172309

City of Phoenix

Minutes

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

City Council Formal Meeting

Wednesday, February 21, 2018 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, Feb. 21, 2018 at 2:39 p.m. in the Council Chambers.

Present: 8 - 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

Absent: 1 - Councilman Sal DiCiccio

Councilman Waring entered the Chambers and joined the voting body during Citizen Comments held at the beginning of the meeting. Councilman Valenzuela left the Chambers but remained part of the voting body via telephone after Item 89 and disconnected following Item 90. Vice Mayor Pastor left the voting body after Item 90.

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

CITIZEN COMMENTS

Richard Tamayo, senior pastor of God's Army, talked about the homeless community issue and Police Department abuse. He mentioned God's Army planned to occupy and encamp on Shadow Mountain for 40 days and 40 nights.

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

Tyler Richards, a member of God's Army, stated he had been homeless for seven years and had experienced unnecessary harassment, especially for trespassing.

Georgia Watson, a member of God's Army, said she had been homeless for about a month and during that time police had asked her to move four times. She did not know where she was going and conveyed homelessness could happen to anyone at any time.

Mayor Stanton requested Human Services staff provide Ms. Watson with some service options.

Pat Vint shared a playful story and concluded by submitting an article pertaining to the City's debt.

Michelle Denne submitted a handout and emphasized clarification was needed regarding the intent of the hoarding ordinance. She requested the city work with her and others that were pet rescuers to improve the implementation of the ordinance.

Leonard Clark expressed concern about the added scrutiny of some people who paid for and rode the light rail. He also wanted to do something about the pension system for certain retirees that made $100,000-plus as it was unfair. Further, he asked that Council stop the legislature from allowing developers to use groundwater.

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6419 through G-6421 and S-44258 through S-44295 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

MINUTES OF MEETINGS

1 (CONTINUED FROM FEB. 7, 2018) - For Approval or Correction, the Minutes of the Special Meeting on Dec. 20, 2017

Summary

This item transmits the minutes of the Special Meeting of Dec. 20, 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.

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

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

2 For Approval or Correction, the Minutes of the Formal Meeting on Jan. 24, 2018

Summary

This item transmits the minutes of the Formal Meeting of Jan. 24, 2018, for review, correction and/or approval by the City Council.

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

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

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

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/ reappointment by Mayor Stanton:

Board of Adjustment
Appoint Tim Eigo, for a term to expire Feb. 21, 2022

Community Development Review Committee
Appoint Jane Dobbs, serving as an at large member, for a term to expire Feb. 21, 2020
Reappoint Elda Alvidrez, for a second term to expire Feb. 21, 2020
Reappoint Kim Joyce, for a second term to expire Feb. 21, 2020
Reappoint Joe Keeper, for a sixth term to expire Feb. 21, 2020
Reappoint Jeff Stephens, for a third term to expire Feb. 21, 2020

Encanto Village Planning Committee
Reappoint Ann Cothron, for a second term to expire Nov. 19, 2019
Reappoint Jayson Matthews, for a second term to expire Nov. 19, 2019

Library Advisory Board
Appoint John Farry, for a term to expire Feb. 21, 2021

Military Veterans Commission
Reappoint John Altman, for a third term to expire Aug. 31, 2021
Reappoint Virgel Cain, for a third term to expire Aug. 31, 2021
Reappoint Doreen Hollowell, for a third term to expire Aug. 31, 2021
Reappoint Anthony Irby, for a third term to expire Aug. 31, 2021
Reappoint Cassie Prink, for a third term to expire Aug. 31, 2021

Phoenix Aviation Advisory Board
Appoint Andrew Cohn, for a term to expire Feb. 21, 2022

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

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

No: 0

Absent: 1 - Councilman DiCiccio

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/ reappointment by the City Council:

Alhambra Village Planning Committee
Reappoint Jak Keyser, for a fourth term to expire Nov. 19, 2018, as recommended by Councilman Valenzuela

Central City Village Planning Committee
Reappoint Ray Cabrera, for a second term to expire Nov. 19, 2019, as recommended by Vice Mayor Pastor

Encanto Village Planning Committee (as recommended by Vice Mayor Pastor)
Appoint Ryan Harper, for a term to expire Nov. 19, 2018
Appoint Nicole Rodriguez, for a term to expire Nov. 19, 2018
Reappoint Alex Acevedo, for a second term to expire Nov. 19, 2019
Reappoint Celina Brun, for a second term to expire Nov. 19, 2019
Reappoint G.G. George, for a fifth term to expire Nov. 19, 2019
Reappoint Brent Kleinman, for a second term to expire Nov. 19, 2019
Reappoint Aaron Searles, for a second term to expire Nov. 19, 2019

