for failure to request ID and for selling, giving, or furnishing an underage person alcohol. In July 2000, a fine of $625 was paid for failure to request ID and for selling, giving, or furnishing an underage person alcohol. In February 2001, a fine of $2,500 was paid for failure to request ID and for selling, giving, or furnishing an underage person alcohol. In August 2002, a fine of $4,000 was paid for failure to request ID and for selling, giving, or furnishing an underage person alcohol. In December 2007, a fine of $750 was paid for failure to request ID and for selling, giving, or furnishing an underage person alcohol.

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:
“Have been operating #9 at this location for more than 20 year's.
(Requesting simple transfer of #9 to #10).”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“Competativeness in neibourhood for customer's.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - 7-Eleven #25730C
Liquor License Map - 7-Eleven #25730C

This item was recommended for approval.

24 Liquor License - Break Room Bar & Grill

Request for a liquor license. Arizona State License 06070264.

Summary

Applicant
Chanikya Kundavaram, Agent

License Type
Series 6 - Bar

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

This request is for a new 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 Jan. 14, 2018.

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

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

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

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

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have operated two family liquor stores in Mesa. I have experience running liquor related businesses. I am knowledgeable in all aspects of the daily responsiblities of running a business."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I will be gainfully employing members of the immediate community giving them a chance to support their families."

Staff Recommendation

Staff recommends disapproval of this application based on a Police Department recommendation for disapproval. The Police Department disapproval is based on concerns with the applicants failure to disclose recent liquor license violations and failure to comply with all liquor laws at another establishment owned by the applicant. The applicant has not demonstrated the capability, qualifications and reliability to hold and control a liquor license.

Attachments

Liquor License Data - Break Room Bar & Grill
Liquor License Map - Break Room Bar & Grill
Liquor License Police Department Recommendation - Break Room Bar & Grill

This item was withdrawn.

25 Bingo License - Society of Saint Pius X, Phoenix, Arizona, Inc.

Request for a Class B Bingo License.

Summary

State law requires City Council approval before a State Bingo License can be issued.

Bingo License Types
Class A - gross receipts shall not exceed $15,600 per year
Class B - gross receipts shall not exceed $300,000 per year
Class C - anticipated gross receipts may exceed $300,000 per year

Applicant
Elijah Bartram

Location
750 E. Baseline Road
Zoning Classification: R1-10
Council District: 8

Applicant's projected use of net proceeds: "All net proceeds will be used for paying down Church construction debt."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

ORDINANCES, RESOLUTIONS AND NEW BUSINESS

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that Items 26 through 136 be approved or adopted, except Items 36, 38, 50, 58, 66, 71, 74-76, 78, 96,123-124 and 130-136; and continuing Items 90 and 104 to Jan. 24, 2018; Item 106 is withdrawn and Items 80 and 96 are as corrected. The motion carried by the following vote:

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

No: 0

Mayor Stanton stated the motion for Item 106 was to withdraw the item. He said the item would return before the City Council in the next few weeks.

Councilwoman Gallego concurred. She said she had asked Planning and

Development Director Alan Stephenson to meet with various stakeholders.

Mayor Stanton confirmed with Kelly McKenna, who submitted a speaker comment card, that she was agreeable to continue Item 90.

Items 26-49, Ordinance S-44159 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.

26 Knox Associates, Inc. doing business as Knox Company

For $49,500.00 in payment authority for a new contract, entered into on or about Jan. 1, 2018, for a term of three years, for the purchase of Knox padlocks and lockboxes for the Aviation Department. The padlocks and lockboxes are needed for buildings or gated land and must be ordered and approved by the Fire Department.

This item was adopted.

27 Wesco Distribution Inc., doing business as Brown Wholesale Electric

For $16,460.00 in payment authority to purchase ground loop detectors for the Aviation Department. The device senses when a vehicle enters or exits the parking garages at Phoenix Sky Harbor International Airport and prevents the gate arm from coming down and damaging a vehicle before it clears the parking garage entrance or exit.

This item was adopted.

28 GHD Services Inc.

For $20,000.00 in additional payment authority through March 31, 2018,

for Contract 135585, to continue to perform operating and maintenance tasks associated with the Tal Wi Wi Ranch Water System for the Aviation Department. Services include maintenance of new chlorination equipment and monitors, additional call outs to site several times weekly, startup of new and replaced equipment, replacement of non-capital equipment, and checking nitrates and chlorine levels for public safety in buildings due to observed non-potable connections to buildings.

This item was adopted.

29 Automated Access Systems, Inc.

For $30,000.00 in payment authority for additional expenditures for preventive and remedial maintenance of the Federal APD Parking Access Revenue Control Systems (PARCS) at various City parking facilities for the Phoenix Convention Center. The PARCS system includes equipment and software that allows Phoenix Convention Center to control access and collect parking revenue from garage users. Preventive and remedial maintenance services will ensure the system is continuously operational while the transition to new equipment and software is completed.

This item was adopted.

30 Settlement of Claim *Herrick v. City of Phoenix*

To make payment of $170,000.00 in settlement of claim in *Herrick v. City of Phoenix*, Maricopa County Superior Court, Case CV2015-013981, 14-0700-001, AU BI, for the Finance Department pursuant to Phoenix City Code Chapter 42.

This item was adopted.

31 Atlantic Signal, LLC

For $25,000.00 in payment authority to purchase Self Contained Breathing Apparatus (SCBA) Hearing Protection and Communication System for the Police Department, Tactical Support Bureau, Special Assignments Unit. The SCBA Hearing Protection and Communication System will provide the officers with complete communication between the SCBA system and department issued police radios. Without this equipment, communication via police radio while on SCBA is impossible,

creating unsafe conditions for the officers.

This item was adopted.

32 Wenger Corporation

For $70,000.00 in payment authority to purchase symphonic musician chairs for the Phoenix Convention Center Department. The majority of the present inventory of symphonic musician chairs is unserviceable after more than 20 years of use. Purchasing matching chairs from the same manufacturer is an efficiency measure which enables the continued use of serviceable chairs and allows for shared inventory between Symphony Hall and Orpheum Theatre.

This item was adopted.

33 Stryker Sales Corporation, doing business as Stryker Medical

For $10,000.00 in additional payment authority and to extend Contract 141414 on a month-to-month basis, through May 31, 2018, for stair chairs, parts, and accessories for the Fire Department. A solicitation for a new contract is currently in-review and additional time is required for contract award. The additional funds are necessary for the Fire Department to continue to provide stair chairs, parts, and accessories used to safely transport non-ambulatory patients down stairs without interruption. The stair chairs are crucial as they both protect the patient during transport and help prevent injuries to firefighters.

This item was adopted.

34 Arrow International, Inc.

For $27,500.00 in additional payment authority and to extend Contract 130935 on a month-to-month basis, through March 31, 2018, for Vidacare Products for the Fire Department. A solicitation for a new contract is currently in review and additional time is required for contract award. The additional funds are necessary for the Fire Department's Emergency Medical Services (EMS) to continue to use Vidacare intraosseous needles and accessories without interruption. The needles allow emergency personnel to provide fluids and medications when

intravenous access is not available or feasible.

This item was adopted.

35 Loretta Hoffman & Judy Hoffman and/or Assignee

To provide up to $50,000.00 in displacement relocation assistance as part of the NSD Blighted Property Project for the Neighborhood Services Department by the Finance Department. In an effort to control blight, the City utilized Community Development Block Grant funds to raze blighted structures located at 510 W. Watkins St. in Phoenix, AZ. Per the grant, federal law and the Housing and Urban Development Department's Handbook 1378, the City is required to extend relocation assistance to the tenants that occupied the on-site structures.

This item was adopted.

37 Aquatic Consulting & Testing, Inc.

For $71,000.00 in additional payment authority for Contract 134412 for lake and waterway management services for the Parks and Recreation Department. This contract provides lake and waterway management services, on an as-needed basis, to service City of Phoenix urban lakes and waterways. Services include maintenance, chemical applications and laboratory testing.

This item was adopted.

39 Conduent State and Local Solutions, Inc.

For $35,000.00 in additional payment authority for Contract 136573, through June 30, 2018, for data entry services that are key to the rapid entry of charge information needed by the Phoenix Municipal Court. As a result of the deferral of the implementation of electronic citation filing due to technical issues, the existing authorized funding for this contract will be insufficient for the volume of data entry services that will be required over the remainder of this contract.

This item was adopted.

40 AZ Opportunities Industrialization Center (AZ OIC) Fiscal Agent for AZ MLK (Martin Luther King Jr) Celebration Committee

For $13,500.00 in payment authority for sponsorship of the 2018 Dr.

Martin Luther King Jr. annual events, for the Parks and Recreation Department on behalf of the City of Phoenix. Community educational events will be held at the Phoenix Convention Center, 100 N. 3rd St., and Margaret T. Hance Park, 1202 N. 3rd St.

This item was adopted.

41 GIRO, Inc.

For $20,000.00 in additional payment authority for Contract 140238 for Hastus transit scheduling software maintenance and support for the Public Transit Department through Feb. 9, 2020. The additional funds are for training costs associated with work contemplated in the original contract but not provided for by ordinance. An example of such training costs is a recent request by Phoenix's regional transit partners requesting training on the software's transit scheduling modules, whereby the software vendor provides the training to regional transit staff and invoices the City of Phoenix. Phoenix then recovers all costs associated with the training from its regional partners. These additional funds will be utilized only on an as-needed basis.

This item was adopted.

42 ThyssenKrupp Elevator Corp.

For $74,015.30 in additional payment authority for Contract 144296, Change Order 1 (Project WO70214944), for additional services to furnish and install all code required electrical and fire alarm work to support the 305 Garage Elevator Modernization Project, for the Public Works Department. These modifications are required to bring the elevator machine rooms and hoistways in conformance with new fire and elevator codes updates. This work was not included as part of the original bid.

This item was adopted.

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

For $14,927.78 in payment authority for the construction of street light overhead wire installation and pole for the Street Transportation Department. This work is required for Capital Improvement Project ST87750141 located at 36th Avenue and Palm Lane.

This item was adopted.

44 Arizona Public Service Company

For $19,600.00 in payment authority for design and construction services for Historic Streetlight underground wire within the Encanto Palmcroft neighborhood for the Street Transportation Department. This completes the Historic Restoration project per City project ST87250008.

This item was adopted.

45 Moore Tool & Equipment, Inc.

For $18,700.00 in payment authority to purchase a vertical knee mill for the Water Services Department. The mill is used for shafting, repair, maintenance, and fabrication of equipment critical to the water treatment and distribution system, including vertical turbine pumps, couplings, and flanges.

This item was adopted.

46 Copper State Supply, Inc.

For $14,383.00 in payment authority to purchase chlorine and general purpose sensors for the Water Services Department. The sensors are used to measure the amount of chlorine in parts per million (PPM) at Deer Valley Water Treatment reservoirs. Data from these sensors is monitored by the Arizona Department of Health Services for regulatory compliance.

This item was adopted.

47 Tornquist Machinery Company

For $57,500.00 in payment authority to purchase a semi-automatic band saw for the Water Services Department. This equipment safely cuts large and small diameter pipe and shafting, as well as stainless steel, brass,

aluminum, plastic, and other materials to precise measurements.

This item was adopted.

48 Salt River Pima-Maricopa Indian Community

For $97,500 in payment authority to pay land rent to the Salt River Pima-Maricopa Indian Community for the Verde Water Treatment Plant site for the Water Services Department. The Water Services Department must make a rental payment to the Salt River Pima-Maricopa Indian Community for leased premises of the 64.4-acre Verde Water Treatment Plant site from July 2015 to December 2017.

This item was adopted.

49 Copper State Supply, Inc. - Modular Welding Fixture

For $70,679.00 in payment authority to purchase a modular welding fixture for the Water Services Department. The modular welding equipment is used to ensure that repairs to water infrastructure are performed to correct tolerances, minimizing downtime.

This item was adopted.

51 Reappointment of Municipal Court Judges

This item requests reappointment of Judge Eric L. Jeffery, Michael D. Hintze, Hercules Dellas, and Marianne Bayardi, each to a four-year term expiring Jan. 17, 2022.

Summary

On Nov. 13, 2017, the Judicial Selection Advisory Board recommended their reappointments to the Public Safety and Veterans Subcommittee.

On Dec. 13, 2017, the Public Safety and Veterans Subcommittee unanimously recommended their reappointments as judges of the Municipal Court.

This item was approved.

52 Building Supplies for City Departments - IFB 13-136 (Ordinance S-44164)

Request to authorize the City Manager, or his designee, to add additional expenditures to Border Construction Specialties, LLC Contract 4701001245 and Six Points Hardware, Inc. Contract 4701001246 in the amount of $800,000 to provide building supplies to the City. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Through these comprehensive building commodities contracts, Border Construction Specialties, LLC and Six Points Hardware, Inc. provide a broad range of building supplies including but not limited to: concrete, composites, building insulation, doors and door hardware, windows and window hardware, tile, masonry, structural steel, carpentry, flooring and lumber to all locations within the Phoenix Metropolitan Area. The requested products are critical to citywide facility operations.

Financial Impact

With the $800,000 in additional funds, the contracts' revised aggregate value through June 30, 2018 is now $5,275,000, and the revised estimated annual expenditure is $1,055,000. Housing, Parks and Recreation, Aviation, Public Works, Fire, and Water Services departments are the primary users and funds are available in each department's budget. The contracts are available to all City departments.

Concurrence/Previous Council Action

These contracts are a result of IFB 13-136, Ordinance S-40014, adopted at the June 19, 2013 Formal Council meeting.

This item was adopted.

53 Authorization to Amend Lease with CenturyLink Communications, LLC to Extend the Term (Ordinance S-44169)

Request to authorize the City Manager, or his designee, to amend Contract 119540-OL with CenturyLink Communications, LLC to provide two additional five-year option periods. Further request authorization for the City Treasurer to accept all funds related to this item. Rent at the beginning of each five-year option period will be at the then-prevailing market rate, plus applicable taxes.

Summary

CenturyLink Communications, LLC currently leases approximately 18,505 square feet, net, of interior garden level space located at 2120 N. Central Ave., Suites G10, G30, G31 and G32. The lease also provides for 233 square feet of common area for an air conditioning condenser. The current contract term expires June 30, 2018 with one option remaining through June 30, 2023. Contract rent during the final option period is $21.50 per square foot per year, plus applicable taxes, or $397,857.50 per year. CenturyLink is a long-term tenant in good standing at this location and requested to add two additional five-year option periods beginning July 1, 2023. Each option period will be exercised upon mutual agreement of the City and tenant. Rent at the beginning of each five-year option period will be at the then-prevailing market rate, plus applicable taxes.

Financial Impact

Revenue at the beginning of each five-year option period beginning July 1, 2023 will be at the then-prevailing market rate, plus applicable taxes. Funds pay for operating and maintenance expenses related to 2120 N. Central Ave., with the remaining net revenue used to offset Family Advocacy Center operations.

Concurrence/Previous Council Action

This contract was approved by Ordinance S-40732, adopted April 16, 2014.

Location

2120 N. Central Ave., Suites G10, G30, G31, G32
Council District: 7

This item was adopted.

54 Handyman and Millwork Services - Requirements Contract - IFB 18-090 (Ordinance S-44184)

Request to authorize the City Manager, or his designee, to enter into a contract with Signature Facilities Maintenance, LLC to provide handyman and millwork services for the Library Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $412,500 over the life of the contract.

Summary

Under the contract, Signature Facilities Maintenance, LLC will provide handyman and millwork services for minor repairs and maintenance on an as-needed basis throughout various City of Phoenix Library locations.

Procurement Information

Invitation for Bids (IFB) 18-090 was conducted in accordance with Administrative Regulation 3.10. There were four offers received by the Procurement Division on Oct. 13, 2017, however one offer was deemed non-responsive for failing to demonstrate the required knowledge/experience as outlined in the solicitation. Following are the lowest priced offers:

Signature Facilities Maintenance, LLC: $82,500
Hernandez Companies A Construction Service Group: $126,500
Builders Guild, Inc. Construction Professionals: $165,000

The Deputy Finance Director recommends that the offer from Signature Facilities Maintenance, LLC be accepted as the lowest-priced, responsive and responsible offer.

Contract Term

The term of the contract is five years which will begin on or about Feb. 1, 2017.

Financial Impact

The aggregate contract value will not exceed $412,500 over the life of the contract. The estimated annual expenditure is $82,500. Funds are available in the Library Department's budget.

This item was adopted.

55 Contract Award for Plumbing Services, Including Rooter and Drain Cleaning - Requirements Contract (Ordinance S-44185)

Request to authorize the City Manager, or his designee, to enter into a contract with Above All Plumbing Services, Inc. to provide plumbing repairs, projects and rooter and drain cleaning services for various privately and publicly owned City of Phoenix properties and facilities on an “as-needed” basis for all City of Phoenix departments. The aggregate

value through Jan. 31, 2023 shall not exceed $3,000,000, with an annual value of $600,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract will be utilized to supply all standard labor, materials, supplies, equipment, permits, tools, vehicles, transportation and security fees necessary for plumbing repairs and/or service for various privately and publicly owned City of Phoenix properties or facilities on an as-needed basis. In addition, the contractor shall supply all labor, equipment materials, permits and supplies necessary to provide rooter and drain cleaning services for fresh water and wastewater drain lines, including waste and vent systems at City of Phoenix facilities on an as-needed basis. The contractor customer support shall be on a 24-hours-a-day, seven-days-a-week basis.

Procurement Information

An Invitation for Bid, IFB 18-123 Plumbing Services, including Rooter and Drain Cleaning - Requirements Contract, was conducted in accordance with Administrative Regulation 3.10. Four responsive and responsible bids were received by the Finance Department/Procurement Division on Dec. 1, 2017. The lowest bid was determined by evaluating unit prices on a per hour basis.

Above All Plumbing Services: $3,712.80
RKS Plumbing & Mechanical: $5,150.00
Hernandez Companies: $4,427.00
Adobe Energy Mgmt. Co.: $4,797.00

It is recommended by the Deputy Finance Director that the bid from Above All Plumbing Services, Inc. be accepted as the lowest, responsive and responsible bidder.

Contract Term

The five-year term shall begin on or about Feb. 1, 2018. Provisions of the contract do not provide any options to extend.

Financial Impact

The aggregate value through Jan. 31, 2023 shall not exceed $3,000,000,

with an annual value of $600,000. Funds are available in all City of Phoenix department budgets.

This item was adopted.

56 Acceptance of Easement for Water Purposes (Ordinance S-44171)

Request for the City Council to accept an easement for water purposes; further ordering the ordinance recorded.

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

Easement (a)
Applicant: Grand Canyon Education, Inc., its successor and assigns
Purpose: Water
Location: 2947 W. Colter St.
File: FN170100
Council District: 5

This item was adopted.

57 Acceptance of Easements for Public Utility Purposes (Ordinance S-44183)

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

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

Easement (a)
Applicant: John A Powers III, its successor and assigns
Purpose: Public Utilities
Location: 422 N. 32nd Place
File: FN170105
Council District: 8

Easement (b)
Applicant: John A Powers III, its successor and assigns

Purpose: Public Utilities
Location: 327 N. 32nd Place
File: FN170106
Council District: 8

This item was adopted.