Maryvale Village Planning Committee
Reappoint Chris DeMarest, for a second term to expire Nov. 19, 2019, as recommended by Vice Mayor Pastor

South Mountain Village Planning Committee (as recommended by Councilman DiCiccio)
Appoint Rhonda Fosenburg, for a term to expire Nov. 19, 2020
Appoint Kay Shepard, for a term to expire Nov. 19, 2020

A motion was made by Vice Mayor Pastor, seconded by

Councilwoman Williams, that this item be approved. The motion carried by voice vote:

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

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

Tim Eigo, Board of Adjustment;
Jane Dobbs and Joyce Kim, Community Development Review Committee;
Brent Kleinman, Encanto Village Planning Committee;
Chris DeMarest, Maryvale Village Planning Committee;
Virgel Cain, Military Veterans Commission; and
Rhonda Fosenburg and Kay Shepard, South Mountain Village Planning Committee.

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

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

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

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

Mike Poulton - Applicant, Item 7
Damin Lopez - Applicant, Item 9

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that Items 5 through 18 be recommended for approval, except Items 5 and 18. The motion carried by voice vote:

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

No: 0

Absent: 1 - Councilman DiCiccio

6 **Liquor License - Special Event - Lump Busters**

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

Summary

Applicant
Terri Gall

Location
2601 E. Rose Garden Lane
Council District: 2

Function
Dinner

Date(s) - Time(s) / Expected Attendance
April 21, 2018 - 5:30 p.m. to 10:30 p.m. / 200 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

7 **Liquor License - Special Event - 7th Avenue Merchants Association, Inc.**

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

Summary

Applicant
Michael Poulton

Location
4601 N. 7th Ave.
Council District: 4

Function
Street Fair

Date(s) - Time(s) / Expected Attendance
March 3, 2018 - 11 a.m. to 5 p.m. / 15,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

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

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

Summary

Applicant
Mary Musgrove

Location
4715 N. Central Ave.
Council District: 4

Function
Festival

Date(s) - Time(s) / Expected Attendance
March 3, 2018 - 9 a.m. to 3 p.m. / 400 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

9 Liquor License - Special Event - St. Mary's Roman Catholic High School Phoenix

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

Summary

Applicant
Damin Lopez

Location
2525 N. 3rd St.
Council District: 4

Function
Wine Tasting

Date(s) - Time(s) / Expected Attendance
April 21, 2018 - 4 p.m. to 7 p.m. / 350 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

10 Liquor License - Chevron

Request for a liquor license. Arizona State License 10076960.

Summary

Applicant
Amy Nations, Agent

License Type
Series 10 - Beer and Wine Store

Location
223 E. Indian School Road
Zoning Classification: C-2 TOD-1
Council District: 4

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

The 60-day limit for processing this application is Feb. 25, 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:
"The new ownership of this Chevron location has had several businesses of this type over the years they have been in business. They have policies in place for training and compliance to prevent violations."

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 has has a liquor license since 2005 to provide a one stop shop location. We would like to continue offering our neighbors the same conveniences they have enjoyed over the past 12 years. A place they can buy gas, grocery items and beer or wine if they would like to."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Chevron
Liquor License Map - Chevron

This item was recommended for approval.

11 Liquor License - El Chiltepin Bar & Grill

Request for a liquor license. Arizona State License 1207B277.

Summary

Applicant
Nancy Loreto Verdugo, Agent

License Type
Series 12 - Restaurant

Location
4402 N. 7th Ave.
Zoning Classification: C-3
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 March 6, 2018.

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

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Yes, because Im taking the test that the state requires to have the knowledge to handle liquor."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Make the business grow and make more income."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - El Chiltepin Bar & Grill
Liquor License Map - El Chiltepin Bar & Grill

This item was recommended for approval.

12 Liquor License - Westside Food & Liquor

Request for a liquor license. Arizona State License 09070345.

Summary

Applicant
H. J. Lewkowitz, Agent

License Type
Series 9 - Liquor Store

Location
4635 W. Indian School Road
Zoning Classification: C-2
Council District: 4

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

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

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

Other Active Liquor License Interest in Arizona
The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and

includes liquor license violations on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Bell Convenience Market (Series 9)
2945 E. Bell Road, #113, Phoenix
Calls for police service: 37
Liquor license violations: In October 2007, a fine of $750 was paid for failure to request ID from an underage buyer and selling, giving, or furnishing an underage person with alcohol. In April 2009, a fine of $750 was paid for failure to request ID from an underage buyer and selling, giving, or furnish an underage person with 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:
"Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The previous owner successfully operated the liquor store with a series 9 license for more than 10 years. Applicant will continue to offer customers a clean and safe environment for liquor sales."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Westside Food & Liquor
Liquor License Map - Westside Food & Liquor

This item was recommended for approval.