59 Acceptance and Dedication of an Easement for Sidewalk Purposes (Ordinance S-44191)

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

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

Easement (a)
Applicant: Crescent Highland, LLC, its successor and assigns
Purpose: Sidewalk
Location: 4626 N. 16th St.
File: FN170097
Council District: 4

This item was adopted.

60 Rooter/Drain Clearing Service - IFB 12-013 (Ordinance S-44194)

Request to authorize the City Manager, or his designee, to add additional expenditures to Contract 132786 with Hernandez Companies, Inc. for the purchase of all labor, materials, permits, and supplies necessary to provide rooter and ancillary services to various city-owned properties and facilities, in an amount of $115,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The additional funds are necessary to provide continuing rooter and ancillary services for fresh water, waste water drain lines and related services on an as-needed basis to various City departments. The primary departments using the contract are Public Works, Parks and Recreation, and Water Services. This contract is available to all City departments.

Financial Impact

With the $115,000 in additional funds, the contract's revised aggregate value through Jan. 31, 2018 is now $391,944.64. Funds are available in various departments' budgets.

Concurrence/Previous Council Action

This contract is the result of IFB 12-013 awarded at the Feb. 1, 2012 Formal Council meeting.

This item was adopted.

61 SAP Mobile Work Manager Solution Pilot Installation (Ordinance S-44196)

Request to authorize the City Manager, or his designee, to enter into an agreement with SynterTec Consulting, Inc., to provide installation services of the SAP Mobile Work Manager as a pilot program for the Public Works Department. The aggregate value of this agreement will not exceed $122,640. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Facilities Management Division provides citywide facility management services across 550 square miles to more than 676 City-owned and leased facilities used to provide services to the community. This division conducts preventative, reactive, and long-term maintenance for an extensive network of City facilities, spanning multiple departments and lines of business.

Recently, through the City Manager's CORE (Comprehensive Organizational Review Evaluation) team, a study was conducted to assist in identifying efficiencies and opportunities for better optimization of the division's resources, specifically in the area of asset management. A recommendation from the study was to pursue a mobile solution to manage and track maintenance work orders, as this technology could greatly assist facilities staff in streamlining processes and automating service calls. The City currently utilizes SAP for financial accounting and reporting, asset management, work order management, and inventory management. The recommendation is to implement a mobile solution employing a pilot program using the SAP Work Manager Solution for full integration with the existing SAP system as needed. This expenditure is

necessary to provide technical expertise for the installation component of the application.

Procurement Information
A procurement process was conducted using the existing IT Professional Services Qualified Vendor List established by the Information Technology Services Department. Three offers were received in response to the procurement process. SynterTec Consulting, Inc., was the most qualified vendor with the lowest bid.

Contract Term
The term of this contract would be for one year, beginning on or about Jan. 15, 2018, with no options to extend.

Financial Impact
The aggregate value of this contract will not exceed $122,640. Funds are available in the Public Works Department's operating budget.

This item was adopted.

62 Glass Repair and Replacement - Requirements Contract - IFB 18-041 (Ordinance S-44197)

Request to authorize the City Manager, or his designee, to enter into a contract with Bunkers Glass of Phoenix, Inc. to provide glass repair and replacement services in the amount not to exceed $1,300,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The contractor will provide full service glass repair and replacement services to citywide departments, and will provide various types of glass, for windows, plate glass, tabletop glass, storefront glass, passageway door glass, shower door glass, and frame components. The primary departments using this contract are Public Works, Parks, and Aviation. Locations are throughout the City. The requested products and services are critical to citywide facility operations.

Procurement Information
IFB 18-041 Glass Repair and Replacement was conducted in

accordance with Administrative Regulation 3.10. The solicitation was emailed to 96 vendors and was posted on the City's website. Three offers were received by the Procurement Division on Dec. 1, 2017. Two bids were deemed non-responsive on Groups 1 and 2 for not meeting specifications.

Group 1: Bunkers Glass of Phoenix, Inc.

The Deputy Finance Director recommends the offer from Bunkers Glass of Phoenix, Inc. be accepted as the only responsive and responsible offer.

Contract Term

The five-year contract will begin on or about Feb. 1, 2018 and end on or about Jan. 31, 2023.

Financial Impact

The aggregate contract value through Jan. 31, 2023 shall not exceed $1,300,000. Funds are available in all City of Phoenix department budgets.

This item was adopted.

63 Electric and Gas Carts Preventative Maintenance, Repair Services and Parts - IFB 18-073 (Ordinance S-44199)

Request to authorize the City Manager, or his designee, to enter into a contract with Electric Vehicle Company for preventative maintenance and repair services, and parts, for electric and gas carts for citywide departments. Further request authorization for the City Controller to disburse all funds related to this item. The five-year aggregate value of the contract will not exceed $1,005,000, with an estimated annual expenditure of $201,000.

Summary

The City uses electric and gas carts for hauling, transportation, or delivering items to and inside large City facilities. This contract will allow citywide use for preventative maintenance services, repair services, and parts for electric and gas carts, with the Phoenix Convention Center and the Water Services departments being the main departments that utilize such services.

Procurement Information

Invitation for Bid (IFB) 17-073 was conducted in accordance with Administrative Regulation 3.10. A notice of solicitation was emailed to 17 vendors and the solicitation was posted and made available for download from the City's current solicitations web page. There was one offer received by the Finance Department's Procurement Division on Nov. 3, 2017 by the following vendor:

Electric Vehicle Company

The Deputy Finance Director recommends that the offer from the Electric Vehicle Company be accepted as a responsive and responsible offer that is most advantageous to the City.

Contract Term

The five-year contract term shall begin on or about Feb. 1, 2018.

Financial Impact

The aggregate value of the contract shall not exceed $1,005,000, with an estimated annual expenditure of $201,000. Funds are available in various departments' budgets.

This item was adopted.

64 Court Reporting Services (Ordinance S-44200)

Request to authorize the City Manager, or his designee, to add additional expenditures for Contracts with Morris Crowe Court Reporting - 140188, Ottmar & Associates, Inc. - 140189, Seymor & Associates, LLC - 140232, Griffin & Associates, LLC - 140307, and Canyon State Reporting Services, LLC - 140344, in an amount of $100,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

These contracts provide court reporting services related to civil/criminal depositions, courtroom transcription, expert witness testimony, etc., for cases handled by in-house attorneys for legal matters involving City of Phoenix departments, commissions, boards, and agencies on an as needed basis. The Law Department has increased the amount of cases

handled in-house rather than sending to outside counsel, resulting in an increased use of court reporting services. The Law Department currently has 140 active in-house litigation cases. The additional funds reflect this increase usage and also expands these services to the Retirement Office.

Financial Impact

With the $100,000 in additional funds, the contracts' revised aggregate value is now $140,000 (including applicable taxes), with new estimated annual expenditures of $28,000. Funds are available in various department budgets, including the Law Department, Self-Insurance Fund, and Retirement Office.

Concurrence/Previous Council Action

The Phoenix City Council approved these contracts on Nov. 18, 2015, with an original aggregate value of $40,000.00.

This item was adopted.

65 Furniture Products and Services (Ordinance S-44187)

Request to authorize the City Manager, or his designee, to extend the following contracts through Feb. 29, 2020, and add funds in an amount of $1,500,000: Arizona Furnishings, 4701001656; Goodmans Interior Structures, 4705000080; Interior Solutions of Arizona LLC, 4705000190; Corporate Interior Systems, Inc., 4705000191; Sitmatic,4705000192; Tab Office Resources, 4705000193; and Elontec LLC, 4705000195. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Extending these contractors will continue to provide furniture products and services to citywide departments. The primary departments using the contracts are Public Works, Police, Planning and Development, Water Services, Municipal Court, Library, Human Services, Aviation and Fire. Approximately 60 percent of the contract is used by enterprise funds. These contracts will be used to replace furniture damaged during the flood at the Burton Barr Library, to replace furniture that has surpassed its end of life, and to create a safer workplace, including ergonomic furniture to comply with the Americans with Disabilities Act (ADA) requirements. Further, contracts are used to reconfigure and optimize existing

workspaces to promote collaboration and increased productivity. Contractors will reuse and repair existing furniture inventory when possible. The State of Arizona contracts offer participating agencies statewide deep discounts.

Financial Impact

With the $1,500,000 in additional funds, the revised aggregate value through Feb. 29, 2020, is now $6,000,000 (including applicable taxes). Funds are available in City of Phoenix departments' budgets.

Concurrence/Previous Council Action

The State of Arizona contracts are ADSPO13-040690 with Arizona Furnishings, ADSPO13-040689 with Goodmans Interior Structures, ADSPO13-040686 with Interior Solutions of Arizona LLC, ADSPO13-040688 with Corporate Interior Systems Inc, ADSPO13-040691 with Sitmatic, ADSPO13-040683 with Tab Office Resources, and ADSPO13-041929 with Elontec LLC.

This item was adopted.

67 Contract Extension for Benefits Analyst Professional Services (Ordinance S-44206)

Request authorization for the City Manager, or his designee, to amend the contract with Envision, LLC to provide IT professional services for the City's human capital management system in an amount not to exceed $360,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The City contracted with Envision, LLC to provide benefits analyst services, including both functional and technical PeopleSoft support for the Information Technology Services and Human Resources departments. Continuing support is required for the Human Resources Health and Safety self-service functions, implementation of the initial phases of employee on-boarding functions, implementation of a new 457 Roth Plan with Nationwide, support for interfaces to support a new enterprise budgeting application, support with application patch maintenance, and general day-to-day production support duties. Services also will include benefits administration support for the 2019 benefits open enrollment processes and development of necessary changes to

implement the 2019 Benefits Wellness Incentive program.

Procurement Information
In August 2017, the Information Technology Services Department conducted a competitive procurement utilizing the Information Technology Professional Services Qualified Vendor List. Ten vendors responded, with Envision, LLC, being selected as the most qualified.

Contract Term
This request is to extend the contract through Dec. 31, 2018.

Financial Impact
On Aug. 30, 2017, City Council approved an initial contract amount of $100,000. This request is to increase the contract by $360,000, for a total contract amount not to exceed $460,000. Funds will be provided by the City's Health Care Benefits Trust and the Information Technology Services Department's operating budget.

Concurrence/Previous Council Action
The Health Care Benefits Trust Board approved its portion of the expenditure for this contract ($200,000) at its Nov. 14, 2017 public meeting.

This item was adopted.

68 Intergovernmental Agreement for a Communications Systems Strategic Alliance (Ordinance S-44189)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) between the City of Phoenix on behalf of the Regional Wireless Cooperative (RWC) and the City of Mesa on behalf of the Topaz Regional Wireless Cooperative (TRWC), to collaborate concerning the delivery of public safety communications services to their respective users when such collaboration benefits at least one of the parties participating in a particular cooperative effort.

Summary
With the approval of the RWC Board of Directors, the IGA language establishes the authority to undertake a wide variety of mutually beneficial programs, projects, or activities to support cooperation and save money. Examples include: improving operational efficiencies between and

among regional public safety communications systems; technology enhancements; developing common policies and procedures; inter-system sharing; multi-agency grant opportunities; sharing interoperable resources; and maintaining system compatibility. In the future, other organizations and entities may join the CSSA by entering into this IGA as Parties.

Contract Term

The term of the IGA shall begin on or about Feb. 1, 2018, and shall continue until terminated by either party. Either party shall have the right to terminate the agreement on 24 months prior written notice, or such shorter period as the parties may agree.

Financial Impact

There is no financial impact to the City of Phoenix.

This item was adopted.

69 Request to Award $30,000 Brownfields Grant to AZCF1, LLC (Ordinance S-44204)

This report requests authorization for the City Manager, or his designee, to enter into a Development Agreement with AZCF1, LLC, to award a $30,000 grant for development of the Riverview Project (to include, Riverview Main Road and Vantage Mobility International) at 1215 E. Riverview Drive. Further request authorization for the City Controller to disburse the funds for purposes of this item. The funds will be used for public infrastructure improvements, environmental cleanup in areas of public infrastructure improvements, and development fees.

Summary

The Office of Environmental Programs Brownfields Land Recycling Program has provided technical assistance to the various owners of the 28-acre former landfill site since 2005. AZCF1, LLC, acquired the site in 2016 to develop a business commerce park.

The site was a privately-owned landfill from the 1960s until closure in the early 1970s. Since that time, the property has remained vacant. This project meets the requirements of the Brownfields Land Recycling Program and the criteria established for distribution of grants. The project will restore an unused, underdeveloped property and will benefit the

community with employment, new tax revenue, and elimination of a blighted property. The project is scheduled for completion in 2018.

Contract Term
The term of the development agreement will be for up to one year and provision of the agreement may include an option to extend the term up to one additional year, which may be exercised by the City Manager or designee.

Financial Impact
Funding is available in the Office of Environmental Programs Capital Improvement Program.

Concurrence/Previous Council Action
The Sustainability, Housing, Efficiency and Neighborhoods Subcommittee recommended this item for Council approval on Nov. 28, 2017, by a vote of 3-0.

Location
The project is located at 1215 E. Riverview Drive.
Council District: 8

This item was adopted.

70 Request to Award $70,000 Brownfields Grant to Desert Botanical Garden (Ordinance S-44205)

Request authorization for the City Manager, or his designee, to enter into a development agreement with the Desert Botanical Garden to award a $70,000 grant for development of the Spaces of Opportunity Project located at 6641 S. 15th Ave. Further authorize the City Controller to disburse the funds necessary for this item. The funds will be used for public infrastructure improvements, environmental cleanup in areas of public infrastructure improvements, and development fees.

Summary
The Office of Environmental Programs (OEP) Brownfields Land Recycling Program has provided technical and financial assistance to the Spaces of Opportunity Project through the Brownfields to Healthfields initiative, which is focused on increasing food and healthcare access. OEP completed environmental assessments, funded by a U.S.

Environmental Protection Agency grant on the approximately 20-acre site and found lead and arsenic contaminants in the soil that required mitigation to ensure safe food production on the site.

The Spaces of Opportunity project involves development of urban agriculture, including community gardens, a farmers' market, arts and cultural space, and agricultural and nutrition training. The goal of the project is to transform the low income, food desert area into a thriving food oasis. The project meets the requirements of the Brownfields Land Recycling Program, the criteria established for distribution of grants, and the goals of the Brownfields to Healthfields initiative.

The project restores an undeveloped property, increases access to healthy food, improves public health, encourages community cohesion, and creates employment opportunities. The project is being developed in phases with completion of the public infrastructure improvements in late 2018 to early 2019.

Contract Term
The development agreement will cover up to a two year period and provisions of the agreement may include an option to extend the term up to one year, which may be exercised by the City Manager or designee.

Financial Impact
Funding is available in the Office of Environmental Programs Capital Improvement Program.

Concurrence/Previous Council Action
The Sustainability, Housing, Efficiency and Neighborhoods Subcommittee recommended this item for approval on Nov. 28, 2017, by a vote of 3-0.

Location
The project is located at 6641 S. 15th Ave.
Council District: 7

This item was adopted.

72 Authorization to Enter into License with Heard Museum for Event

Overflow Parking (Ordinance S-44174)

Request to authorize the City Manager, or his designee, to enter into a license agreement with the Heard Museum for use of the parking lot located at 42 W. Cypress St. for two planned events. Further request authorization for the City Treasurer to accept all funds related to this item. Revenue during the two planned events is $1,200 plus applicable taxes.

Summary

The Heard Museum will use the parking lot for overflow parking during the World Championship Hoop Dance Contest on Feb. 3, 2018, and the Heard Guild Indian Fair and Market from Feb. 26, 2018 through March 6, 2018. The fee for the license is $120 per day, plus applicable tax, which is within the range of market rents as determined by the Real Estate Division. The license will contain insurance and indemnity provisions acceptable to the City's Risk Management Division and the City Attorney. The license may be canceled pursuant to the provisions of Arizona Revised Statues section 38-511, or by 30-day written notice from either party. The license may contain such other terms and conditions deemed necessary or appropriate by the City.

Contract Term

The contract term is for a total duration of 10 days between the dates of Feb. 3, 2018 and March 6, 2018.

Financial Impact

Revenue during the two planned events is $1,200 plus applicable taxes.

Location

42 W. Cypress St.
Council District: 4

This item was adopted.

73 2017 Community Development Block Grant, Neighborhood Enhancement Program, Alwun House Foundation Green Art Park (Ordinance S-44190)

This report requests to authorize the City Manager, or his designee, to enter into an agreement to award $100,000 to the Alwun House Foundation for the construction of the Green Art Park. Further request to

authorize the City Controller to disburse the funds as necessary for this item.

Summary

The US Department of Housing and Urban Development (HUD) funds the Neighborhood Enhancement Program to address community infrastructure needs and improvements including parks, playgrounds, landscaping, and other critical projects. The Neighborhood Enhancement Program targets neighborhoods with active community-based organizations and areas that have developed basic neighborhood improvement goals and strategies.

The Alwun House Foundation applied for $100,000 to construct the Green Art Park through the Neighborhood Enhancement Program. The project will convert two formerly blighted vacant lots located at 1209 N. 12th St. into a community meeting and educational space in the Garfield neighborhood. The park is designed as a multi-use space which includes a desert adapted drought-tolerant landscape, energy-efficient lighting, and pavers designed to address storm water more responsibly. The Green Art Park will provide a venue for community activities such as G.A.I.N. events, art shows, neighborhood educational seminars and workshops, and serve as a place for the community to gather and interact. For more than 40 years the Alwun House and Alwun House Foundation have been instrumental in revitalization efforts in the Garfield neighborhood.

Financial Impact

This project will be funded with Community Development Block Grant (CDBG) funds; it will not impact the General Fund.

Concurrence/Previous Council Action

The Sustainability, Housing, Efficiency and Neighborhoods Subcommittee approved this item unanimously on Nov. 28, 2017.

Location

1209 N. 12th St.
Council District: 8

This item was adopted.

77 **Acceptance of Deed for Vacant Land Adjacent to Phoenix Mountain Preserve near North Mountain Visitor's Center and Designate as "Mountain Preserve" (Ordinance S-44176)**

Request for the City Council to accept a deed for 0.438 acres of vacant land located adjacent to the Phoenix Mountain Preserve near the North Mountain Visitor's Center and designate as "Mountain Preserve" in accordance with provisions of Chapter XXVI of the City Charter, and order that the ordinance be recorded.

Summary

Crown Castle has existing monopole cell tower sites at Sereno Park and Cortez Park requiring a Land and Water Conservation Fund (LWCF) conversion for compliance with the LWCF Act of 1965. The conversion replaces 0.12 acres at Sereno Park and 0.02 acres at Cortez Park. The 0.438 acre parcel meets all conversion stipulations, and is to be donated by Crown Castle at no cost to the City for Mountain Preserve purposes.

The property in question is a remnant residential parcel. It was purchased by Crown Castle Communications from Pointe Masterplan, LLC in 2017 to be donated to the City to offset the parkland taken up by the leased cell tower facilities at Cortez and Sereno parks. The 0.438-acre property, which is zoned for residential use, will be added to the Phoenix Mountain Preserve, preserving the property in perpetuity and providing additional recreational opportunities to the public.

Location

The property is located along the west side of 7th Street, north of the Peoria Avenue alignment, and is identified by Maricopa County assessor parcel number 159-25-003N.
Council District: 3

This item was adopted.

79 **Phoenix Convention Center Ticketing Contract Extension (Ordinance S-44161)**

Request to authorize the City Manager, or his designee, to extend the current contract with TicketForce, LLC from Nov. 30, 2018 to June 30, 2019. Further request authorization for the City Treasurer to accept, and

the City Controller to disburse, all funds related to this item. The estimated annual revenue for this contract is $152,000.

The Phoenix Convention Center Department's (PCCD) ticketing program is a key component of overall operations. Effective ticketing services are essential to setting the PCC apart from the competition and achieving the vision of being the premier convention and entertainment complex in North America. The current contractor, TicketForce, has provided expertise in several areas that include but are not limited to the following: ticket distribution, management of automated ticket distribution services, software, installation of network computers and field devices, training, data conversion, support and implementation. The contractor provides ticketing services for events at the Phoenix Convention Center, Symphony Hall and Orpheum Theatre.

Contract Term

The current ticketing contract expires on Nov. 30, 2018. In order to avoid potential impacts during the prime consumer show and theater season between September and May, staff recommends an extension of the existing contract to June 30, 2019. Extending the contract for an additional seven months will ensure minimal impacts to ticketed public shows and theater events and allow for a smoother transition should there be a change in the ticketing provider. In addition, this amendment would require the current provider to continue to fulfill ticketing obligations on events currently under sale by this provider. This will allow any transition to be seamless for show promoters and patrons.

Financial Impact

The TicketForce contract is a revenue contract. The agreement will provide PCCD with per-ticket revenue equal to 40 percent of customer fees collected. The estimated annual revenue for this contract is $152,000.

Location

Services will be provided at the Phoenix Convention Center & Venues, 100 N. 3rd St.

Council Districts: 7 and 8

This item was adopted.

80 ***REVISED ITEM (SEE ATTACHED CORRECTION MEMO)* - Authorization to Accept a Contribution from Keep America Beautiful and Duracell for Pallets of Duracell Batteries to be used by Housing and Fire Departments**

Request authorization for the City Manager, or his designee, to accept a contribution from Keep America Beautiful and Duracell for pallets of batteries with an estimated value of $192,000.00 to be used in public housing and in the community.

Summary
A leading national nonprofit, Keep America Beautiful inspires and educates people to take action every day to improve and beautify their community enviornment. They envision a country in which every community is a clean, gree, and beautiful place to live. The organization is driven by the work and passion of more than 600 community-based Keep America Beautiful affiliates, millions of volunteers, and the support of corporate partners, municipalities, elected officials, and individuals.

The Housing and Fire Departments have indicated they have a use for the batteries to change out smoke detectors in all of the public housing properties. The Fire Department has also indicated they would have use of the batteries to use throughout many facilities around the city.

Financial Impact
There is no financial impact to the City.

This item was approved as revised.

81 Zodiac Inflatable Boats-Requirements Contract- IFB 18-101 (Ordinance S-44168)

Request to authorize the City Manager, or his designee, to enter into a contract with Triad Marine & Industrial Supply, Inc. to provide the Fire Department with Zodiac Inflatable Boats. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $310,000.

Summary
The Fire Department, Arizona Task Force One (AZ-TF1), must maintain standardized equipment for deployment to national incidents at the request of the Federal Emergency Management Agency (FEMA). The Fire Department utilizes Zodiac Inflatable Boats for water rescues during hurricane and water disaster operations.

Procurement Information
IFB 18-101, Zodiac Inflatable Boat, was conducted in accordance with Administrative Regulation 3.10. The solicitation was posted on the City's website and two offers were received by the Procurement Division on November 06, 2017. Following are the two offers with the annual prices listed.
Triad Marine & Industrial Supply, Inc: $62,000
Business Services: $75,199.92

The Deputy Finance Director recommends that the offer from Triad Marine & Industrial Supply, Inc be accepted as the lowest-priced, responsive and responsible offer.

Contract Term
The five-year contract will begin on or about Jan.,11, 2018 and end on or about Dec. 31, 2022.

Financial Impact
The expenditures against this contract shall not exceed the aggregate amount of $310,000. Funds are available in the Fire Department's budget.

Responsible Department
This item is submitted by Assistant City Manager Milton Dohoney, Jr. and the Fire Department.

This item was adopted.

82 Contract with ICL Performance Product LP to Provide Class A

Foam
(Ordinance S-44166)

Request to authorize the City Manager, or his designee, to enter into a contract with ICL Performance Product LP to provide the Fire Department with Class A Foam. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $246,000.

Summary
The Fire Department currently operates under a tactical Standard Operating Procedure (SOP) that states Class A Foam shall be used in any situation where plain water has been indicated. The Department currently operates in excess of 60 engines with on-board, pre-plumbed and multiple discharge direct injection foam systems.

Procurement Information
IFB 18-070, Fire Fighting Class A Foam, was conducted in accordance with Administrative Regulation 3.10. The solicitation was emailed to 72 vendors and posted on the City's website. Two offers were received by the Procurement Division on Oct. 31, 2017. Following are the two offers with prices listed.
ICL Performance Product LP: $223,500
United Fire Equipment Company: $257,250

The Deputy Finance Director recommends that the offer from ICL Performance Product LP be accepted as the lowest-priced, responsive and responsible offer.

Contract Term
The five-year contract will begin on or about Jan. 11, 2018 and end on or about Dec. 31, 2022.

Financial Impact
The expenditures against this contract shall not exceed the aggregate amount of $246,000. Funds are available in the Fire Department's budget.

This item was adopted.

83 Purchase of Paraclete Ballistic Shields - Requirements Contract - IFB 18-029 (Ordinance S-44162)

Request to authorize the City Manager, or his designee, to enter into a contract with FX Tactical, LLC to provide the Police Department with Paraclete Ballistic Shields. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $567,050.

Summary

The Police Department, Tactical Support Bureau and Airport Bureau, routinely utilizes Paraclete Ballistic Shields to protect citizens during evacuations, as well as to protect officers during containment and contact phases of fluid tactical incidents.

Procurement Information

IFB 18-029, Paraclete Ballistic Shields was conducted in accordance with Administrative Regulation 3.10. One offer was received by the Procurement Division on October 13, 2017. The price has been determined to be fair and reasonable based on online research and past purchases.

FX Tactical, LLC $113,410

The Deputy Finance Director recommends the offer from FX Tactical, LLC be accepted as the lowest priced, responsive and responsible offer.

Contract Term

The five-year contract term will begin on or about Jan.1, 2018 and end on or about Dec. 31, 2022.

Financial Impact

The expenditures against this contract shall not exceed the aggregate amount of $567,050. Funds are available in the Police Department's budget.

This item was adopted.

84 Weapon Mounted Night Vision Devices- Requirements Contract-IFB 18-069 (Ordinance S-44172)

Request to authorize the City Manager, or his designee, to enter into a contract with FLIR Surveillance, Inc. for weapon mounted night vision devices 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 $190,918.00.

Summary

The Police Department's Special Assignments Unit (SAU) require weapon mounted night vision devices. The Magnum Universal Night Site Vision Devices are compatible with the Police Department's SAU sniper rifle weapon systems in low light tactical operations.

Procurement Information

An Invitation for Bid, IFB 18-069 Weapon Mounted Night Vision Devices, was conducted in accordance with Administrative Regulation 3.10. The solicitation was posted on the City's website. There were five offers received by the Procurement Division on Oct. 4, 2017; four bids were deemed non-responsive as the items bid did not meet the specifications as stated in the solicitation.

FLIR Surveillance, Inc. $176,520.00

The Deputy Finance Director recommends the bid from FLIR Surveillance, Inc. be accepted as the lowest-priced, responsive and responsible bidder.

Contract Term

The one-year term will begin upon Council approval Jan. 1, 2018 and end on or about Dec. 31, 2018.

Financial Impact

The expenditures against this contract shall not exceed $190,918.00 (including applicable taxes and shipping charges). Funds are available in the Police Department's operating budget.

This item was adopted.

85 Authorization to Accept Funds from Maricopa County Attorney's Office for SR85 Landfill Search (Ordinance S-44195)

Request authorization from the City Manager, or his designee, to accept funding from the Maricopa County Attorney's Office (MCAO) in the amount of $133,123.77 to offset some of the costs associated with the

SR85 Landfill search. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item.

Summary

On May 10, 2017, Christine Mustafa was killed in her home, located in the City of Phoenix. Evidence suggests her body is in the City of Phoenix SR85 Landfill. On Oct. 23, 2017, the Phoenix Police Department began the search for Ms. Mustafa's body at the SR85 Landfill. Multiple agencies are involved in the investigation and are assisting by dedicating personnel, equipment and money.

Financial Impact

The funds from the MCAO will offset some of the costs associated with the investigation.

This item was adopted.

86 Authorization to Enter into Agreements with United States Marshals Service to Accept Reimbursement for Police Services (Ordinance S-44202)

Request authorization for the City Manager, or his designee, to authorize the Police Department to enter into agreements with the U.S. Marshals Service to accept funds not to exceed $500,000 in reimbursement for police services. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The Police Department has partnered with the U.S. Marshals Service over the past several years and is currently participating on this joint law enforcement task force. This agreement is renewed annually. The primary goal of the task force is to investigate and apprehend local, state, and federal fugitives to improve public safety and reduce violent crime. This initial agreement will reimburse up to $18,042 for police overtime costs related to the task force investigations. The Police Department requests authorization to accept up to $500,000 should additional funding become available during the funding period.

Contract Term

Approximately one year from Nov. 6, 2017 through Sept. 30, 2018.

Financial Impact

The cost to the City is related fringe benefits and in-kind resources.

Concurrence/Previous Council Action

This item was unanimously approved by the Public Safety and Veterans Subcommittee at its Dec. 13, 2017 meeting.

This item was adopted.

87 **Authorization to Enter into an Agreement with Arizona State University in Support of Research for National Crime Gun Intelligence Center Initiative Grant (Ordinance S-44203)**

Request authorization for the City Manager, or his designee, to authorize the Police Department to enter into an agreement with the Arizona Board of Regents on behalf of Arizona State University (ASU), that will act as a research partner in support of the Bureau of Justice Assistance (BJA), National Crime Gun Intelligence Center Initiative grant for $1,000,000. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse all funds related to this item.

Summary

The Police Department was awarded $1,000,000 from the BJA through the 2017 National Crime Gun Intelligence Center Initiative grant. The grant and disbursement of grant funds was approved by City Council on May 4, 2016, under Ordinance #S-42505. The grant requires the Police Department to work with a research partner to analyze data and produce project-related reports regarding the grant project. The Police Department has partnered with ASU on similar projects in the past. This agreement will reimburse ASU, an amount not to exceed, $311,939.00, during the contract term, to analyze statistics involving gun crime incidents and use data to assess the impact of this grant on gun crimes and subsequent prosecutions. The City will be reimbursed for applicable ASU expenses through the BJA grant.

Contract Term

Two years from Oct. 1, 2017 through Sept. 30, 2019.

Financial Impact

The National Crime Gun Intelligence Center Initiative grant provides up to a maximum of $311,939 in funding to reimburse ASU as the grant

research partner.

Concurrence/Previous Council Action
This item was unanimously approved by the Public Safety and Veterans Subcommittee at its Dec. 13, 2017 meeting.

This item was adopted.

88 Authorization to Accept Contribution from Sanderson Ford for Virtual Block Watch Program (Ordinance S-44198)

Request authorization for the City Manager, or his designee, to accept a contribution from Sanderson Ford consisting of the use of a new Ford vehicle with an estimated value of $32,800 for the Virtual Block Watch (VBW) Program.

Summary
The VBW program was launched by the Police Department in early 2017. It is a contemporary crime prevention and investigation program allowing businesses and residents to voluntarily register their Closed Circuit Television security cameras with the department. When a crime occurs in the vicinity of a registered camera, investigators can retrieve the recorded footage to significantly reduce the amount of time dedicated to investigating the crime.

Sanderson Ford has offered to contribute the use of a 2017 Ford Explorer with an estimated value of $32,800 and will wrap the vehicle with approved Phoenix Police Department VBW program graphics and messaging as well as Sanderson Ford Logos. The vehicle will be driven and displayed throughout the City during the normal course of business and will be featured at various community events to provide a professional and constant visualization while promoting the VBW program. The VBW coordinator will also attempt to appear at 20 designated Sanderson Ford events over the course of the year with the vehicle to publicly recognize the sponsorship and to advertise the VBW program.

Contract Term

One year beginning on or about Jan. 1, 2018.

Financial Impact

Costs to the City will include expenditures for fuel to operate the vehicle, and insurance against liability and property damage. Funds for these expenses are available in the Police Department's budget.

Concurrence/Previous Council Action

This item was unanimously approved at the Dec. 13, 2017 Public Safety and Veterans Subcommittee meeting.

This item was adopted.

89 Video Security System Installation and Repair Services - IFB 15-190
(Ordinance S-44175)

Request to authorize the City Manager, or his designee, to amend Westover Corporation Contract 140742 to add additional funds in an amount not to exceed $1,588,000 for security and surveillance enhanced presence at Phoenix Sky Harbor International Airport, and add Phoenix Convention Center to Contract 140742. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Airport Infrastructure Protection Branch (AIPB) of the Transportation Security Administration (TSA) is conducting assessments in response to the Aviation and Transportation Security Act, PL 107-71. AIPB is partnering with local TSA to conduct on-site airport surveys to develop a surveillance capability assessment program that identifies the gap between the Airport's current state and the desired future state. In 2017, AIPB selected Phoenix Sky Harbor International Airport to participate in the project and surveyed its security checkpoints and baggage areas. The project identified areas that have a need for enhanced surveillance presence, which includes installing 370 cameras throughout Terminal 3, Terminal 4, and Terminal 3 baggage resolution area. As part of this program, the AIPB recommends the TSA create a grant funded project to reimburse the Airport for implementation of the enhanced surveillance requirements.

The Phoenix Convention Center is requesting use of Contract 140742 for the purpose of replacing cameras that have reached their end-of-life cycle, as well as installing additional cameras throughout the campus to increase surveillance coverage. The contract will further be utilized to upgrade and support the existing Milestone video recording server system, including both software and hardware components.

Contract Term

The contract was awarded after a formal procurement process with an initial contract term through June 30, 2017, and includes three one-year options to extend the contract through June 30, 2020.

Financial Impact

The $1,048,000 in additional funds for the Aviation Department and $540,000 in additional funds from the Phoenix Convention Center increases the contract's original contract aggregate value from $3,750,000 to $5,338,000. Funds are available in the Aviation Department and the Phoenix Convention Center Department budgets. Aviation funds will be reimbursed under the Phoenix Sky Harbor International Airport Security Improvements grant.

Concurrence/Previous Council Action

The Phoenix City Council approved Contract 140742 on June 17, 2015.

This item was adopted.

90 ***REQUEST TO CONTINUE (SEE ATTACHED CONTINUANCE MEMO) - Refuse Truck Body Repair Services (Ordinance S-44177)

Request to authorize the City Manager, or his designee, to enter into contracts with American Equipment Services, LLC, Amrep, Inc., Balar Holding Corp., and McNeilus Truck and Manufacturing, Inc., to provide refuse truck body repairs for City of Phoenix fleet vehicles. This contract will have a $620,000 estimated annual expenditure, with a total aggregate amount not to exceed $3,100,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Fleet Services Division is responsible for managing a

fleet of approximately 300 solid waste refuse trucks, with the majority being Automatic Side Loaders. Repairing refuse trucks quickly is essential to the department providing timely solid waste collection service to City of Phoenix residents.

Procurement Information
Invitation for Bid 18-FSD-028 was conducted in accordance with Administrative Regulation 3.10. The Public Works Department received four bids, with three vendors/suppliers bidding on all eight groups for body types, Group A-Wayne, Group B-Scorpion, Group C-Amrep, Group D-Heil, Group, E-Bridgeport, Group F-Galbrath, Group G-NewWay, Group H-McNeilus, within the solicitation, and one vendor bidding on only Group D-Heil. All bids were evaluated and deemed responsive and responsible. The department approved the multiple award recommendation for all groups at the following rates:

McNeilus Truck & Manufacturing, Inc.: $95 an hour labor rate (Groups A-H)
American Equipment Services, LLC: $85 an hour labor rate (Groups A-H)
Amrep, Inc.: $90 an hour labor rate (Groups A-H)
Balar Holding Corp: $105 an hour labor rate (bid on Group D only)

Contract Term
The initial one year contract term shall begin on or about March 1, 2018, with four option years in increments of up to one year, with a total contract option term of five years.

Financial Impact
This contract will have a $620,000 estimated annual expenditure, with a total aggregate amount not to exceed $3,100,000 over the life of the contract. Funds are available in the Public Works Department's budget.

Location
Locations that could request on-site or mobile repairs are:
Glenrosa Service Center: 4021 W. Glenrosa Ave.
Salt River Service Center: 3045 S. 22nd Ave.
Union Hills Service Center: 138 E. Union Hills Dr.
Okemah Service Center: 3828 E. Anne St.

Council Districts: 2, 5, 7, and 8

This item was continued to the January 24, 2018 City Council Formal Meeting.

91 Solid Waste 35-, 65-, 95-Gallon Containers - Contract Recommendation (Ordinance S-44181)

Request to authorize the City Manager, or his designee, to enter into an agreement with Otto Environmental Systems, LLC, and Rehrig Pacific Company Corporation to provide solid waste 35-, 65-, and 95-gallon containers, used for the citywide solid waste collection of green organics, recyclables, and refuse, in an amount not to exceed $12,710,115 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 35-, 65-, and 95-gallon containers used to collect refuse, recycling, and green organics from solid waste residential customers. The quantities ordered are contingent upon growth of residential customers and the number of replaced damaged containers.

Procurement Information

Invitation for Bids 18-SW-020 was conducted in accordance with Administrative Regulation 3.10. Three offers were received by the City on Nov. 22, 2017. The offers were evaluated based on responsiveness to all specifications, terms and conditions, and lowest bid. The offers for Solid Waste 35-, 65-, and 95-Gallon Containers is based on current quantities; however, the final contract value factors in higher quantities needed based on expected growth.

Otto Environmental Systems, LLC: $2,120,820
Rehrig Pacific Company Corporation: $2,199,530
Schaefer Systems International, Inc.: $2,287,300

Contract Term

The initial one year contract term will begin on or about Feb. 1, 2018, and end on Jan. 31, 2019. Provisions of the contract include an option to extend the term up to four additional years, in increments of up to one year, which may be exercised by the City Manager or designee.

Financial Impact

The aggregate contract value will not exceed $12,710,115 with an estimated annual expenditure of $2,542,023. Funds are available in the Public Works Department's budget.

This item was adopted.

92 Phoenix Sky Harbor International Airport Terminal 4 Garage Lighting Upgrade - Engineering Services - AV15000052 (Ordinance S-44163)

Request to authorize the City Manager, or his designee, to enter into an agreement with Affiliated Engineers, Inc., to provide engineering services to include design and possible construction administration and inspection (CA&I) services for the Terminal 4 Garage Lighting Upgrade project located at Phoenix Sky Harbor International Airport. The total fee for contract services will not exceed $350,000. Further request authorization to execute amendments to the contract as necessary within the Council approved expenditure authority as provided below and for the City Controller to disburse all funds related to this item.