13 Liquor License - Special Event - The Johnny O Alzheimer's, Dementia and TBI Awareness Foundation

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

Summary

Applicant
Mark O'Ravitz

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

Function
Concert

Date(s) - Time(s) / Expected Attendance
Feb. 23, 2018 - 7 p.m. to 2 a.m. / 900 attendees
Feb. 24, 2018 - 7 p.m. to 2 a.m. / 900 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

14 Liquor License - Special Event - McDowell Mountain Music Festival, Inc.

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

Summary

Applicant
John Largay

Location
1202 N. 3rd St.
Council District: 7

Function
Music Festival

Date(s) - Time(s) / Expected Attendance
March 2, 2018 - 2 p.m. to 11 p.m. / 5,000 attendees
March 3, 2018 - 1 p.m. to 11 p.m. / 5,000 attendees
March 4, 2018 - 1 p.m. to 9:30 p.m. / 3,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

15 Liquor License - Special Event - Phoenix Blues Society

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

Summary

Applicant
James Crawford

Location
1202 N. 3rd St.
Council District: 7

Function
Music Festival

Date(s) - Time(s) / Expected Attendance
March 10, 2018 - 11 a.m. to 7 p.m. / 1,500 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

16 Liquor License - Special Event - United Phoenix Fire Fighters Emerald Society, Inc.

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

Summary

Applicant
Michael MacKenzie

Location
18 W. Monroe St.
Council District: 7

Function
Street Fair

Date(s) - Time(s) / Expected Attendance
March 17, 2018 - 9 a.m. to 2 a.m. / 1,500 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

17 Liquor License - Pa'La

Request for a liquor license. Arizona State License 1207B276.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
2107 N. 24th St.
Zoning Classification: C-2
Council District: 8

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 March 6, 2018.

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

Other Active Liquor License Interest in Arizona
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.

Paquime Street Food of Mexico (Series 12)
17 E. Dunlap Ave., Phoenix
Calls for police service: 15
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:
“Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“Pa'La is a unique, friendly, popular neighborhood restaurant, and would like to offer guests 21 and over the opportunity to enjoy alcoholic beverages as an incident to the creative meals guests enjoy.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Pa'La
Liquor License Map - Pa'La

This item was recommended for approval.

5 (CONTINUED FROM FEB. 7, 2018) - Liquor License - Provision Coffee Bar

Request for a liquor license. Arizona State License 1207B263.

Summary

Applicant
Daniel Suh, Agent

License Type
Series 12 - Restaurant

Location
4501 N. 32nd St.
Zoning Classification: C-1

Council District: 6

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor dining, outdoor alcohol service, and sales of alcoholic beverages. This business is currently under construction with plans to open in March 2018.

The 60-day limit for processing this application was Feb. 17, 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.

Provision Coffee Bar (Series 7)
2100 S. Gilbert Road, #22, Chandler
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion
One letter protesting the issuance of this license has been received and is on file in the Office of the City Clerk. The letter is from a local

residence that is concerned with the potential impact this liquor license and business may have on their home and neighborhood. They are concerned with potential increased traffic, noise, and trash in the area. Additionally, they are concerned with the proposed location's proximity to schools in the area. They believe there are sufficient liquor licenses in the area and do not support the issuance of this license.

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I currently manage and own a coffee, wine, & beer bar in Chandler for nearly 3 years and have several years of food & beverage experience. I have never been in trouble with the law and I take the responsibility to public safety seriously. I have taken all the required certifications to serve and manage and taken proactive steps to properly document and train our staff on responsible serving."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We are offering a safe space for the community to interact and drink high quality coffee and alcoholic beverages. Local patrons enjoy the ability to have community meetings, study, or meet friends and family while having food and drinks that focus on sustainable business practices. Our mission statement is to "build community" and we are passionate in that aim to advocate positive community interaction and provide a forum for communication."

Staff Recommendation

Staff gave careful consideration to the protest letter received, however after reviewing the application in its entirety staff is recommending approval of this application. Staff also notes 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 - Provision Coffee Bar
Liquor License Map - Provision Coffee Bar

Discussion

Mayor Stanton stated Lawrence Jarvey, Jr. submitted a speaker comment card in favor, but did not wish to speak.