Additionally, request authorization for the City Manager, or his designee, to take all action as deemed necessary to execute all utilities-related design and construction agreements, licenses, permits, and 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

This project is to design a new lighting system for the Terminal 4 parking garage to attain the most suitable levels of illumination taking safety and energy conservation into primary consideration. The consultant will: perform a lighting analysis; conduct an electrical load study; evaluate the existing lighting control system and lighting branch circuit panel boards; provide construction plans and specifications; ensure that lighting levels meet current IESNA standards; implement recommended lighting system upgrades that include new LED fixtures, circuits and controls; consider

replacement of the current Watt Stopper Lighting control panel for added control and energy savings; evaluate signage upgrades and paint for reflectivity; and automate lighting controls. The consultant may also provide CA&I services which includes responding to requests for information, processing pay requests, and other services as needed.

Procurement Information
Affiliated Engineers, Inc., was chosen for this project using a qualifications-based selection process according to section 34-603 of the Arizona Revised Statutes (A.R.S.). Pursuant to A.R.S. title 34, the City cannot release the scores of the proposers until a contract has been awarded. The top-ranked proposers are:

Affiliated Engineers, Inc.: Ranked 1
Kimley-Horn and Associates, Inc.: Ranked 2
CR Engineers, Inc.: Ranked 3

Contract Term
The term of the contract is 150 calendar days from the date of issuance of the Notice to Proceed. 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 total fee for contract services will not exceed $350,000, including all subconsultants and reimburseable costs.

Staff will execute the initial contract for design services for a fee not-to-exceed $180,000, including all subconsultant and reimbursable costs. Contract amendments may be executed for CA&I services or other contract services totaling an amount not-to-exceed the remaining $170,000, and will be reviewed and approved separately by the Budget and Research Department.

The total amount of $350,000 is available in the Aviation 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
Phoenix Sky Harbor International Airport, 3400 E. Sky Harbor Blvd.
Council District: 8

This item was adopted.

93 Goodyear Airport Taxiway A Rehabilitation and Strengthening - Engineering Services - AV41000075 FAA (Ordinance S-44173)

Request to authorize the City Manager, or his designee, to enter into an agreement with Morrison Maierle, Inc., (Morrison Maierle) to provide engineering services to include design and possible construction administration and inspection (CA&I) services, for the Taxiway A Rehabilitation and Strengthening project at Phoenix Goodyear Airport. The total fee for contract services will not exceed $516,132. Further request authorization to execute amendments within the Council approved expenditure authority as provided below and for the City Controller to disburse all funds related to this item.

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

Summary
The project consists of the design for pavement rehabilitation and strengthening for Taxiway A, which is west of the existing South Apron. The entire Taxiway A, which is used to taxi aircraft on the airfield, is to be reconstructed as the pavement life has been expended. The existing connector located at the south apron is new pavement. The project will be constructed in phases consistent with FAA grant funding availability.

Morrison Maierle's design services will include, but are not limited to: providing geotechnical engineering investigations, surveying, and preparing comprehensive plans, specifications, cost estimates, reports, and all other documents for bidding and construction of the project.

CA&I services will include, but are not limited to: reviewing shop drawings, issuing interpretations and clarifications, certifying contractor progress payments, conducting inspections, and preparing reports.

Procurement Information
Morrison Maierle 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. Nine firms submitted proposals. The top three rankings are:

Morrison Maierle, Inc.: Ranked 1
C & S Engineers, Inc.: Ranked 2
Kimley-Horn and Associates, Inc.: Ranked 3

Contract Term
The term of the contract for the initial design services is approximately eight months. Contract work scope identified and incorporated into the contract prior to the end of the 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 term.

Financial Impact
The total fee for contract services will not exceed $516,132. Staff will execute the initial contract for design services for a fee not-to-exceed $361,275, including all subconsultants and reimbursable costs. Contract amendments may be executed for CA & I Services or other contract services totaling an amount not-to-exceed the remaining $154,857 and will be reviewed and approved separately by the Budget and Research Department.

The total amount of $516,132 is available in the Aviation Department's Capital Improvement Program Budget in Fiscal Year 2018. Staff

anticipates reimbursement from the Federal Aviation Administration. Contract payments may be made up to the contract limits for all rendered contract services, which may extend past the contract termination.

Location
1658 S. Litchfield Road, Goodyear, AZ 85338
Council District: Out of City

This item was adopted.

94 Traffic Signal Mounting Brackets - Requirements Contract IFB 18-108
(Ordinance S-44167)

Request to authorize the City Manager, or his designee, to enter into a contract with General Traffic Equipment Corp to purchase traffic signal mounting brackets for the Street Transportation Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $205,000.

Summary
This contract will allow the Traffic Services Division to acquire mounting arm brackets for side mount signal heads and for pedestrian signal heads to maintain the safe and efficient movement of vehicles and pedestrians at intersections throughout the City. The mounting brackets are needed to maintain existing traffic signals and to support the expansion of City roadways.

Procurement Information
Invitation for Bid (IFB) 18-108 was conducted in accordance with Administrative Regulation 3.10. There were three offers received by the Procurement Division on Nov. 3, 2017. Following are the three offers received:

General Traffic Equipment Corp: $40,915
JTB Supply Company Inc: $74,510
Traffic Parts Inc: $88,200

The Deputy Finance Director recommends that the offer from General Traffic Equipment Corp be accepted as the lowest priced, responsive and responsible offer.

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

Financial Impact
The aggregate contract value will not exceed $205,000. Funds are available in the Street Transportation Department's Operating Budget.

This item was adopted.

95 Amend Phoenix City Code to Expand Area 10 of Resident Permit Parking Ordinance (Ordinance G-6400)

Request to authorize the City Manager, or his designee, to amend Section 36-157.3 of Phoenix City Code to expand Area 10 of the Resident Parking Permit Ordinance. The expansion will include a residential area generally bounded by 17th Avenue to the west, 13th Avenue to the east, I-10 Freeway to the south, and McDowell Road to the north (FQ Story Neighborhood). The cost to expand Area 10 is approximately $1,500, which includes the cost for the signs and installation.

Summary
Residents in the FQ Story Neighborhood reported that parking by non-resident vehicles is negatively impacting their neighborhood, especially during the Arizona State Fair event. The neighborhood has requested relief in accordance with residential parking permit provisions outlined in Chapter 36 of the City Code. The area is directly south and east of the Arizona State Fairgrounds and is significantly impacted by State Fair events held each year during a three-week period. Based on a request from residents, the Street Transportation Department coordinated a parking study on Oct. 21, 2017. The study confirmed that parking by non-resident vehicles is an issue in the neighborhood.

Subsequently, the Street Transportation Department received separate requests and a petition from residents in the area to install Residential Permit Parking (RPP) signs on their streets. The expansion of Area 10 as a RPP area will restrict street parking, requiring a permit at all times.

Financial Impact

The cost to expand RPP Area 10 is approximately $1,500, which includes the cost for the signs and installation. Funds are available in the Street Transportation Department's Operating Budget. The cost is expected to be offset over the duration of the program by the permit fees collected from residents in the newly designated area. Annual costs of resident and visitor permits are $10 and $5 per vehicle, respectively.

Public Outreach

The Street Transportation Department met with the FQ Story Neighborhood Association at their regular scheduled monthly meetings on Feb. 14, 2017 and June 13, 2017 to discuss traffic and parking issues. Staff also met with their neighborhood traffic committee consisting of 10 residents on March 7, 2017, June 1, 2017, and Aug. 3, 2017. The traffic committee meetings focused on possible traffic calming options and State Fair parking concerns. The Residential Permit Parking Program was specifically discussed at the June 13, 2017 and the Aug. 3, 2017 meetings. At the request of the neighborhood traffic committee, staff proceeded with the expansion of RPP Area 10 to address their parking concerns.

If the expansion of Area 10 is approved by City Council, all affected households will be notified by mail and with door hanger fliers prior to installing RPP signs. Residents will be advised on how to obtain resident and visitor parking permits.

Concurrence/Previous Council Action

On Nov. 13, 1991, City Council approved RPP Area 10 which was bounded by 17th Avenue to the west, 15th Avenue to the east, McDowell Road to the south and Encanto Boulevard to the north.

Location

The expanded section of RPP Area 10 will include a residential area generally bounded by 17th Avenue to the west, 13th Avenue to the east, the I-10 Freeway to the south, and McDowell Road to the north (FQ Story Neighborhood). This includes residential areas along Lynwood Street, Willetta Street, and Culver Street. See Attachment A.
Council District: 4

This item was adopted.

97 Concrete Reservoir Assessment and Inspection Program - Professional Services (Ordinance S-44160)

Request to authorize the City Manager, or his designee, to enter into an agreement with HDR Engineering, Inc., (HDR) to provide professional services for assessment and inspection of concrete reservoirs, assistance in management of the Concrete Reservoir Assessment and Inspection Program, and to execute contract options as necessary and amend the contract within the Council-authorized spending authority. Further request authorization for the City Controller to disburse all funds related to this item.

Additionally, request authorization for the City Manager, or his designee, to take all action as deemed necessary to execute all utilities-related design and construction agreements, licenses, permits, and 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

HDR will assist with inspection and assessment of the physical and structural integrity of 23 concrete reservoirs at 15 sites to extend the assets' life and reduce the possibility of failure. In addition, HDR will help with ongoing development of the asset management program relating to concrete reservoirs, and will address water quality issues including recirculation, mixing, disinfection systems, as well as site-related improvements. HDR's services will include determining and monitoring the condition of the concrete reservoirs, performing warranty inspections, and reservoir cleaning coordination.

Procurement Information

HDR Engineering, Inc., was chosen for this project using a qualification-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.

The top-three rankings follow:

HDR Engineering, Inc.: Ranked #1
Entellus, Inc.: Ranked #2
NCS Engineers, Inc.: Ranked #3

Contract Term
The term of the contract is for two years, with one option to extend for two years. The 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
HDR's fee under this contract will not exceed $1,200,000, including all subconsultants and reimbursable costs.

Staff will execute the initial contract for a not-to-exceed amount of $300,000 to cover the first year of contract costs. Future amendments to the contract may be executed to increase the contract by the remaining $900,000, and will be reviewed and approved separately by the Budget and Research Department.

Funds are 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.

98 Sub-Regional Operating Group Salt River Outfall Interceptor Rehabilitation, Project E, Engineering Services (Ordinance S-44165)

Request to authorize the City Manager, or his designee, to enter into a contract with Brown and Caldwell, Inc., to provide design services, and possible construction administration and inspection (CA&I) services, for the rehabilitation of the Sub-Regional Operating Group (SROG) Salt

River Outfall Interceptor (SRO), Project E, and to execute amendments to the contract within the Council-approved spending authority. The total fee for contract services will not exceed $460,000, including all subconsultants and reimbursable costs. Further request authorization for the City Controller to disburse all funds related to this item.

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

Summary

The City of Phoenix completed a condition assessment of the SRO in October 2014. Condition assessment recommendations are divided into five projects: A, B, C, D, and E. Engineering services are sought only for project E, which involves rehabilitation of 105 Grade-3 manholes. The SRO ranges in diameter from 54-inches to 90-inches and is approximately 21 miles in length.

Brown and Caldwell, Inc.'s design services will include but are not limited to: evaluating existing documentation including assessment reports, CCTV videos, as-builts, and other investigative data and/or reports on pipe and manhole condition for the recommended rehabilitation; investigating and proposing appropriate repair and rehabilitation methods; providing rehabilitation or repair design to correct all sewer and manhole defects in identified project locations; assisting the City in obtaining all necessary permits, easements and approvals for the work; preparing and submitting for review and approval, project documents including cost estimates and construction drawings and details; and assisting the City during the bidding period.

Brown & Caldwell, Inc.'s CA&I services include, but are not limited to: administering the construction schedule, reviewing shop drawings and test results, issuing interpretations and clarifications, certifying contractor

progress payments, conducting inspections, and providing post-construction services.

The facility is owned by the Sub-Regional Operating Group and operated by the City of Phoenix.

Procurement Information
Brown and Caldwell, Inc., was chosen for this project using a qualifications-based selection process according to Section 34-603 of the Arizona Revised Statutes (A.R.S.). According to A.R.S. Title 34, the City cannot release the scoring of proposers until a contract has been awarded. The two firms that responded to this solicitation are ranked as follows:

Brown and Caldwell, Inc.: Ranked #1
Project Engineering Consultants, LTD (PEC): Ranked #2

Contract Term
The term for initial design services under the contract will be 240 days after issuance of the Notice to Proceed. 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 work in progress. No additional contract work scope may be executed after the end of the contract term.

Financial Impact
The total fee for contract services will not exceed $460,000, including all subconsultants and reimburseable costs.

Staff will execute the initial contract for design services not to exceed $250,000, including all subconsultant and reimbursable costs. Contract amendments may be executed for CA&I services or other contract services totaling an amount not to exceed the remaining $210,000, and will be reviewed and approved separately by the Budget and Research Department.
Funding is available in the Water Services Department's Capital Improvement Program budget. Contract payments may be made up to the contract limits for all rendered contract services, which may extend

past the contract termination.

Location
The manholes are located all along the alignment of the SRO, which starts at the convergence of Indian Bend Wash and Tempe Town Lake and ends at the 91st Avenue Wastewater Treatment Plant.
Council Districts: 7 and 8

This item was adopted.

99 Burton Barr Central Library Elevators Modernization - Change Order 3 - LS71200085 (Ordinance S-44170)

Request to authorize the City Manager, or his designee, to execute Change Order 3 to Contract 142725 with Otis Elevator Company to increase the contract value for additional scope of work to include the full modernization to the existing service hydraulic elevators 4 and 5. The start of installation will be coordinated with the completion of the 5th floor restoration work. This change order will increase the contract value by $213,900 for a new contract value of $976,290.58. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
Otis Elevator Company's additional scope of work for elevators 4 and 5 includes, but is not limited to:
Replacement of controller and mechanical systems.
Updating passenger safety systems.
American's with Disabilities Act (ADA) improvements.

Procurement Information
Otis Elevator Company was awarded this project using a bidding process according to section 34-201 of the Arizona Revised Statutes.

Contract Term
The term of the additional services is expected to take approximately 235 calendar days to complete. 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 $664,444. Change Order 1 increased the original contract amount by $24,007 and Change Order 2 increased the contract amount by $73,939.58. The current change order exceeds 10 percent of the original construction contract amount, which requires separate Council approval. If approved, Change Order 3 would increase the contract amount by $213,900 for a new total contract value of $976,290.58, including all subconsultants, subcontractors, and reimbursable costs. Funds are available in the Library Department's Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

Concurrence/Previous Council Action
The City Council approved:
Design-Bid-Build Contract 142725 on June 1, 2016.
Change Order 1 (Ordinance S-43397) on April 19, 2017.
Change Order 2 (Ordinance S-43989) on Oct. 18, 2017.

Location
1221 N. Central Ave.
Council District: 7

This item was adopted.

100 Pine Towers Apartments Phase II Large Studio Renovations and Community Room Improvements, Design-Bid-Build - AH10150006-D & AH10150006-E (Ordinance S-44186)

Request to authorize the City Manager, or his designee, to accept G & G Specialty Contractors, Inc., as the lowest-priced, responsive and responsible bidder and to enter into an agreement with G & G Specialty Contractors, Inc., for construction services for the Pine Towers Apartments - Phase II Large Studio Renovations and Community Room Improvements project in the bid amount of $2,678,723. Further request authorization for the City Controller to disburse all funds related to this

item. There is no impact to the General Fund.

Summary

G & G Specialty Contractors, Inc., will provide construction services in support of the Housing Department's public housing community, Pine Towers Apartments - Phase II Large Studio Renovations and Community Room Improvements project. Work includes, but is not limited to: remodeling 45 large studio units within the existing 156-unit community; remodeling the existing community building with new finishes, new ADA access doors and energy-efficient windows, new lighting, reconfiguration of the mechanical system; an addition for a new laundry room and storage area; and other associated work required to complete the project.

Procurement Information

Three bids were received according to section 34-201 of the Arizona Revised Statutes by the Street Transportation Department on Nov. 14, 2017. The three bids were sent to the Housing Department for review of general contractor responsiveness. All three bidders were deemed responsive.

The bids ranged from a low of $2,678,723 to a high of $2,931,000. The lowest responsive, responsible bid was more than ten percent higher than the engineer’s estimate. The engineer’s estimate was $2,144,406. The difference in cost was attributed to the current market conditions and climate such as the tight labor market locally, and escalating material and labor prices due to the recent national natural disasters. City staff has made a determination that the bid price is fair and reasonable.

The Engineer's estimate and the three lowest responsive, responsible bidders are listed below:

Engineer's Estimate: $2,144,406
G & G Specialty Contractors, Inc.: $2,678,723
Skyline Builders & Restoration, Inc.: $2,690,912.10
LOR Construction, Inc.: $2,931,000

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. 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 total amount of $2,678,723 is available in the Housing Department's federal Public Housing Capital Funds. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination. No General Funds will be used for this project.

Although the low bid exceeds the engineer's estimate by greater than 10 percent, it has been determined that the low bid represents a fair and reasonable price for the required contract work. Additionally, the low bid is within the total project budget.

Small Business Outreach

The funding agency has determined that no Small Business Enterprise goal will be established for this project.

Location

2936 N. 36th St.
Council District: 8

This item was adopted.

101 Support for Formation of Mayfair Manor Irrigation Water Delivery District (Resolution 21603)

Request to adopt a resolution to support formation of the Mayfair Manor Irrigation Water Delivery District (IWDD) through Maricopa County. The proposed IWDD includes the properties on Rancho Drive from 14th Street to 16th Street, on Solano Drive from 14th Street to 14th Place, and on 14th Place from Solano Drive to Rancho Drive. This action has no financial impact to the City of Phoenix.

Summary

Under the provisions of Arizona Revised Statues (A.R.S.) Chapter 20, Title 48 - Special Taxing Districts, when the majority of lot or parcel

owners entitled to or capable of receiving irrigation water from the same system want irrigation water delivered to their lands, they may propose the organization of an IWDD. The County requires that applicants for an IWDD within City of Phoenix boundaries obtain City Council support before the County will start the process of forming or re-establishing a district.

If approved by the City Council, landowning neighbors seeking an IWDD complete a special taxation impact statement and submit this document to the Maricopa County Board of Supervisors. The Board of Supervisors, along with Salt River Project (SRP), will decide if a petition to organize an IWDD may be circulated. See Attachment A for the Consent from SRP to the Board of Supervisors.

This request has been reviewed and approved by the Water Services Department.

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

Public Outreach
On Nov. 24, 2017, the City received a formal written request from City of Phoenix resident Jeff Shelton, representative of the Mayfair Manor neighborhood, to pursue Council approval to form an IWDD (Attachment B). The neighborhood does not currently have a formal homeowners association.

Location
The proposed IWDD includes the properties on Rancho Drive from 14th Street to 16th Street, on Solano Drive from 14th Street to 14th Place, and on 14th Place from Solano Drive to Rancho Drive.
Council District: 6

This item was adopted.