Daniel Suh, the applicant, said he took a lot of proactive steps from the last meeting; however, there was context missing when residents voiced their issues at the previous meeting. He agreed the lot was adjacent to houses but it was a big lot and his business was on the southern border of it. Moreover, there was a two-story office building between his establishment and the neighborhood. Further, he talked to sound engineers since sound was the biggest issue to make sure he would be a good neighbor.

A motion was made by Councilwoman Stark, seconded by Councilwoman Williams, that this item be recommended for approval. The motion carried by voice vote:

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

18 (CONTINUED FROM FEB. 7, 2018) - Liquor License - Bernice Love Amvets Post #86

Request for a liquor license. Arizona State License 14073088.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 14 - Club

Location

3805 S. 16th St.
Zoning Classification: C-3 RSIOD
Council District: 8

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

The 60-day limit for processing this application was Feb. 10, 2018

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am a veteran and I am a law abiding citizen as well. I have worked approx. 9 yrs in public schools to assist our youth and I am proud to be a charter member of this organization so we can assist others in need within our community. There have been private clubs in south Phoenix which have not abided by the law. As a security officer with the high school I respect the law and that is why I have decided to be a charter member and Sgt of Arms at this private club."

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

"There are very few veteran clubs open in the southern section of Phoenix for retired military. Many have closed down their operation due to poor management and / or deceased members. Those individuals who are charter members have attended certified liquor law training to ensure all laws are enforced by the staff and to identify over service and take proper action to protect the health and safety of AZ citizens. We as members also want to contribute to those families in need of assistance as we are a non-profit facility."

Staff Recommendation

Staff recommends disapproval of this application based on a Police Department recommendation for disapproval. The Police Department disapproval is based on possible hidden ownership and affiliation to gang activity. The applicant has not demonstrated the capability, qualifications and reliability to hold and control a liquor license.

Attachments

Liquor License Police Department Recommendation - Bernice Love Amvets Post #86

Discussion

Mayor Stanton requested Officer Smart update the Council on any new information.

Police Officer Jared Smart conveyed he met with the applicant, Mr. Brookins, but he was unable to provide any financial information showing that Mr. or Mrs. Love were not financing the club. Additionally, a liquor inspection was conducted at the Restaurant Depot where they purchased liquor and concluded Mr. and Mrs. Love, plus another applicant, had the ability to buy alcohol at that location. Officer Smart also contacted the landlord of the building who informed him the only contact was with the hidden owners, Mr. and Mrs. Love. Further, he indicated Mrs. Love was the statutory agent on the Corporation Commission forms.

Mayor Stanton confirmed the Police Department still opposed the license.

Leon Brookins affirmed he met with Officer Smart where he learned about information on Mrs. Love. Mr. Brookins recalled the Police

Department was only concerned with Mr. Love based on the first application who had since been removed. He explained the reason Mr. Love was on the Restaurant Depot application was because he put in the initial application for Post 86.

Another topic of their discussion was guilt by association and he pointed out past experiences of someone else were not his problems. Mr. Brookins wanted to change the minds of young black men and the viewpoint of disabled veterans on the south side of Phoenix. If given the chance, he would change the community as he had outstanding people backing him.

Mayor Stanton noted that Council was only a recommending body to the State Liquor Board who took their recommendations under advisement.

A motion was made and seconded to recommend disapproval.

Leonard Clark said he hoped Council voted in favor as he disagreed with the Police Department and believed the applicant should be given a chance.

A motion was made by Councilwoman Gallego, seconded by Councilwoman Williams, that this item be recommended for disapproval based on Police Department recommendation for disapproval due to concerns with the applicant's possible hidden ownership and affiliation to gang activity. The applicant has not demonstrated the capability, qualifications and reliability to hold and control a liquor license. 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:	0	
Absent:	1 -	Councilman DiCiccio

Discussion

Mayor Stanton stated the Council's unanimous disapproval recommendation provided a full hearing before the State Liquor Board where they could go into

more detail about the evidentiary issues.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

Mayor Stanton requested a motion on the remaining agenda 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:

Steve Burton, Item 60
Jorge Villasenor, Item 80
Teresa Harvey, Item 86

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that Items 19 through 90 be approved or adopted, except Items 35-36, 47-48, 51-52, 54, 61 and 87-90; and continuing Item 36 to March 7, 2018. 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:	0	
Absent:	1 -	Councilman DiCiccio

Items 19-31, Ordinance S-44258, 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.

19 Arizona Emergency Products Inc. and Creative Communications Sales & Rentals, Inc.

For $55,000.00 in additional payment authority to add the Aviation Department to the Public Works Department's truck/fleet accessories and installation contracts, 134994 and 134996. The contracts are used to purchase parts and accessories, including but not limited to: light bars,

light bar controllers, auxiliary lighting, toolboxes and lift gates for City-owned vehicles for the Aviation Department, to include Phoenix Sky Harbor International Airport, Goodyear Airport and Deer Valley Airport.

This item was adopted.

20 Reed Business Information, Inc., doing business as RBI, Inc.

For $69,000.00 in payment authority for a new contract, entered on or about March 1, 2018, for a term of three years, to provide airline flight schedule data for the Aviation Department. The airline flight schedule data provided will be posted monthly to the Phoenix Sky Harbor International Airport's website (skyharbor.com) to assist travelers. Travelers will be able to download the flight schedule data and print as necessary. The airline flight data gives travelers the ability to compare flight options, plan trips, and view the scope of destinations available from Phoenix Sky Harbor International Airport.

This item was adopted.

21 University of Arizona Foundation

For $35,000.00 in payment authority to purchase a sponsorship for the University of Arizona College of Medicine's Health InnoVention Fab (HIF) program for the Community and Economic Development Department. The City's sponsorship will help fund the implementation of the HIF program on the Phoenix Biomedical Campus, which allows students from multiple disciplines and colleges to collaborate with experts from corporations, regulatory and federal agencies or research partners to explore, cultivate and develop new medical innovations. The purpose of the program is to teach students how to become healthcare innovators and leaders capable of developing global public-private partnerships across multiple industries. The City's sponsorship will expand the services offered on the Phoenix Biomedical Campus, raise the level of notoriety of the biomedical industry in Phoenix and continue supporting the significant investment the City has made in the campus. The sponsorship is purchased with Bio Fund dollars; no General Fund dollars will be used. This item was approved by the Downtown, Aviation, Economy and Innovation Subcommittee on Feb. 7, 2018.

This item was adopted.

22 Avolve Software Corp

For $35,000.00 in payment authority to upgrade ProjectDox software for the electronic plan review system used by the Planning and Development Department. Because the software is a critical part of the Planning and Development Department's plan review process, this upgrade will allow department staff to use the most current version of the software and ensure continued support from the vendor.

This item was adopted.

23 Facts on File, Inc., doing business as Infobase Learning

For $60,000.00 in payment authority for a new contract, entered on or about Aug. 1, 2018 for a term of three years, for an online subscription to Ferguson's Career Guidance Center Database for the Library Department. The subscription service is for the customers of the Phoenix Public Library to obtain internet-based materials and services on career planning and education, guidance on career paths and future job marketability. The benefit of digital technology is that since printed material is not utilized, it cannot be damaged, mutilated or lost, and no shelving space is required.

This item was adopted.

24 Buckstaff Public Safety, Inc., doing business as Handcuff Warehouse

For $30,000.00 in payment authority for a new contract, entered on or about March 1, 2018, for a term of three years, to purchase hobble straps for the Police Department. The hobble straps securely detain prisoners for detention and transportation and are necessary for citizen and officer safety and are used on a daily basis by police officers. This equipment is a critical part of the Police Department's effort to provide life safety services to the public and for use in critical incidents and complicated scenes.

This item was adopted.

25 Municipal Emergency Services, Inc.

For $77,000.00 in payment authority to purchase fire protective brush pants for the Fire Department. The brush pants are a critical part of the personal protective equipment to protect firefighters during life safety efforts in forest, wildland and extrication situations.

This item was adopted.

26 Premier Table Linens

For $9,000.00 in payment authority to purchase table skirting in multiple sizes for the Phoenix Convention Center Department. Table skirting is frequently used by clients for conferences, meetings, trade shows and conventions throughout the Phoenix Convention Center and venues.

This item was adopted.

27 Thermo Scientific Portable Analytical Instruments Inc.

For $21,100.00 in payment authority to purchase TruNarc, a device used to identify controlled substances for the Police Department. TruNarc has demonstrated acceptable performance in indicating the presence of controlled substances in a wide variety of materials. The lab has used the device to expand the range of drugs the Police Department's Controlled Substances officers can test in the field and submit charging recommendations to the Maricopa County Attorney's Office (MCAO). TruNarc is the only device accepted by the MCAO for field testing and charging.

This item was adopted.