102 Traffic Control Products and Solutions - US Communities RFP 2013-100 (Ordinance S-44182)

Request to authorize the City Manager, or his designee, to allow the use

of the US Communities contract with Traffic and Parking Control Co, Inc., (TAPCO) to provide traffic control products and solutions in an amount not to exceed $3 million over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The City of Phoenix is a member of the U.S. Communities Government Purchasing Alliance. The Street Transportation Department's Traffic Signal Shop requires the use of roadway, traffic, and safety products to maintain safe public roadways. The adoption of this cooperative purchasing agreement will provide access to solar power dynamic signs, speed feedback signs, and other traffic products and equipment, on an as-needed basis. These items will help supplement the existing speed hump, traffic calming, signal, and safety programs in the City. In addition, this contract will aid in efforts to standardize equipment in the field in order to reduce maintenance cost and equipment down time.

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement. This 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 this agreement allows the City to benefit from national government pricing and volume discounts.

Contract Term

The term of the contract is five-years, which will begin on or about Feb. 1, 2018.

Financial Impact

The aggregate contract value will not exceed $3 million over the life of the contract. Funds are available in the Streets Transportation Department's Operating budget.

This item was adopted.

103 Authorization to Amend Ordinance S-43264, Intergovernmental

Agreement with City of Tucson for Storage, Recovery and Exchange of Colorado River Water (Ordinance S-44180)

Request authorization for the City Manager, or his designee, to amend Ordinance S-43264, authorizing the City Manager or his designee to sign the Intergovernmental Agreement (IGA) between the City of Phoenix (Phoenix) and the City of Tucson (Tucson) for storage, recovery, and exchange of Colorado River water.

Summary

On Feb. 15, 2017, City Council authorized the City Manager to enter into an IGA with the City of Tucson through Ordinance S-43264. Tucson's City Council recently approved the IGA; however, the agreement has not been executed because of clarification needed in Section 1 of Ordinance S-43264. Specifically, Phoenix will have first priority to available storage capacity after storage of Tucson's own water and water stored under Tucson's other currently existing contractual storage obligations.

Concurrence/Previous Council Action

City Council approved Ordinance S-43264 of Feb. 15, 2017.

This item was adopted.

104 **Request Authorization to Amend Non-Potable Water Service Agreement with Moon Valley Country Club and Pointe Tapatio Lookout Mountain Golf Courses (Ordinance S-44201)**

Request to authorize the City Manager, or his designee, to enter into Amendment 1 to Development Agreement 139299 to construct a non-potable water supply pipeline and associated infrastructure for the privately-owned Moon Valley Country Club Golf Course (Moon Valley) and Pointe Tapatio Lookout Mountain Golf Course (Lookout Mountain) and a backup non-potable supply for the City-owned Cave Creek Golf Course (Cave Creek).

Summary

The Development Agreement currently allows for a water payment plan where Moon Valley and/or Lookout Mountain may elect to pay a flat amount not less than $50,000 per month for water usage during the design and construction phases, for a period not to exceed two years. The actual water bill may be higher or lower than the flat amount. Any

amount deferred will bear interest and will be paid, or partially paid, upon construction completion from credits due to Moon Valley and/or Lookout Mountain for advancing capital costs allocated to Cave Creek for infrastructure. Any remaining deferred payments will be paid over five years in pro rata monthly payments commencing one month after water delivery commences. Payment of the deferral will be guaranteed by a letter of credit or other security acceptable to the City. The deferral is subject to Moon Valley and/or Lookout Mountain making design and construction payments, including the advance of funds on behalf of Cave Creek.

Amendment 1 of the Development Agreement will include extension of the payment plan for an additional timeframe to commence at the time the party funds the construction phase and will end once construction is completed, but for a period not to exceed 18 months. In addition, the City has elected to fund the Cave Creek portion of the construction funds so no credit will be provided to any party on the payment plan. All other terms of the payment plan will remain.

Financial Impact
This action has the impact of deferring required payments with interest to be paid on the deferred amounts.

Location
Moon Valley Country Club Golf Course at 151 W. Moon Valley Drive
Pointe Tapatio Lookout Mountain Golf Course at 11111 N. 7th St.
Cave Creek Golf Course at 15202 N. 19th Ave.
Council District: 3

This item was continued to the January 24, 2018 City Council Formal Meeting.

105 Confined Space Standby and On Call Rescue Services (Ordinance S-44179)

Request to authorize the City Manager, or his designee, to enter into a contract with Kary Environmental Services, Inc., for onsite standby and on call confined space rescue services. The aggregate contract value shall not exceed $99,000. Further request to authorize the City Controller to disburse all funds related to this item.

Summary
Implementation of this contract will establish an effective onsite standby and on call confined space rescue program in compliance with Occupational Safety and Health Administration (OSHA) requirements.

Procurement Information
The Water Services Department issued an Invitation for Bid (IFB) 1718-WST-25 for Confined Space Standby and On Call Rescue Services on Aug. 14, 2017. The IFB was conducted in accordance with Administrative Regulation 3.10. Two responsive proposals were received before the Sept. 11, 2017, deadline. Proposals included pricing matrices that demonstrated pricing options such as call service fees, minimum on call fees and hourly rates, and scheduled call fees and hourly rates.

Kary Environmental Services, Inc.: $2,646
American Rescue Concepts, LLC: $6,175

As the lowest responsible bidder, conforming in all material respects to the requirements and criteria of the solicitation, award of the contract to Kary Environmental Services is the best interest of the City.

Contract Term
This is a two year contract period beginning Jan. 1, 2018, with no options to extend.

Financial Impact
The aggregate contract value shall not exceed $99,000. Funds are available in the Water Services Department's operating budget.

This item was adopted.

106 ***REVISED ITEM (SEE ATTACHED CORRECTION MEMO)* - Modification of Stipulation Request for Ratification of Sept. 20, 2017 Planning Hearing Officer Action - Z-152-03-7(8)**

Request authorization for the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Sept. 20, 2017.

Summary

Application: PHO-2-17- Z-152-03-7(8)
Current Zoning: S-1, Approved R1-8
Acreage: 76.86
Applicant: Reid Butler, Butler Housing Company, Inc.
Owner: Wells - 85 LLC - Dr. R. Lines
Representative: Reid Butler, Butler Housing Company, Inc.

Proposal:
1. Modification of Stipulation 6 regarding general conformance to site plan date stamped May 2, 2013.
2. Modification of Stipulation 8 regarding a minimum 800 square foot landscaped entry feature on both sides of the main entry along 43rd Avenue.
3. Modification of Stipulation 21 regarding 45-foot wide lots not exceeding 15 percent of the residential lots.
4. Modification of Stipulation 22 regarding remaining lots be a minimum of 60-feet in width.

Location

Approximately 995 feet west of the southwest corner of 43rd Avenue and Baseline Road
Council District: 8
Parcel Address: N/A

Concurrence

Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee recommended approval with modifications by an 8-3 vote of Sept. 11, 2017.

Planning Hearing Officer Recommendation: The Planning Hearing Officer took the case under advisement on Sept. 20, 2017. The Planning Hearing Officer took the case out from under advisement and recommended approval with modifications on Oct. 9, 2017.

Planning Commission Recommendation: The Planning Commission recommended approval per the Planning Hearing Officer recommendation with modifications by an 6-0 vote on Dec. 7, 2017.

This item was withdrawn to readvertise for the February 7, 2018 City Council Formal Meeting.

107 Final Plat - Sky Crossing - Parcel 1A - 170001 - North of Deer Valley Drive and 2700 Linear Feet East of Cave Creek Road

Plat: 170001
Project: 16-1029
Name of Plat: Sky Crossing - Parcel 1A
Owner(s): Cave Buttes Development Partners, LLC
Engineer(s): HilgartWilson, LLC
Request: A 108 Lot Residential Subdivision Plat
Reviewed by Staff: Dec. 4, 2017
Final Plat requires a Formal Action only

Summary

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

Location

Generally located north of Deer Valley Drive and 2700 linear feet east of Cave Creek Road.
Council District: 2

This item was approved.

108 Final Plat - Sky Crossing - Parcel 2 - 170038 - West of the 32nd Street Alignment and 3000 Linear Feet North of Deer Valley Drive

Plat: 170038
Project: 16-1029
Name of Plat: Sky Crossing - Parcel 2
Owner(s): Cave Buttes Development Partners, LLC
Engineer(s): HilgartWilson, LLC
Request: A 114 Lot Residential Subdivision Plat
Reviewed by Staff: Dec. 11, 2017
Final Plat requires Formal Action Only

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and

easements as shown to the public.

Location
Generally located west of the 32nd Street alignment and 3000 linear feet north of Deer Valley Drive.
Council District: 2

This item was approved.

109 Final Plat - Sky Crossing - Parcel 3 - 170041 - East of the 32nd Street Alignment and 3000 Linear Feet North of Deer Valley Drive

Plat: 170041
Project: 16-1029
Name of Plat: Sky Crossing - Parcel 3
Owner(s): Cave Buttes Development Partners, LLC
Engineer(s): HilgartWilson, LLC
Request: A 30 Lot Residential Subdivision Plat
Reviewed by Staff: Dec. 4, 2017
Final Plat requires a Formal Action only

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

Location
Generally located east of the 32nd Street alignment and 3000 linear feet north of Deer Valley Drive.
Council District: 2

This item was approved.

110 Final Plat - Sky Crossing - Parcel 5.1 - 170002 - 2000 Linear Feet North of Deer Valley Drive and 600 Linear Feet West of 32nd Street Alignment

Plat: 170002
Project: 16-1029
Name of Plat: Sky Crossing - Parcel 5.1
Owner(s): Cave Buttes Development Partners, LLC

Engineer(s): HilgartWilson, LLC
Request: A 48 Lot Residential Subdivision Plat
Reviewed by Staff: Dec. 4, 2017
Final Plat requires a Formal Action only

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

Location
Generally located 2000 linear feet north of Deer Valley Drive and 600 linear feet west of 32nd Street alignment.
Council District: 2

This item was approved.

111 Final Plat - Optima Kierland Center - 160123 - Northwest Corner of Kierland Boulevard and Scottsdale Road

Plat: 160123
Project: 14-1284
Name of Plat: Optima Kierland Center
Owner(s): Kierland Center, LLC; 7120 East Kierland, LLC; and 7160 East Kierland, LLC
Engineer(s): Atwell, LLC
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Dec. 12, 2017
Final Plat requires a Formal Action Only

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

Location
Generally located at the northwest corner of Kierland Boulevard and Scottsdale Road.
Council District: 2

This item was approved.

112 Final Plat - Sutton Place - 170078 - Northwest Corner of Greenway Parkway and 12th Street

Plat: 170078
Project: 17-856
Name of Plat: Sutton Place
Owner(s): Mazi Holdings, LLC
Engineer(s): EPS Group, Inc.
Request: A 2 Lot Commercial Plat
Reviewed by Staff: Dec.11, 2017
Final Plat requires Formal Action Only

Summary

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

Location

Generally located northwest corner of Greenway Parkway and 12th Street.
Council District: 3

This item was approved.

113 Final Plat - Osborn Townhomes - 170073 - Northwest Corner of Longview Avenue and Osborn Road

Plat: 170073
Project: 15-2459
Name of Plat: Osborn Townhomes
Owner(s): Metro Living on Longview, LLC
Engineer(s): Miller & Sons Surveying, LLC
Request: A 22 Lot Residential Subdivision Plat
Reviewed by Staff: Nov. 22, 2017
Final Plat requires a Formal Action Only

Summary

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

with Abandonment V170004A.

Location
Generally located at the northwest corner of Longview Avenue and Osborn Road.
Council District: 4

This item was approved.

114 Final Plat - Christopher Todd Communities at the Stadium - 170066 - Southwest Corner of Missouri Avenue and 99th Avenue

Plat: 170066
Project: 16-3289
Name of Plat: Christopher Todd Communities at the Stadium
Owner(s): Christopher Todd Stadium, LLC
Engineer(s): Clouse Engineering, Inc.
Request: A 1 Lot Commercial Subdivision Plat
Reviewed by Staff: Dec. 12, 2017
Final Plat requires Formal Action Only

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

Location
Generally located at the southwest corner of Missouri Avenue and 99th Avenue.
Council District: 5

This item was approved.

115 Final Plat - Senderos at South Mountain - 170062 - Southwest Corner of Piedmont Road and Central Avenue

Plat: 170062
Project: 16-2968
Name of Plat: Senderos at South Mountain
Owner(s): Senderos at South Mountain, LLC
Engineer(s): Miller and Sons Surveying, LLC

Request: A 1 Lot Residential Subdivision Plat
Reviewed by Staff: Dec. 8, 2017
Final Plat requires a Formal Action Only

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

Location
Generally located at the southwest corner of Piedmont Road and Central Avenue.
Council District: 8

This item was approved.

116 Final Plat - Illumination Square - 170092 - West of 16th Street and North of Washington Street

Plat: 170092
Project: 17-1488
Name of Plat: Illumination Square
Owner(s): 16th Street & Washington, LLC
Engineer(s): Arizona Surveyors, Inc.
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Dec. 11, 2017
Final Plat requires Formal Action Only

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

Location
Generally located west of 16th Street, north of Washington Street.
Council District: 8

This item was approved.

117 Final Plat - Alta Vista Ranch - 170058 - Southwest Corner of 13th Place and Alta Vista Road

Plat: 170058
Project: 16-3028
Name of Plat: Alta Vista Ranch
Owner(s): 1245 E Alta Vista Dr, LLC
Engineer(s): Strategic Surveyor, LLC
Request: A 25 Lot Residential Plat
Reviewed by Staff: Dec. 12, 2017
Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the southwest corner of 13th Place and Alta Vista Road.
Council District: 8

This item was approved.

118 Abandonment of Right-of-Way - V160056A - 32nd Street North of Deer Valley Drive (Resolution 21605)

Abandonment: V160056A
Project: 16-1029
Applicant: Cave Buttes Development Partners, LLC
Request: To abandon the previous 32nd Street right-of-way north of Deer Valley Drive from the south line of the parcels identified as APN 213-02-172 and 213-01-004, then north approximately 3,502 feet as measured on the east side.
Date of Hearing: Nov. 29, 2016

Location

32nd Street north of Deer Valley Drive
Council District: 2

Financial Impact

Pursuant to Phoenix City Code Art. 5, Sec. 31-64 (e) as the City acknowledges the public benefit received by the generation of additional revenue from the private tax rolls and by the elimination of third-party

general liability claims against the city, maintenance expenses, and undesirable traffic patterns, also replatting of the area with alternate roadways and new development as sufficient and appropriate consideration in this matter.

This item was adopted.

119 Abandonment of Right-of-Way - V170034A - 13401 and 13402 N. 16th Place (Resolution 21607)

Abandonment: V170034A
Project: 99-38688
Applicant: Jim W. Dodge
Request: To abandon the 16th Place right-of-way located between the parcels addressed 13401 and 13402 N. 16th Place (APN 166-43-043 and 166-43-042); along with the 40-foot Temporary Turn-around easements on each parcel adjacent to the same right-of-way.
Date of Hearing: Nov. 14, 2017

Location
13401 and 13402 N. 16th Place
Council District: 3

Financial Impact
A fee was also collected as part of this abandonment in the amount of $1,034.10

This item was adopted.

120 Abandonment of Right-of-Way - V170004A - 3418 N. Longview Ave. (Resolution 21608)

Abandonment: V170004A
Project: 15-2459
Applicant: Richard L. Hazelwood
Request: To abandon the 16-foot alley right-of-way located between the parcels addressed 3418 N. Longview Ave. (APN 118-08-155) and 3417 and 3423 N. 12th Place (APN 118-08-159 and 118-08-160).
Date of Hearing: March 21, 2017

Summary
The resolution of the abandonment and the subdivision plat Osborn Townhomes, Plat 170073, are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of

recording to be followed is that the resolution is recorded first, then the plat is recorded second.

Location
3418 N. Longview Ave.
Council District: 4

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

This item was adopted.

121 Abandonment of Easement - V170063A - 2225 West Lower Buckeye Road (Resolution 21604)

Abandonment: V170063A
Project: 99-5075
Applicant: City of Phoenix, Street Transportation Department, Ruth Spear
Request: To abandon the 33-foot City owned Utility easement dedicated per Ordinance S-5218 and located on the parcel addressed 2225 West Lower Buckeye Road (APN 105-40-008C).
Date of Decision: Nov. 7, 2017

Location
2225 W. Lower Buckeye Road
Council District: 7

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

This item was adopted.

122 Abandonment of Easement - V160036A - 4100 S. 38th St. (Resolution 21606)

Abandonment: V160036A
Project: 14-2539
Applicant: Brian Schiltz of Hunter Engineering
Request: To abandon the Water easement recorded per 2002-748833, Maricopa County Recorder (MCR); the Water easement recorded per 2001-0738626, MCR; and the Water and Sewer easement dedicated per Ordinance S-6198; all easements located on the parcels addressed 4100 S. 38th St. (APN 122-10-011), 4800 S. 38th St. (APN 122-10-013), 4232 S. 36th Place (APN 122-10-012), and 4141 S. 36th St. (APN 122-10-009).
Date of Decision: June 17, 2016

Location
4100 S. 38th St.
Council District: 8

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

This item was adopted.

126 Amend City Code - Ordinance Adoption - Rezoning Application Z-55-17-6 - Approximately 200 Feet East of the Southeast Corner of 48th Street and Warner Road (Ordinance G-6402)

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-55-17-6 and rezone the site from to C-1 to C-2 to allow C-2 commercial uses.

Summary
Current Zoning: C-1

Proposed Zoning: C-2
Acreage: 14.81 acres
Proposed Use: Commercial Uses
Owner: David Maltzman, Maltzman Ahwatukee, LLC
Applicant: James Wallin
Representative: Annette Kiefer

Location
Approximately 200 feet east of the southeast corner of 48th Street and Warner Road
Council District: 6
Parcel Address: 4855 E. Warner Road, 12905 and 12925 S. 48th St.

This item was adopted.

127 Amend City Code - Ordinance Adoption - Rezoning Application Z-60-17-4 - Northeast Corner of Central Avenue and Columbus Avenue (Ordinance G-6403)

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-60-17-4 and rezone the site from C-2 H-R HGT/WVR TOD-1; R-4 TOD-1; R-5 TOD-1 to WU T5:7 MT to allow for Mixed-Use (Multifamily and Commercial).

Summary
Current Zoning: C-2 H-R HGT/WVR TOD-1; R-4 TOD-1; R-5 TOD-1
Proposed Zoning: WU T5:7 MT (Midtown Transit Oriented Development District)
Acreage: 2.77 acres
Proposed Use: Mixed-Use (Multifamily and Commercial)
Owner: Ironline Partners - Central & Columbus, LLC
Applicant: Fore Green Development LLC/Jeff Kern
Representative: Gammage & Burnham PLC/Stephen W. Anderson

Location
Northeast Corner of Central Avenue and Columbus Avenue
Council District: 4
Parcel Addresses: 3617 and 3625 N. Central Ave.

This item was adopted.