28 Various Vendors for Spray Paint, Turf Paint and Painting Supplies

For $45,000.00 in additional payment authority necessary to support a two-month contract extension from Feb. 1, 2018 through March 31, 2018. Additional funds are needed to continue painting services and to purchase painting supplies for various city-owned properties and facilities, including the Fire, Public Works, Parks and Recreation, Water Services, and other citywide departments.

ADCO Enterprises, Inc., doing business as ADCO Paint & Supply, Contract 132685
Athletic Vantage, Contract 132687
PPG Architectural Finishes Inc., Contract 132694

This item was adopted.

29 Attestor Forensics US Inc.

For $25,000.00 in payment authority to purchase the Attestor NINcha M31 System for the Police Department. Attestor is International Organization for Standardization (ISO) 9001 certified and the chamber was designed with the department's ISO 17025 accreditation

requirements meeting the critical needs of the Police Department.

This item was adopted.

30 Various Vendors for Refuse Packer Body Repair

For $250,000.00 in additional payment authority for the refuse packer body repair contract for the Public Works Department. Until a new contract is executed, the additional funds will allow Public Works to continue to keep the refuse truck fleet, of approximately 256 trucks, repaired and placed back into service.

Arizona Refuse Sales, LLC, Contract 137159
Alliance Refuse Truck, Inc., Contract 137160
American Equipment Service, LLC, doing business as A.E.S., Contract 137157

This item was adopted.

31 AZ Wastewater Industries, Inc.

For $60,000.00 in additional payment authority for Contract 138381 to purchase parts, supplies, and maintenance for multi-gas monitors for the Water Services Department. To maintain OSHA compliance, this contract provides monitors for oxygen levels and personnel exposure to hydrogen sulfide, carbon monoxide, chlorine, and combustible gases in hazardous environments including trenches and confined spaces.

This item was adopted.

32 Authorization to Award Contract to Moss Adams LLP for Construction Auditing Services (Ordinance S-44279)

Request to authorize the City Manager, or his designee, to enter into a contract with Moss Adams LLP to provide auditing services for two construction contracts for the City Auditor Department. The aggregate contract value will not exceed $60,500 over the life of the contract. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary
The City Auditor Department is requesting to enter into a contract with Moss Adams LLP to perform construction auditing services.

Procurement Information

A modified RFQu was conducted in accordance with Administrative Regulation 3.10, where staff identified potential consultants, solicited them to submit bids indicating their qualifications, and selected the lowest bid that met the qualifications. Bid solicitation was sent to 16 vendors, including one small business enterprise and 11 off the City Auditor Department's Qualified Vendor List.

Three responses were received. Two responses declined to submit a bid due to either not meeting the qualifications or not believing they could submit a low bid. There was one bid received by the City Auditor Department on Jan. 11, 2018 by the following vendor. This bid met or exceeded the minimum qualifications set within the bid solicitation with a price deemed appropriate by the City Auditor Department.

Moss Adams LLP: $60,500

The City Auditor recommends that the offer from Moss Adams be accepted as a responsive and responsible offer that is most advantageous to the City.

Contract Term
This contract will begin on or about Feb. 20, 2018 and end on or about July 30, 2018. There will be no extensions beyond the completion of this contract.

Financial Impact
The expenditures against this contract shall not exceed the aggregate amount of $60,500. Funds are available in the City Auditor's Department budget.

This item was adopted.

33 Proposed Teresa Lane Right-of-Way Annexation (Ordinance S-44286)

An ordinance extending and increasing the corporate limits of the City of Phoenix, Arizona, pursuant to the provisions of Arizona Revised Statutes, section 9-471(N), by annexing thereto a certain tract of land contiguous to and not embraced within the present limits of the City of Phoenix, contingent upon the approval by the Maricopa County Board of

Supervisors, designated as Teresa Lane Right-of-Way Annexation, No. 490.

Summary

This annexation process will be in accordance with Arizona Revised Statutes section 9-471(N) which provides that the annexation of County right-of-way may be accomplished by the mutual consent of the governing bodies of the County and City. When the proposed annexation is approved by both bodies at public meetings, and both actions become effective, the annexation is complete.

Location

This requested annexation of right-of-way is for the unincorporated right-of-way on Teresa Lane from the Black Canyon Highway east to 1207.7 feet, as recommended by the City of Phoenix Street Transportation Department. The area being annexed is approximately 0.768 acres.

Council District: 1

This item was adopted.

34 Request, Accept and Disburse Funds from the Phoenix Industrial Development Authority to Support the Citywide Service Plan (Ordinance S-44295)

Request to authorize the City Manager, or his designee, to request, accept and disburse up to $60,000 from the Phoenix Industrial Development Authority (Phoenix IDA) to support the Citywide Service Plan, which focuses on projects that build capacity in low-income communities, including blight reduction, access to healthy foods, tree shade, youth engagement, senior support, and economic development.