128 Amend City Code - Ordinance Adoption - Rezoning Application Z-54-17-4 - Southwest Corner of Black Canyon Highway and Mariposa Street (Ordinance G-6398)

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-54-17-4 and rezone the site.

Summary

Current Zoning: C-1, C-O, P-1, R-5
Proposed Zoning: C-2 HGT/WVR
Acreage: 2.95
Proposed Use: Commercial uses with a height waiver for up to 4 stories and 50 feet
Owner: Black Canyon Self Storage, LLC
Applicant: Adam Baugh/Benjamin Tate, Withey Morris, PLC
Representative: Adam Baugh/Benjamin Tate, Withey Morris, PLC

Location

Southwest corner of Black Canyon Highway and Mariposa Street
Council District: 4
Parcel Addresses: 4750, 4810, and 4820 N. Black Canyon Hwy; 2509, 2511, 2515, 2517, and 2519 W. Pierson St.

This is a companion case to Z-SP-11-17-4 Southwest Corner of Black Canyon Highway and Mariposa Street.

This item was adopted.

129 Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-11-17-4 - Southwest Corner of Black Canyon Highway and Mariposa Street (Ordinance G-6399)

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-11-17-4 and rezone the site.

Summary

Current Zoning: C-1 (Pending C-2 HGT/WVR), C-O (Pending C-2 HGT/WVR), P-1 (Pending C-2 HGT/WVR), and R-5 (Pending C-2

HGT/WVR)
Proposed Zoning: C-2 HGT/WVR SP
Acreage: 2.95
Proposed Use: Self-storage and all underlying C-2 uses with a height waiver for up to 4 stories and 50 feet

Owner: Black Canyon Self-Storage, LLC
Applicant: Adam Baugh/Benjamin Tate, Withey Morris, PLC
Representative: Adam Baugh/Benjamin Tate, Withey Morris, PLC

Location
Southwest corner of Black Canyon Highway and Mariposa Street
Council District: 4
Parcel Addresses: 4750, 4810, and 4820 N. Black Canyon Hwy; 2509, 2511, 2515, 2517, and 2519 W. Pierson St.

This item was adopted.

Items 36 &38, Ordinance S-44159 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.

36 Settlement of Claim Gee v. City of Phoenix

To make payment of $75,000.00 in settlement of claim in *Gee v. City of Phoenix*, United States District Court, Case 2:17-CV-02885-DKD, 14-0891-001 GL BI, for the Finance Department pursuant to Phoenix City Code Chapter 42.

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

Yes: 7 - Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

No: 2 - Councilman DiCiccio and Councilman Waring

38 **National Association of Housing and Redevelopment Officials**

For $16,000.00 in payment authority for National Association of Housing and Redevelopment Officials (NAHRO) annual membership for the Housing Department. NAHRO provides important support through advocacy, connections, publications, training and outreach. Membership also ensures the City is informed about proposed regulatory changes that may impact the financial and operational sustainability of the City's Housing Department, as well as legislative updates to keep staff informed in advance of action being taken. This item was approved by the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee on Nov. 28, 2017, and will be paid by federal funds with no impact to the General Fund.

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

Yes: 7 - Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

No: 2 - Councilman DiCiccio and Councilman Waring

50 **Eight-Hour Rule Request Seeking Council Authorization to Research and Create a Sexual Harassment Policy for City of Phoenix Elected Officials**

Request City Council approval for staff from the Law Department and other City departments to spend in excess of eight hours of staff time to research and create a Sexual Harassment Policy for City of Phoenix Elected Officials for City Council review and discussion.

Summary

At the Dec. 5, 2017, Policy Session, City Council Request for Information and Announcements, Councilwoman Kate Gallego requested staff research and create a Sexual Harassment Policy for City of Phoenix Elected Officials. Currently, the City of Phoenix has in place a policy regarding sexual harassment for City of Phoenix employees. There is no current policy that pertains to City of Phoenix elected officials. To do thorough research and develop draft options for Council review will require more than eight hours of staff time.

Discussion

Mayor Stanton stated Item 50 was an 8-hour rule request by Councilwoman Gallego. He noted the request was mentioned by the Councilwoman in her inauguration speech, in order to work with staff to conduct research on the issue of a sexual harrassment policy for elected officials in the City of Phoenix.

Councilwoman Gallego thanked the Mayor for the introduction. She stated the request built on the work Mayor Stanton had led on the Ethics Commission that stated ethical challenges from elected officials should be adjudicated by an outside body. She said it was not fair to ask city employees to police elected officials. She stated that harassment occurred at all levels of government, and noted the importance for victims to have fair procedures.

A motion was made by Councilwoman Gallego to approve Item 50 and refer the request to the Sustainability, Housing, Efficiency and Neighborhoods (SHEN) Subcommittee.

Councilwoman Williams asked if there would be a policy for employees and a policy for City Council.

Councilwoman Gallego stated that there was an existing policy in place for employees that had a procedure that was accountable to the City Manager. She said it did not seem fair to her to have the City Manager oversee elected officials, since the City Manager was hired by the City Council.

Mayor Stanton stated he believed the intent was for city staff to conduct research regarding sexual harassment policies for elected officials that

other cities around the country may have in place and present the information back to the SHEN Subcommittee for potential action.

Vice Mayor Pastor questioned if the proposed policy would be in place for instances if an elected official were to harass an individual or if it would be for instances in which an elected official would be harassed.

Mayor Stanton said that it was his belief the proposed policy would deal with a situation where the elected official was the alleged harasser and how to deal with discipline.

Councilwoman Gallego concurred.

Mayor Stantonsaid there could be certain instances where an elected official was the harasser and another elected official was the victim.

City Attorney Brad Holm stated that he understood the proposal would be to consider what other jurisdictions were doing in respect to elected officials. He said that some jurisdictions had policies in place that addressed horizontal harassment, one elected official harassing another, and vertical harassment, an elected official harassing an employee. He stated he believed that was what Councilwoman Gallego intended with her motion on a proposed policy.

Councilwoman Gallego concurred.

Councilman Valenzuela questioned if there was a policy in place that addressed those serving on boards and commissions. He stated that it could be a good idea to have members of boards and commissions addressed in the same policy.

City Attorney Holm said the request before the Council was to waive the 8-hour rule. He said that staff would research all the issues discussed. He added that there was a policy in place that applied to employees but was not confident it applied to members of boards and commissions.

Councilman Valenzuela asked that a policy that applied to boards and commission members be looked at as well and be part of the motion.

Councilwoman Gallego agreed.

Councilman DiCiccio asked that policies of corporations be looked at as well. He asked that the proposed policy incorporate strict rules of conduct. He said the conduct of the elected official in office would also need to be looked at.

Councilwoman Gallego concurred.

Councilman Waring asked if policies for volunteers could also be looked at. He noted the difference between volunteers and the Mayor and Council. He said the Mayor and Council were employees that got paid.

Mayor Stanton stated that separate policies for elected officials and board and commission members would need to be developed.

Pat Vint told the Council his belief that he was being harassed by members of the Phoenix Police Department.

Mayor Stanton recapped the motion for Item 50, stating that the motion to approve the item included modifications to look at policies related to board and commission members as well as private sector policies and best practices. He noted the item would be brought back to the SHEN Subcommittee at a later date.

A motion was made by Councilwoman Gallego, seconded by Councilman Valenzuela, that this item be approved with modifications to look at policies related to Board and Commission members, as well as private sector policies and best practices and refer the request to the Sustainability, Housing, Efficiency and Neighborhoods (SHEN) Subcommittee. The motion carried by the following vote:

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

58 Acceptance of Easements for Traffic Control and Temporary Construction Purposes at 7th Street, North of Jones Avenue (Ordinance S-44188)

Request for the City Council to accept easements for traffic control and temporary construction purposes for installation of a High-Intensity Activated Cross Walk (HAWK) signal and Americans with Disabilities Act (ADA) pedestrian ramps.

Summary

JMPM3834SM, LLC, its successor and assigns, has agreed to donate a traffic control easement, and Western States Petroleum, Inc., its successor and assigns, has agreed to donate a temporary construction easement to facilitate the installation of a HAWK signal and ADA pedestrian ramps. The signal and ramps are to alert oncoming traffic and provide pedestrians a safe crossing at 7th Street, just north of Jones Avenue.

Location

3834 S. 7th St., identified by assessor parcel number 113-12-012, and 3839 S. 7th St., identified by assessor parel number 113-18-001D. Council Districts: 7, 8

Discussion

Councilwoman Gallego stated Item 58 was part of a process for the installation of a safer crossing at 7th Street and Jones. She said the neighborhood was in District 8 and was one of four with the highest concentrations of housing for veterans. She noted that many veterans had gone to her office to talk about traffic safety issues. She thanked the Streets Department for their work. She also thanked Western States Petroleum for heping with the easement.

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

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

No: 0

66 Amend Pay Ordinance S-42689 in Accordance with Phoenix City Code Sections 2-83.1(A) and 2-94(C) and (E) (Ordinance S-44208)

Request to amend Pay Ordinance S-42689 in accordance with Phoenix City Code Sections 2-83.1(A) and 2-94(C) and (E) following approval of House Bill 2695 regarding judicial salary increases.

Summary

The aforementioned sections of the Phoenix City Code state that a Judge of the Phoenix City Court (e.g. Phoenix Municipal Court) is entitled to receive an annual salary that is 100 percent of the annual salary paid to a Judge of the Superior Court of Arizona, and that the salary of a Judge of the City Court shall change concurrently with any change to the salary of the Judge of the Superior Court. Additionally, the City Code states that Court Hearing Officers are entitled to receive an annual salary equal to 70 percent of the annual salary paid to a Judge of the Phoenix City Court, and the Presiding Court Hearing Officer is entitled to receive an annual salary equal to 85 percent of a Judge of the Phoenix City Court. The Court Hearing Officers' and Presiding Court Hearing Officer's salaries shall also change concurrently with any change to the salary of Judge of the Phoenix City Court.

Section 143 of House Bill 2695, approved by the Governor in May 2016, states that judicial salaries for Arizona Supreme Court Justices, Arizona Court of Appeals Judges and Superior Court Judges will be increased by one and one half percent effective Jan. 1, 2017, and increased an additional one and one half percent effective Jan. 1, 2018.

The Jan. 1, 2017, increase was approved by the City Council on Dec. 14, 2016. Staff is requesting approval to amend Pay Ordinance S-42689, as noted below, effective Jan. 1, 2018, to ensure compliance with the above noted State legislation and the Phoenix City Code:

Change the salary of City Judge (NC), Code 10570, Salary Plan 013, Grade 880, $147,174 to $149,382.

Change the salary of Presiding Court Hrng Off (NC), Code 10060, Salary Plan 001, Grade 086, $125,098 to $126,975.

Change the salary of Municipal Court Hrng Off (NC), Code 10050, Salary Plan 001, Grade 081, $103,022 to $104,568.

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

Yes: 7 - Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Councilwoman Gallego, Vice Mayor Pastor and Mayor Stanton

No: 2 - Councilman DiCiccio and Councilman Waring

71 Issue Request for Proposals for Citywide Victim and Homeless Services

Request to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for services for persons experiencing domestic violence and homelessness. The contract value will not exceed $844,000 annually.

Summary

The City of Phoenix utilizes federal, state and local dollars to provide a comprehensive portfolio of housing interventions and support services to meet the unique needs of persons experiencing homelessness. In 2013, the City conducted a competitive procurement process to select proposals and award contracts for services to end homelessness. The solicitation, which included Emergency Solutions Grant (ESG), Community Development Block Grant (CDBG), and General Fund resources, resulted in multiple one-year contracts for service, with four one-year options to renew. These contracts will expire June 30, 2018.

Procurement Information

The Human Services Department (HSD) requests approval to release an RFP for victim and homeless services supported by ESG, CDBG, and General Funds as available for the following priorities below. Funds are estimated.

Centralized Screening and Housing Placement for Victims of Domestic Violence: $200,000
Homeless Outreach and/or Emergency Shelter: $369,000
Housing Stabilization and Support: $275,000

Contract Term
HSD anticipates releasing the RFP and conducting a pre-solicitation conference in February 2018. Proposals will be due in March 2018. Contracts will begin July 1, 2018 for a one-year period, with two options to renew for additional one-year periods.

Financial Impact
Emergency Solutions Grant Funding requires a dollar-for-dollar match, which will be provided by City of Phoenix General Fund dollars. The contract value will not exceed $844,000 annually.

Concurrence/Previous Council Action
The Sustainability, Housing, Efficiency and Neighborhoods Subcommittee recommended approval of this item on Nov. 28, 2017 by a 4-0 vote.

Discussion
Leonard Clark, who indicated he was neutral on Item 71, spoke about homelessness being an issue.

Mayor Stanton noted a speaker comment card was submitted in favor of Item 71 by Stacey Champion but that she declined the opportunity to speak. He read comments written by Ms. Champion to the record stating that she felt less police force and a more humane approach was needed.

In response to a question from Vice Mayor Pastor, Deputy City Manager Deanna Jonovich explained that Item 71 was a request for authorization to issue an Request For Proposals (RFP) for homeless services. She said the city was in a five-year cycle and was preparing to issue an RFP for centralized screening, housing placement for domestic violence victims, homeless outreach, emergency services, and housing stabilization and support. She went on to add that staff was ensuring the RFP was in alignment with the work done with Phoenix Cares and other efforts.

Mayor Stanton introduced Interim Human Services Director, Marchelle Franklin.

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

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

No: 0

74 Phoenix Sky Harbor International Airport Terminal 3 West Atrium Sculptures
(Ordinance S-44178)

Request to authorize the City Manager, or his designee, to enter into contracts with up to five artists or their City-approved designees for purchase and installation of sculptures for the Terminal 3 west atrium and outdoor plaza sculpture garden in an aggregate amount not to exceed $263,525. The recommended artists and contract amounts are as follows: Michael Anderson $39,500; Patricia Sannit $25,750; Mitch Fry $32,505, Shan Shan Sheng $68,000; and Matt Wedel $97,770. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Fiscal Year 2017-22 Public Art Project Plan includes a project to modernize and enhance the Phoenix Sky Harbor International Airport (Sky Harbor) Terminal 3 west atrium and outdoor plaza. Phoenix Office of Arts and Culture staff worked closely with the Aviation Department Terminal 3 Modernization design team and the Phoenix Airport Museum to select artwork for the west atrium and outdoor sculpture garden of Terminal 3. The new artworks will be combined with existing sculptures in the Museum's collection for display in Terminal 3 and to create the outdoor sculpture garden.

On Sept. 11, 2017, a four-person artist selection panel recommended works by Michael Anderson (AZ), Patricia Sannit (AZ), Mitch Fry (AZ), Shan Shan Sheng (CA), and Matt Wedel (OH) after reviewing works from a pool of 108 artists who had applied to a national call to be considered

for this project. The panel based its decision on the quality, suitability and durability of the proposed artworks for the Terminal 3 sites, as well as the artworks' potential to enhance the traveler experience. The selection panel included Gary Martelli, Curator and Program Manager of the Phoenix Airport Museum; Garth Johnson, Curator of Ceramics of the ASU Art Museum; Kevin Berry, artist and community representative; and Patty Haberman, Chief Curator of Mesa Contemporary Arts.

Financial Impact

The Sky Harbor Terminal 3 Modernization West Atrium and Plaza project is one of 31 projects in the Fiscal Year 2017-22 Public Art Plan that City Council approved on
June 28, 2017. The Art Plan includes $311,074 for this project. The proposed contracts totaling $263,525 will cover all costs related to purchasing and installing the artwork. The remaining $47,549 will be used to construct cement display pads for the sculpture garden and project administration. The percent-for-art funds for this project come from the Aviation Department Capital Improvement Program.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission reviewed and recommended this item for approval at its Nov. 21, 2017, meeting. The Parks, Arts, Education and Equality Subcommittee recommended this item for approval by a vote of 3-1 on Dec. 6, 2017.

Location

The project is located at Phoenix Sky Harbor International Airport's Terminal 3.
Council District: 8

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

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

Discussion

Deputy City Manager Karen Peters introduced Gail Browne and Ed Lebow from the Office of Arts and Culture.

In response to question from Councilman Waring, Mr. Lebow stated Items 75 and 76 related to efforts to improve the security and appearance of inactive well sites around the city.

Councilman DiCiccio stated that art projects throughout the City of Phoenix were now required to be part of a bigger plan. He stated they had to be part of either security or aesthetics for a neighborhood. He stated his belief that the City of Phoenix was one of the first in the country to integrate art with amentities and the way buildings were structured.

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that Items 75-76 be adopted. The motion carried by the following vote:

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

75 Artist Design Contract for Community Beautification and Greenspace Public Art Project Well Site 84/88 (Ordinance S-44192)

Request to authorize the City Manager, or his designee, to enter into a contract with Bobby Zokaites Sculpture, LLC, or its City-approved designee, in an amount not to exceed $35,000, to work with a landscape architect to design enhancements for the Community Well Site 84/88. Further request to authorize the City Controller to disburse the necessary funds for this item.

Summary

The FY 2017-22 Public Art Project Plan includes a project to commission artists to work with a landscape architect to enhance the security and appearance of community well sites and other water facilities citywide. On Nov. 17, 2017, a five-person artist selection panel recommended Bobby Zokaites be contracted for the Maryvale project. The panel based its

decision on Mr. Zokaites's versatility with wide range of construction materials, and his ability to integrate innovative visual art into community sites.

Financial Impact

The Community Beautification and Greenspace Program is one of 31 projects in the Fiscal Year 2017-22 Public Art Project Plan that City Council approved on June 28, 2017. The Art Plan includes $1,000,000 for this project. The proposed $35,000 design contract will cover all costs for the artist to work with the community, City staff and the landscape architect to develop the design for this project. Funds for project construction would be requested when the design phase is complete. The percent-for-art funds for this project come from the Water Services Capital Improvement Program.

Concurrence/Previous Council Action

The Phoenix Art and Culture Commission reviewed and recommended this item for approval at its Dec. 19, 2017, meeting.

Location

The project is located at 7304 W. Crittenden Lane
Council District: 5

This item was adopted.

76 Artist Design Contract for Community Beautification and Greenspace Public Art Project Well Site 94 (Ordinance S-44193)

Request to authorize the City Manager, or his designee, to enter into a contract with Barbara Grygutis Sculpture, LLC, or its City-approved designee, in an amount not to exceed $35,000, to work with a landscape architect to design enhancements for the Community Well Site 94. Further request to authorize the City Controller to disburse the funds for this item.

Summary

The FY 2017-22 Public Art Project Plan includes a project to commission artists to work with a landscape architect to enhance the security and appearance of community well sites and other water facilities citywide. On Nov. 17, 2017, a five-person artist selection panel recommended Barbara Grygutis be contracted for the Sunnyslope project site. The

panel based its decision on Ms. Grygutis's demonstrated ability to work closely with community members to create site specific works of art that match the needs of the location.

Financial Impact

The Community Beautification and Greenspace Program is one of 31 projects in the Fiscal Year 2017-22 Public Art Project Plan that City Council approved on June 28, 2017. The Art Plan includes $1,000,000 for this project. The proposed $35,000 design contract will cover all costs for the artist to work with the community, City staff and the landscape architect to develop the design for this project. Funds for project construction would be requested when the design phase is complete. The percent-for-art funds for this project come from the Water Services Capital Improvement Program.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission reviewed and recommended this item for approval at its Dec. 19, 2017, meeting.