Summary

In 2016, the City of Phoenix was awarded funding from Cities of Service to create a Citywide Service Plan, to align citizen engagement and volunteer efforts across City departments to address priorities of the Mayor, City Council and City Manager, ensuring maximum, measurable impact for our residents. The plan, a first for the City, was developed with direction from the Mayor, City Council, City Manager, as well as City departments, and community partners.

The requested funding will support the implementation and tracking of

citywide metrics identified in the plan, increasing the smart use of volunteer recruitment software to maximize citizen engagement efforts and data collection related to volunteering, and provide support and funding for City initiatives, including: Love Your Block, a mini-grant program to promote healthy neighborhoods; Resilient PHX, a program that builds capacity in low-income neighborhoods to address extreme heat, flooding and other stressors; and PHX C.A.R.E.S., supporting people experiencing homelessness while strengthening neighborhoods.

The Phoenix IDA, established in 1981 by the Phoenix City Council, serves as a conduit issuer of private activity bonds, which attract private investment to finance projects that provide a public benefit.

Financial Impact

No matching funds are required.

Concurrence/Previous Council Action

This item is scheduled to be heard at the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee meeting on Feb. 20, 2018.

This item was adopted.

37 Utilize City of Mesa Contract for Pawnshop Web-based Application Services (Ordinance S-44267)

Request to authorize the City Manager, or his designee, to access the City of Mesa contract 2016122 and enter into a contract with LeadsOnline, LLC for pawnshop web-based application services. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $643,000 (including applicable taxes), with an estimated annual expenditure of $128,600.

Summary

This contract will allow the City of Phoenix (COP) Police Department Pawnshop Detail the ability to report pawnshop and second-hand dealer transactions to the Maricopa County Sheriff's Office (MCSO) as required by Arizona Revised Statute 44-1625, in addition to tracking and collecting transaction fees from pawnshops and second-hand dealers as required by City Ordinance 19-40. The Pawnshop Detail receives monthly regulatory fees that result in approximately $1.2 million revenue dollars

each year from pawnshops and second-hand dealer transactions. Additionally, the Police Department Pawnshop Detail assists in numerous investigations and recovers hundreds of thousands in stolen property for victims each year. The new web-based system will allow functions, including but not limited to, consolidation of all reporting of transactions by stakeholders including the City to MCSO, billing for transaction fees, property release hearing requests and inspections and investigative queries by detectives. Utilizing the new web-based system will increase staff productivity, improve business relationships with pawnshops and second-hand dealers and is in alignment with current COP business practices and technical requirements. Currently, many agencies within Arizona use LeadsOnline, which makes the web-based application an advantageous system conversion.

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

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded through a competitive process consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43. The City of Mesa contract was awarded on Dec. 5, 2016.

Contract Term

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

Financial Impact

The aggregate contract value will not exceed $643,000 (including applicable taxes), with an estimated annual expenditure of $128,600. Funds are available in the Police Department's budget.

This item was adopted.

38 Acceptance of 0.29 Acres For the Zone 9D Booster Pump Station (Ordinance S-44269)

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

conveyance of an approximate 0.29-acre site from Lennar Arizona, Inc., its successors and assigns, for the Zone 9D Booster Pump Station located at the southeast corner of W. Palace Station Road and N. 41st Drive.

Summary

Lennar Arizona, Inc. constructed a large capacity booster pump station within the Circle Mountain Ranch Subdivision pursuant to Contract 146081. The booster pump station will have the capacity to serve future development in the area in addition to the Circle Mountain Ranch Subdivision. All requirements set forth in the development agreement have been met for acceptance of the improved booster pump station site.

Location

Southeast corner of W. Palace Station Road and N. 41st Drive, identified by Maricopa County Assessor parcel number 202-23-594.
Council District: 1

Concurrence/Previous Council Action

Contract 146081 was approved by Ordinance S-42949 at the Oct. 19, 2016 Formal Council meeting.

This item was adopted.

39 Window Treatments and Associated Services - Requirements Contract - IFB 18-128 (Ordinance S-44273)

Request to authorize the City Manager, or his designee, to enter into a contract with Coyote Blind Company, Inc., to provide window treatments and associated services for City facilities. Further request the City Controller to disburse all funds related to this item. The five-year aggregate value of the contract will not exceed $330,000, with an annual estimated expenditure of $66,000.