Location

The project is located at 8351 N. 6th St.
Council District: 6

This item was adopted.

78 Authorization to Participate in 2018 BIO International Convention (Ordinance S-44207)

Request to authorize City Manager, or his designee, to execute any agreements or other documents, necessary to participate in the 2018 BIO International Convention. Further request authorization for the City Controller to disburse all funds related to this item and authorization for the City Treasurer to accept funds from potential sponsoring partners. Total cost of the City's participation will not exceed $48,000, with no impact to the General Fund.

Summary

The annual BIO International trade convention will take place on June 4-8, 2018 in Boston. This convention attracts more than 16,000 biotechnology and pharma industry leaders and decision makers from around the world each year. The City's participation at this industry convention will provide

opportunities to meet with companies that may be considering new locations or expansion projects, demonstrate the competitive advantages in Phoenix's business environment and highlight Phoenix-based research and innovation to an international audience.

The City's attendance at this conference is critical in promoting the Phoenix Biomedical Campus in downtown, the Arizona Biomedical Corridor in the Desert Ridge area and the Biomedical Industry as a whole in Phoenix. Staff will highlight Phoenix's competitive advantage through the use of several outreach tools including print advertisement that all attendees will receive, a large display at the conference center and an exhibition booth. Growing this industry in Phoenix helps to build a diversified economy, create high-paying, recession-proof jobs and improve healthcare in the community.

If approved by Council, staff will work with industry partners, such as University of Arizona, Arizona State University and TGen to co-locate at the Convention. This shared effort may allow the City to reduce costs while assisting our partners in promoting Phoenix.

Financial Impact

Total cost of the City's participation will not exceed $48,000. Funds are available in the Genomics Facilities and Operations Fund. There is no impact to the General Fund.

Concurrence/Previous Council Action

This item was unanimously approved by the Downtown, Aviation, Economy and Innovation Subcommittee as a part of the Bioscience Healthcare Strategic Initiative on Oct. 4, 2017.

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

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

96 Ordinance to Establish the Small Wireless Facilities License by Creating New Chapter 5C of the Phoenix City Code and to Establish an Effective Date (Ordinance G-6407)

Request City Council to adopt an ordinance to establish the small wireless facilities license by creating new chapter 5C of the Phoenix City Code, and to establish an effective date of Feb. 9, 2018.

Summary

On June 12, 2012, the City Council adopted Ordinance S-39043 that established the current rates and fees for the installation of wireless equipment in public right-of-way and authorized the City Manager to grant licenses for wireless equipment. Currently, there are approximately 150 sites with small wireless facilities (SWF) that have been authorized in Phoenix right-of-way under this ordinance.

On Aug. 9, 2017, House Bill 2365 (HB 2365) became law, which makes the installation of SWF in right-of-way a matter of right, provides strict timelines for application and permitting of installations, and significantly restricts the rates and fees the City may charge wireless providers for the use of City right-of-way. The law impacts Arizona Revised Statutes sections 9-591 through 9-599, and applies to cities and counties throughout the State. The bill grants cities and counties until Feb. 9, 2018, to establish and publish rates, fees and procedures for SWF installations and to come into compliance with state law.

The new state law grants authority for wireless providers to locate SWF in the right-of-way on four categories of infrastructure:
1. Installations on existing traffic signal, street light, or other utility poles in the right-of-way;
2. Installations on existing traffic signal, street light, or other utility poles in the right-of-way that must be modified or replaced to accommodate the installation of SWF;
3. Installations that will include a new utility pole in the right-of-way; and
4. Installations that will include a new large monopole (more than 50’ tall and up to 40” in diameter at ground level) in the right-of-way.

SWF installations consist of two components: the antenna and related equipment. Although the antenna is pole-mounted, other equipment may

be installed on the ground adjacent to the pole or mounted on or inside the pole. The antenna and equipment sizes and placement vary between wireless providers.

The recommended ordinance will establish the following concerning SWF in City right-of-way:

1. Purpose and findings for the installations;
2. Authority for licensing;
3. Definitions for relevant terms and key concepts;
4. Licensing or franchising requirements including terms;
5. Rights-of-way permit requirements;
6. Location and relocations terms and conditions;
7. Types of various wireless support structures for these installations;
8. Major procedural requirements related to safety, regulatory compliance, where these structures can be installed, how they will be permitted, key provisions concerning aesthetics (including reasonable spacing, screening, and concealment requirements), and the operation and maintenance requirements;
9. Public notification requirements;
10. Fee structure;
11. Treatment of SWF permitted prior to the effective date of the ordinance changes; and
12. Effective date of Feb. 9, 2018.

Concurrence/Previous Council Action

On Jan. 9, 2018, this matter was presented to the Transportation and Infrastructure subcommittee for recommendation to the City Council approval.

On Nov. 14, 2017 and Oct. 10, 2017, City staff presented information to the Transportation and Infrastructure subcommittee on the new state law concerning wireless communications facilities in City right-of-way and on proposed ordinance changes, including fees and rates.

On Jun. 12, 2012, City Council adopted Ordinance S-39043, which established the current rates and fees for the installation of wireless equipment in public right-of-way and authorized the City Manager to grant licenses for wireless equipment.

Public Outreach

The Street Transportation Department (and representatives of other City departments) held five stakeholder group meetings between November 2017 and January 2018 with representatives of the wireless industry to discuss the new state law and the City's proposed ordinance changes.

Discussion

Mayor Stanton noted that a speaker comment card was submitted by Garry Hays in favor of Item 96, but he declined the opportunity to speak.

Vice Mayor Pastor stated the understanding that there was an opportunity to make small wireless facilities appealing.

Councilwoman Stark commended Vice Mayor Pastor and Councilwoman Williams on the work they did related to this item. She said they both met with members of the industry during a short time frame.

Mayor Stanton noted that the policy outlined was the best thing that could be done under the circumstances. He explained that the Council did not think it was the right policy. He stated the Council was limited in what could be done due to State law.

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

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

123 Amendment to the 2012 International Building Code Section 105.3.1.1 - Demolition Permit Process to Add Residential Single Family and Duplex Homes Located Within the Downtown Code Area (Ordinance G-6404)

Request to authorize the City Manager, or his designee, to approve an amendment to the 2012 International Building Code Section 105.3.1.1 to require a waiting period and public notice prior to the issuance of a

demolition permit for residential single family and duplex homes located within the Downtown Code area.

Summary

This proposed amendment would extend the current 30-day hold for demolition to single family and duplexes located within the Downtown Code District that are 50 years of age or older. There are fewer than 100 properties that would be impacted by this amendment. Commercial properties 50 years of age or older or properties that have been identified as individually eligible for historic designation are already covered by the existing code that was approved by City Council on Nov. 2, 2016.

Financial Impact

This recommendation will utilize the existing Planner I position in the Historic Preservation Division to review each application, follow notification procedures and cover the costs of implementing the additional review area. A $300 fee is currently being charged to applicants to cover the administrative costs of the review and would be expanded to include applicants of property owners in the expanded areas.

Concurrence/Previous Council Action

The Historic Preservation (HP) Commission recommended approval of this amendment on Sept. 18, 2017. The Development Advisory Board (DAB) Administrative Subcommittee recommended approval of the HP Commission recommendation by a 3-0 vote on Nov. 16, 2017. The Development Advisory Board (DAB) recommended approval of DAB Administrative Subcommittee recommendation by a 9-0 vote (1 abstained - Carson) on Nov. 16, 2017. The Downtown, Aviation, Economy, and Innovation (DAEI) Subcommittee recommended approval per Development Advisory Board (DAB) recommendation and requested PDD investigate expanding the 30-day hold for demolition to the Grant Park Neighborhood by a 4-0 vote on Dec. 6, 2017.

Location

Downtown Area
Council Districts: 7 and 8

Discussion

Opal Wagner spoke in favor of Item 123. She stated she represented the Phoenix Historic Neighborhoods Coalition. She stated the coalition supported the Demolition Permit process. She expressed her belief that it had been a vailable tool for commercial properties in the downtown core and that she would like to see it extended to residential properties. She commended the Historic Preservation Office for educating developers on the value of historic preservation.

Marilyn Rendon spoke in favor of Item 123. She stated her belief that builders and developers were a valuable and integral part of the city. She went on to state that she was in favor of anything that was going to provide additional tools for historic preservation.

Speaker comment cards were submitted by the following individuals with no one wishing to speak:

Roger Brevcort
Stacey Champion
Steve Dreiseszuan

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

Yes:	6 -	Councilman Nowakowski, Councilwoman Stark, Councilman Valenzuela, Councilwoman Williams, Vice Mayor Pastor and Mayor Stanton
No:	2 -	Councilman DiCiccio and Councilman Waring
Absent:	1 -	Councilwoman Gallego

124 (CONTINUED FROM DEC. 13, 2017) - Public Hearing - Certificate of Appropriateness - Appeal of Historic Preservation Commission Decision - 837 N. 5th Ave.

Request to hold a public hearing of the Certificate of Appropriateness Decision by the Historic Preservation Commission (HPC) for 837 N. 5th Ave. in the Roosevelt Historic District due to an appeal form submitted on Nov. 27, 2017. The Historic Preservation Commission upheld the

decision of the Historic Preservation (HP) Hearing Officer to approve the Certificate of Appropriateness with two stipulations on Nov. 20, 2017. The appellant's stated rationale for the appeal is the "CHPO/staff's finding/recommendation for placing new construction of much larger size, scale and mass in front of the uniform historic setback and adjacent historic houses does not comply with the City of Phoenix Historic Preservation Philosophy, the Secretary of the Interior's Standards for Rehabilitation, the General Design Guidelines, the PreserveHistoricPHX Preservation Plan, or Chapter 8 of the Zoning Ordinance".

Summary

Application Number: HPCA-1700399
Applicant: Danny Bockting of Yosemite Partners LLC
Request: Approve construction of a four unit, two-story, 6,185 sq.ft. multi-family building on a vacant lot.

Staff Recommendation: Approve with two stipulations.
HP Hearing Officer Action: Approved per staff recommendation on Oct. 24, 2017
HPC Action: Uphold Hearing Officer Action by a vote of 6-2 on Nov. 20, 2017.
Appellant: Jeff Swan, adjacent property owner to the north and south.

Historic Preservation Commission Stipulations

1. That the building be setback to match the porch of the house to the north (841 N. 5th Ave.), which is 29’ 2” from the front (west) property line per Sec. 1201.C.4 of the City of Phoenix Zoning Ordinance;
2. That the backflow preventer be moved from the planting area in the right-of-way onto the property per Phoenix City Code Section 37-144.

Action Requested

Uphold, modify or reverse the Certificate of Appropriateness decision of the Historic Preservation Commission.

Location

837 N. 5th Ave.
Council District: 7

Discussion

Mayor Stanton stated this item was continued from the Dec. 13, 2017, Formal City Council meeting. He noted testimony would only be heard from individuals that were in attendance at the Dec. 13, 2017 meeting that did not get the opportunity to speak.

Planning and Development Director Alan Stephenson stated a staff presentation was not necessary because one had been held at the previous City Council meeting. He stated the Council would take into account testimony that occurred at the previous Council meeting in making their decision.

Councilman Nowakowski noted he had driven the neighborhood in question and it appeared to him that the size of the buildings in the neighborhood were similar. He made a motion to approve Item 124 subject to compliance with the stipulations from the Historic Preservation Commission.

Jeff Swan, the appellant, reiterated his stance regarding the project, stating the project was not in compliance with design guidelines. He stated his stance was not about the size of the building but rather its position. He said the applicant would be putting the building 10 feet in front of adjacent buildings. He asked the City Council to follow the design guidelines and Secretary of Interior standards. He asked the City Council to modify staff's recommendations by stepping back the new construction to align with the primary wasll of the south adjacent houses. He added that the appeal was supported by individuals involved in historic preservation as well as the Downtown Voices group. He stated the proposed construction was more than five times the original house and four times the size of two adjacent buildings. He talked about issues regarding the setback and stated that the setback for a historic district was defined by historic building alignment, not newer construction.

Danny Bockting, the applicant, stated the neighborhood in question had evolved since its conception due to the property's urban location. He stated the neighborhood in question was not a residential area but rather commercial and multi-family. He said the area had various examples of large-scale, multi-family, two and three story buildings that had setbacks that were in front of adjacent historic buildings. He stated the project met

design guidelines and the Secretary of Interior standards. He said the Secretary of Interior standards excluded the project by stating that the guidelines only governed projects that were receiving federal grant money or those projects that were changing the historic building. He noted letters of support that he had received from downtown stakeholders and property owners.

Vice Mayor Pastor asked if the new construction complied with the general design guidelines, the historic preservation plan and Chapter 8 of the zoning ordinance.

Historic Preservation Officer, Michelle Dodds, explained that staff was supporting the Certificate of Appropriateness. She said that a majority of multi-family projects were more sizable, two story and even three-story, in the Roosevelt Historic District. She explained that setbacks were not consistent within the Roosevelt District. She noted some historic homes had been converted to nonresidential uses, including restaurant and office uses.

Vice Mayor Pastor asked what the recommendations from the Historic Preservation Commission (HPC) were.

Ms. Dodds replied that the HPC's stipulations were that the building be setback to match the porch of the house to the north and that the backflow preventer be moved from the planting area in the right-of-way onto the property.

Councilman Nowakowski stated he had asked for a continuance because he wanted to drive out to the neighborhood. He said there was a law office with a parking lot next door to the lot. He noted there was not single-family housing on the block, just multi-family and office space.

Note: Speaker comment cards in favor of the appeal were submitted by the following individuals, with no one addressing the City Council:

Kimberly Rasper
Marilyn Rendon
Opal Wagner

Steve Dreisesson

Note: A speaker comment card in opposition to the appeal was submitted by Mike Troyan, but he did not address the City Council.

A motion was made by Councilman Nowakowski, seconded by Councilwoman Williams that this item be approved to uphold the Historic Preservation Commission decision.

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

No: 0

125 Amend City Code - Ordinance Adoption - Rezoning Application Z-61-17-3 - Approximately 800 Feet South of the Southwest Corner of 56th Street and Shea Boulevard (Ordinance G-6406)

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-61-17-3 and rezone the site from RE-43 to R1-10 zoning to allow single-family residential.

Summary

Current Zoning: RE-43 (Residential Estate District)
Proposed Zoning: R1-10 (Single-Family Residence District)
Acreage: 3.80
Proposed Use: Single-Family Residential
Owner: Bergero Family Trust
Applicant: Ron Homyak, Cachet Homes
Representative: Edwin Bull, Burch & Cracchiolo

Location

Approximately 800 feet south of the southwest corner of 56th Street and Shea Boulevard
Council District: 3
Parcel Addresses: 10214 and 10224 N. 56th St.

Discussion

Councilwoman Stark stated the case was in her district. She provided a

brief background on the case, stating the case had numerous neighborhood meetings, in addition to the Village Planning Committee and Planning Commission meetings. She stated the request was consistent with the voter approved General Plan and was consistent with surrounding zoning. She added that the applicant had worked closely with abutting property owners. She said stipulations in the ordinance addressed concerns about building heights and noted some lots were limited to one story.

Jo Pulvemacher spoke in opposition to this item. She stated the project had great density of 10 houses on a 3.5 acre lot. She said each house had a three-car garage and could result in 20-30 cars parked in the area. She stated her concerns over parking and traffic restrictions. She said she would like to see 5-6 houses on the site, not 10.

Ed Bull, an attorney, stated he was representing the applicant, Cachet Homes. He said he and his client accepted the 10 stipulations that were set forth in Item 125.

Bill Christian spoke in favor of this item. He said he lived in the area that backed the property to the west, behind the proposed development. He spoke favorably of Cachet Homes and stated that the development would improve home values and the quality of the neighborhood and aesthetics.

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

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

No: 0

130 Public Hearing and Resolution Adoption - GPA-CTYW-1-17 Street Classification Map Amendments (Resolution 21609)

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

Summary

Application: GPA-CTYW- 1-17
Request: Addition and deletions to the Street Classification Map
Location: Citywide
Proposal: To update the map with additions and deletions of new platted roadways.
Applicant: Planning Commission
Staff: Recommends approval as outlined in Attachment B - Street Classification Map Amendments Matrix and Maps
VPC Actions: Various as summarized in Attachment E
PC Action: Approved per Attachment D - Addendum A to the Staff Report

Location

Citywide

Discussion

Planning and Development Director Alan Stephenson explained that Item 130 was a General Plan Amendment to the Street Classification Map to amend the General Plan to add new streets and delete steets from the map as new development happened. He added that the request was approved by the 12 Village Planning committees.

Mayor Stanton opened the Public Hearing.

There was no one from the public wishing to provide testimony.

Mayor Stanton closed the Public Hearing.

The hearing was held. A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that this item be adopted per staff recommendations.

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

No: 0

131 ***ADDITIONAL INFOMRATION (SEE ATTACHED MEMO)* - Amend City Code - Public Hearing and Ordinance Adoption - Rezoning Application Z-75-17-8 - Southwest Corner of 10th Street and McDowell Road (Ordinance G-6401)**

Request to hold a public hearing on the rezoning application for the following item and consider adoption of the Planning Commission's recommendation and the related Ordinance if approved.

Summary

Application: Z-75-17-8
Current Zoning: C-2
Proposed Zoning: C-2 HGT/WVR (3.29 acres)
Acreage: 3.29 acres
Proposed Use: Development of a three-story cancer center (pending height waiver)

Owner: Banner Health
Applicant: John Niziolek, HKS, Inc.
Representative: John Niziolek, HKS, Inc.
3/4 Vote Required: Yes

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Central City Village Planning Committee heard the request on Jan. 8, 2018.
PC Action: The Planning Commission heard the request on Jan. 4, 2018.

Location

Southwest corner of 10th Street and McDowell Road
Council District: 8
Parcel Addresses: 925 E. McDowell Road and 1515 N. 9th St.

Discussion

Planning and Development Director Alan Stephenson told the City Council Items 131 and 132 were companion items. He gave an overview of both items. He said Item 131 was a request to rezone a 3.29 acre site from C2 to C2 with height waiver for Item 132. He explained that the request was for development of a three-story cancer center on the banner hospital site at the southwest corner of 10th Street and McDowell Road. He stated that the Central City Village Planning Committee chose not to hear the request but noted that the Planning Commission approved the request by an 8-0 vote.

Mayor Stanton opened the Public Hearing.

No one from the public wished to provide testimony on Items 131 or 132.

Mayor Stanton closed the Public Hearing.

The hearing was held. A motion was made by Vice Mayor Pastor, seconded by Councilwoman Gallego, that this item be adopted per the Planning Commission recommendation.

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

No: 0

132 *****ADDITIONAL INFORMATION (SEE ATTACHED MEMO)*** - Amend City Code - Public Hearing and Ordinance Adoption - Rezoning Application Z-76-17-8 - Southwest Corner of 10th Street and McDowell Road (Ordinance G-6408)**

Request to hold a public hearing on the rezoning application for the following item and consider adoption of the Planning Commission's recommendation and the related Ordinance if approved.

Summary

Application: Z-76-17-8
Current Zoning: C-2 (Pending) (3.29 acres)
Proposed Zoning: C-2 HGT/WVR (3.29 acres)
Acreage: 3.29 acres

Proposed Use: Rezone site to C-2 with a height waiver up to 56 feet for development of three-story cancer center

Owner: Banner Health
Applicant: John Niziolek, HKS Inc.
Representative: John Niziolek, HKS Inc.
3/4 Vote Required: Yes

Staff Recommendation: Approval, subject to stipulations
VPC Action: The Central City Village Planning Committee heard the request on Jan. 8, 2018.
PC Action: The Planning Commission heard the request on Jan. 4, 2018.

Location
Southwest corner of 10th Street and McDowell Road
Council District: 8
Parcel Addresses: 925 E. McDowell Road and 1515 N. 9th St.

Discussion
See Item 131.

The hearing was held. A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that this item be adopted per the Planning Commission recommendation.

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

No: 0

133 Amend City Code - Public Hearing and Resolution Adoption - General Plan Amendment GPA-SM-3-17-8 - Approximately 130 Feet North of the Northwest Corner of 19th Avenue and Latona Lane (Resolution 21610)

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-3-17-8
Current General Plan Land Use Map Designation: Residential 1 to 2 dwelling units per acre
Proposed General Plan Land Use Map Designation: Residential 2 to 3.5 dwelling units per acre
Acreage: 11.15
Proposed Use: Single-family residential
Owner: 19th Ave Partner, LLC & Wireless Devices
Applicant: Richard Jellies, The Lead Group, LLC
Representative: Richard Jellies, The Lead Group, LLC

Staff Recommendation: Approval.
VPC Action: The South Mountain Village Planning Committee heard the request on Nov. 14, 2017 and recommended approval per staff recommendation by a 12-2 vote.
PC Action: The Planning Commission heard the request on Dec. 7, 2017 and recommended approval per the South Mountain Village Planning Committee by a 5-0 vote.

Location
Approximately 130 feet north of the northwest corner of 19th Avenue and Latona Lane
Council District: 8
Parcel Addresses: 8020 and 8030 S. 19th Ave.

Discussion
Planning and Development Director Alan Stephenson stated he would be providing a presentation on companion items 133 and 134. He said Item 133 was a General Plan amendment for a site located approximately 130 feet north of the northwest corner of 19th Avenue and Latona Lane, for residential 1 to 2 dwelling units per acre to 2 to 3.5 dwelling units per acre. He stated Item 134 was a rezoning request to a proposed use of single-family residential. He said the request detailed in Item 133 was approved by the South Mountain Village Planning Committee by a 12-2 vote and the request detailed in Item 134 was approved by the South Mountain Village Planning Committee on a 14-0 vote. He noted that the Planning Commission had approved both requests unanimously.

Mayor Stanton opened the Public Hearing for Items 133 and 134.

No one in attendance wished to provide testimony on Items 133 or 134.

Mayor Stanton closed the Public Hearing from Items 133 and 134.

The hearing was held. A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that this item be adopted per the Planning Commission recommendation.

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

No: 0

134 Amend City Code - Public Hearing and Ordinance Adoption - Rezoning Application Z-47-17-8 - Approximately 130 Feet North of the Northwest Corner of 19th Avenue and Latona Lane (Ordinance G-6405)

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-47-17-8 and rezone the site from S-1, R1-10, and R1-18 to R1-10 for single family residential.

Summary
Application: Z-47-17-8
Current Zoning: S-1, R1-10, and R1-18
Proposed Zoning: R1-10
Acreage: 11.15 acres
Proposal: Single-family residential

Owner: 19th Ave Partner, LLC & Wireless Devices
Applicant: Richard Jellies, The Lead Group, LLC
Representative: David Bohn, Westwood Professional Svcs.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The South Mountain Village Planning Committee heard the case on Nov. 14, 2017 and recommended approval per the staff recommendation with two additional stipulations by a 14-0 vote.

PC Action: The Planning Commission heard the case on Dec. 7, 2017 and recommended approval per the South Mountain VIllage Planning Committee recommendation by a 6-0 vote.

Location
Approximately 130 feet north of the northwest corner of 19th Avenue and Latona Lane
Council District: 8
Parcel Addresses: 8020 and 8030 S. 19th Ave.

Discussion
See Item 133.

The hearing was held. A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that this item be adopted per Planning Commission recommendation.

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

No: 0

135 Consideration of Citizen Petition Related to Election Dates

This report provides the City Council with information in response to a citizen petition submitted by Marcus Huey at the Dec. 13, 2017, Formal City Council meeting regarding the dates on which city elections are held (**see Attachment A**).

Summary
The petitioner requests that "the City Council take action to amend the Charter to comply with the City's current election schedule and relevant state laws."

In 1996, the State Legislature enacted a change to State law specifying the dates on which elections can be held (A.R.S. section 16-204). According to State law, all elections in Arizona must be conducted on one

of four dates in March, May, August or November. To comply with this law, in 1997 Phoenix changed its regularly scheduled candidate election dates from October and November, as provided in the Phoenix City Charter, to August and November, the State permitted election dates closest to the dates in the Charter.

In 2012, the State Legislature passed an additional law that required cities and towns to consolidate their elections with the State primary and general elections in the Fall of even-numbered years. The City Charter provides that City elections be held in the Fall of odd-numbered years. The City Council authorized a legal challenge to this new law, and the cities of Tucson and Phoenix challenged the law requiring cities and towns to conduct their elections in even-numbered years. The Court ruled that when cities and towns conduct their elections it is a matter of local control, therefore permitting Tucson, Phoenix and any other Charter cities to conduct their elections on any of the four permitted dates in odd-numbered years.

The City is not violating the Charter by holding elections on dates other than those specified in the Charter because the City is preempted by State law and Court decisions from holding elections on those dates. The City's practice honors the Charter and conforms with State law. However, if the Council desires to change the Charter section relating to election dates, a ballot measure would have to be submitted to City of Phoenix voters.

Options for Council Action

A. Accept the petition, directing staff to begin the Charter amendment process.

B. Deny the petition, since the City's practice conforms with the State's consolidated election dates, and the City holds its general and runoff elections on the consolidated election dates that occur closest to the dates in the Charter.

C. Other direction to staff.

Discussion

A motion was made by Councilwoman Williams, seconded by Councilman DiCiccio to deny the petition and direct city staff to address needed charter changes by developing policy and language in

compliance with city code and state law for council review/consideration that may become a referendum on the ballot of the next scheduled election giving citizens the option either to retain the current system, or align all future City of Phoenix candidate elections with the August, November election dates in even numbered years.

Marcus Huey spoke in favor of Item 135. He spoke about the cities of Scottsdale, Mesa, Chandler and Gilbert moving their election dates to August and November of even years, to align with the state primary and general elections. He read statistical information from the City of Scottsdale, stating the change in election dates resulted in increased voter turnout and savings. He stated his belief that election consolidation increased voter turnout and saved tax payer dollars.

Ann O'Brien spoke in favor of Item 135. She noted data from the cities of Chandler and Scottsdale that resulted in increased voter turnout and savings. She stated that by using the City of Chandler's numbers and City of Phoenix's registered voter number, the savings to Phoenix could be somewhere between a quarter of a million dollars to a million dollars.

Leonard Clark spoke in opposition to Item 135.

Derrik Rochwalik spoke in favor of Item 135. He told the Council he was an activist looking to increase voter turnout for the millennial generation. He went over various statistics and stated that 3% of the millennial population voted in the last Mayoral election. He said six times as many millennials turned out to vote in 2014 and nine times as many millennials turned out to vote in 2016. He asked the City of Phoenix to consolidate elections with the county and state to ensure a higher voter turnout of the millennial generation.

Jose Borrajero spoke in favor of Item 135. He talked about minorities having a tendency to participate in elections to a lesser extent than the general public. He stated the consolidation of elections should be done to increase the participation of minorities in city government.

Mayor Stanton asked the City Clerk for analysis on election consolidation and the impact on independent voters.

Mr. Meyer explained there was an issue about mailing ballots to independent voters in a partisan election because they were not registered in a party. He stated that under State law, voters had to identify to the election official which party ballot they wanted to receive. He stated that the State was revising its procedures manual and that the proposal in the manual would be to not mail ballots to independent voters on the Permanent Early Voting List (PEVL) if a voter did not select a party. He noted there was 150,000 independent voters in the City of Phoenix that were on the PEVL list.

Councilman Valenzuela spoke about the City of Phoenix conducting nonpartisan races. He stated there would be 150,000 independent voters in the City of Phoenix that would not receive a ballot unless they requested a Republican or Democratic ballot.

Councilman Valenzuela made a motion to continue Item 135 to figure out what consolidating elections would mean. Councilwoman Gallego seconded the motion.

Councilman DiCiccio stated he would not support the continuance. He commended City Clerk Meyer and the City Clerk Department. He stated he had heard concerns and requests from voters to consolidate City of Phoenix elections.

In response to a question from Councilman DiCiccio, City Clerk Meyer explained that Council action would need to take place to refer any measure(s) to the voters to make a change to the election schedule. He reiterated voter approval would be required to change the election dates.

Councilman Valenzuela amended his motion to continue Item 135 to the February 7, 2018, City Council Formal meeting.

Councilwoman Stark stated she would not support the continuance. She said the motion made by Councilwoman Williams was to consider options and provide the information to City Council for more discussion and vote. She stated she believed the process could be vetted.

Councilman Waring stated the next citywide election to take place would be one to replace Mayor Stanton, should he leave office. He asked if the item would be referred to the voters at that election.

Mr. Meyer clarified that the timing would be dependent on how soon the Council referred the measure for the ballot.

Councilman Waring asked what the deadline would be to have something in place on the ballot should an opening occur and a citywide election be held in August 2018.

Mr. Meyer responded that notice would need to be provided to the County 120 days prior.

Vice Mayor Pastor asked for clarity regarding the motion made by Councilwoman Williams.

Councilwoman Williams stated the motion she made was to ask staff to draft language and bring the item to the City Council in the future.

Councilwoman Gallego stated she believed the continuance was appropriate. She noted that for many years independent voters had received a ballot in the mail from the City of Phoenix. She said it was important to allow independent voters to weigh in on the matter.

Councilman Nowakowski stated he was supportive of the the motion made by Councilwoman Williams. He said it was important to review proposals and determine what was best for the City of Phoenix.

Councilman Valenzuela amended his motion to continue Item 135 to the January 24, 2018 City Council Formal meeting.

Councilman Waring clarified that any charter change would be voted/approved by the voters. He stated it would be bipartisan because it would require support from Republicans and Democrats.

Vice Mayor Pastor asked for courtesy for the item to be continued.

Councilman DiCiccio stated the motion was asking for staff to research and prepare pros and cons of options and present them to the Council. He stated that no one was denying independent voters the right to vote.

Mayor Stanton stated the impact to independent voters would be a new issue. He asked the City Clerk to re-explain how independent voters would be impacted.

Mr. Meyer said there was a proposal in the State election manual that was being discussed and would be finalized in February. He stated independent voters would need to request a ballot and designate a party in order to receive a ballot. He stated independent voters would not be mailed a ballot unless they designated a party.

A vote was held for the motion to continue Item 135 to the January 24, 2018 City Council Formal meeting. The motion failed.

Councilman Waring asked if voter turnout could be expected to go up if the change was made.

Mr. Meyer responded if elections are consolidated to the County the data from other elections would suggest that turnout would go up but that would be a wide range.

Councilman Waring asked what would happen to election costs on average over time.

Mr. Meyer responded that an analysis of elections costs had been done when the city was involved in a lawsuit in 2013-2014. He explained that the analysis at that point showed money would not be saved if all special elections the charter required were conducted by the City of Phoenix. He said the County's cost to conduct an election off the Primary and General in even numbered years would be double the cities cost. He stated the City of Phoenix conducted more elections that were not on the consolidated dates than those that were. He further clarified that the cost to the City of Phoenix for a Citywide election would be $1.1 million dollars and the charge for the County for that would be $500,000. However, he explained that the cost for the County to conduct other elections on other

dates for the City of Phoenix would be $2 million. He reiterated that more of those elections were held than those that where the City would save $500,000.

Councilman Waring stated his belief that independent voters would not be prevented from voting. He said they would need to fill out a form and noted it would not take a long to complete the form. He noted other cities in the valley that saw higher voter turn out and savings by consolidating elections. He asked what the average voter turnout was in off year elections in August.

Mr. Meyer responded that turnout varied and was dependent on what was on the ballot. He said the average for a Mayor and Council election was in the mid-20s range.

Councilman Waring reiterated his thoughts that voter turnout would not be impeded by consolidating election dates.

Councilman Valenzuela stated he was defending a nonpartisan way of governing in the City of Phoenix. He talked about how the change in election dates would result in independent voters having to go another step to vote. He said independent voters would be required to do something that Democrat and Republican voters would not have to do.

Mayor Stanton said he would not be supporting the motion. He stated it would be more difficult for independent voters to vote in the election. He stated it was not appropriate to consider the option until that issue was fixed.

In response to a question from Vice Mayor Pastor, City Clerk Meyer clarified the process in which an independent voter would vote. He stated the change would apply to the Primary Election, not the General Election. He said everyone would receive the same ballot at a General Election. He explained that voters on the PEVL received a postcard, where the voter could note changes to information, provide a temporary address, and/or indicate if they would be away. He said independent voters on the PEVL would still receive the postcard but they would need to indicate what party ballot they wished to receive. He clarified independent voters

would not need to change their registration but would simply need to return the post card or call to select the appropriate ballot.

Note: Mayor Stanton left the voting body and joined via telephone.

Councilman DiCiccio reiterated his belief that the motion was not to deny voters or independent voters.

Councilwoman Stark asked for clarification regarding the Secretary of State's proposal.

Mr. Meyer explained that the Secretary of State was supposed to revise the State manual. He stated he believed that the request had actually originated from counties because they had been facing issues. He stated there would be a meeting in late January and the manual would be issued in February.

Councilman Waring asked if the motion could be amended to ensure the item would return to the Council with a date certain.

Councilwoman Williams amended her motion to request the item be brought back to the City Council at the March 7, 2018 Formal meeting.

Councilman Waring stated he did not believe special or bond elections would be impacted by the motion. He stated he did not believe there was a need to have a special election on the issue if there was going to already be an election taking place to replace the Mayor, once he resigned.

Vice Mayor Pastor noted it was her belief that the next election would need to take place in August and that the Mayor would need to resign and vacate his office by mid-April.

Mr. Meyer concurred. He stated a candidate would need to resign an office by May 30th in order to run in the August Primary election.

City Attorney Brad Holm stated there were a lot of unknowns until staff conducted further analysis and brought forward proposals to the Council.

He clarified that the maker of the motion indicated the ballot changes would go to the electorate in the next scheduled election. He indicated the changes would then presumably be applicable at the next even numbered year election.

A motion was made by Councilwoman Williams, seconded by Councilman DiCiccio, that the petition be denied and directing city staff to address needed charter changes by developing policy and language in compliance with city code and state law for City Council review/consideration that may become a referendum on the ballot of the next scheduled election giving citizens the option either to retain the current system, or align all future City of Phoenix candidate elections with the August, November election dates in even numbered years and return to City Council at the March 7, 2018 City Council Formal meeting. The motion carried by the following vote:

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

136 Consideration of Citizen Petition Related to Citizen Comments

This report provides the City Council with information in response to a citizen petition submitted by Joanne Scott Woods at the Dec. 13, 2017 Formal City Council meeting regarding Rules of Council Proceedings, Rule 8, Citizen Comments.

Summary

Ms. Woods is requesting the City Council adopt changes to the Rules of Council Proceedings, Rule 8, Citizen Comments (**Attachment A**).

Council Rule 8 currently allows citizen comment periods to be heard for up to 15 minutes at the start of the meeting, and if necessary, for up to 15 minutes before adjournment of the meeting. The presiding officer has discretion to allow additional time. Citizen comment is currently televised as part of the formal meeting.

Options for Council Action

A. Accept the petition and direct staff to work on changes to the Rules of Council Proceedings.

B. Deny the petition because Council Rule 8, Citizen Comments, already allows for Citizen Comments before and after Formal City Council meetings.
C. Other direction to staff.

Discussion

Acting Deputy City Manager Toni Maccarone provided an overview of Item 136, Citizen Petition related to Citizen Comments at City Council meetings. She explained that the citizen comment period was heard for 15 minutes at the start of the Council meeting, and if necessary, for up to 15 minutes before the adjournment of the meeting. She noted the presiding officer had the discretion to allow additional time if necessary. She highlighted the Council's options in response to the petition, which included: accept the petition and direct staff to work on changes to the rules of Council proceedings, deny the petition because Council Rule 8, Citizen Comments already allowed for Citizen Comments, or Option C to direct staff to consider other options and return to Council with additional options at a later date.

Leonard Clark spoke in favor of the petition outlined in Item 136. He asked the Council to consider approving the petition.

Joanne Scott Woods stated she was not against the period of 15 minutes. She said she was against the way she believed citizens were being treated. She stated she did not believe there was accountability for the City Council to listen.

A motion was made by Councilwoman Williams, seconded by Councilwoman Stark, that the petition be denied. The motion carried by the following vote:

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

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

CITIZEN COMMENTS

Zheng Shi Qi spoke about the Chinese Cultural Center. He stated his belief that it was important to preserve the Chinese Cultural Center.

Lingzhi Wong spoke in support of the Chinese Cultural Center. He said it was important to save the Chinese Cultural Center. He played an audio recording from former Arizona Superintendent of Public Instruction, Tom Horne, speaking about the importance of Chinese cultural and education.

Purple Fire spoke in support of the Chinese Cultural Center. She spoke about her past experiences and the importance of the Chinese Cultural Center. She played an audio recording from former Mayor Phil Gordon, speaking about the Chinese Cultural Center.

Leonard Clark spoke about homelessness in Phoenix. He said there were people denied serving food and giving blankets to homeless people the day before Christmas. He referenced a news story on ABC15 where a reporter was told that there was an ordinance that stated it was illegal in the City of Phoenix to give blankets or food to homeless people.

Vice Mayor Pastor asked for information to be provided to the City Council regarding the policy.

Pasquale Labate addressed the City Council regarding his concerns about the progress of efforts done by the property owner at 1529 E. Willeta Street to comply with conditions of a rezoning request. He asked the City Council to instruct the owner to complete the project in 30 days.

Vice Mayor Pastor asked Deputy City Manager, Mario Paniagua and the Planning and Development Department to review the issue and follow-up with Mr. Labate.

Joanne Scott Woods spoke about statistical information related to Phoenix Police Department officer involved shootings. She said there were three ways to cross check the statistics. She stated information was available at www.arizonafamily.com, in the Phoenix Police Department's Tactical Review Committee Report and a report from the Washington Post. She also

commended the Phoenix Police Department's Strategic Plan for 2017-2019.

ADJOURN

There being no further business to come before the Council, Vice Mayor Pastor declared the meeting adjourned at 5:24 p.m.

MAYOR

ATTEST:

CITY CLERK

RC

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 10th day of January, 2018. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 7th day of February, 2018.

CITY CLERK