Summary

This contract will provide all labor, materials, equipment, and transportation, to supply and install roller shades, mini-blinds, honeycomb and cellular shades, vertical blinds, and exterior sun shades in various Fire, Public Works, and Parks and Recreation Department facilities. The Fire Department is the largest user of this service and has identified several projects which will be completed under this agreement.

Procurement Information

Invitation for Bid 18-128 was conducted in accordance with Administrative Regulation 3.10. There were four offers received by the Finance Department's Procurement Division on Dec. 15, 2017. The following are the three lowest-priced offers received:

Coyote Blind Company, Inc. - $10 Hourly Labor Rate
Blue Dog Home Services, LLC, dba, Eclipse Window Coverings - $20 Hourly Labor Rate
Ardy's Mini-Blind Service, Inc. - $35 Hourly Labor Rate

The Deputy Finance Director recommends that the offer from Coyote Blind Company, Inc., be accepted as the lowest-priced, responsive and responsible offer.

Contract Term

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

Financial Impact

The aggregate value of the contract will not exceed $330,000 over the life of the contract, with an annual estimated expenditure of $66,000. Funds are available in Fire, Public Works, and Parks and Recreation departments' budgets.

This item was adopted.

40 Authorization to Relinquish a Portion of a Service Road Easement Near Mayo Boulevard and 68th Street by Quitclaim Deed (Ordinance S-44275)

Summary

The service road easement was originally assigned to the City of Phoenix on Dec. 11, 2013 at no cost to the City by Arizona State Land Department's applicant PR4E, LLC. The service road easement allows the City to access and maintain drainage culverts on adjacent property. A portion of the easement not needed for access will be relinquished by quitclaim deed for use by the property owner. The City will continue to have adequate access along the portion of the service road easement being retained.

Location
Along the south side of Mayo Boulevard, approximately 450 feet west of 68th Street, identified by assessor parcel number 215-05-301.
Council District: 2

This item was adopted.

41 Acceptance of Easements for Public Utility and Water Purposes (Ordinance S-44280)

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

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

Easement (a)
Applicant: Michael R. Widmaier, its successor and assigns
Purpose: Public Utilities
Location: 4344 E. Dale Lane
File: FN 170116
Council District: 2

Easement (b)
Applicant: Western Imperial 2000, LLC, its successor and assigns
Purpose: Public Utilities
Location: 1302 W. Indian School Road
File: FN 170117
Council District: 4

Easement (c)
Applicant: Copper Developments, LLC, its successor and assigns
Purpose: Public Utilities
Location: 13th Avenue and Indian School Road
File: FN 170117
Council District: 4

Easement (d)

Applicant: MKC Builders Corporation, its successor and assigns
Purpose: Public Utilities
Location: 1815 E. Myrtle Ave.
File: FN 170114
Council District: 6

Easement (e)
Applicant: Woodside Homes Sales AZ, LLC, its successor and assigns
Purpose: Water
Location: 3422 W. Baseline Road
File: FN 170124
Council District: 8

This item was adopted.

42 Acceptance and Dedication of a Deed for Roadway, and Easements for Sidewalk and Vehicular Non-Access Purposes (Ordinance S-44281)

Request for the City Council to accept and dedicate a deed for roadway purposes, and easements for sidewalk and vehicular non-access 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.

Deed (a)
Applicant: Michael R. Widmaier, its successor and assigns
Purpose: Roadway
Location: 4344 E. Dale Lane
File: FN 170116
Council District: 2

Easement (b)
Applicant: Emerald Senior Living, LP, its successor and assigns
Purpose: Sidewalk
Location: 4114 E. Greenway Road
File: FN 170120
Council District: 2

Easement (c)
Applicant: Emerald Senior Living, LP, its successor and assigns
Purpose: Vehicular Non-Access
Location: 4114 E. Greenway Road
File: FN 170120
Council District: 2

Easement (d)
Applicant: HUB 317, LLC, its successor and assigns
Purpose: Sidewalk
Location: 317 S. 48th St.
File: FN 170119
Council District: 6

This item was adopted.

43 Grounds Maintenance Equipment, Parts, Accessories, Supplies, and Related Services - National Intergovernmental Purchasing Alliance 2017025 (Ordinance S-44287)

Request to authorize the City Manager, or his designee, to allow the use of the National Intergovernmental Purchasing Alliance (National IPA) contract with The Toro Company to provide mid-sized lawnmowers and associated maintenance. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $1,074,100 over the life of the contract.

Summary
The Parks and Recreation Department is undertaking an effort to phase out the current fleet of gang mowers and replace it with leased mid-sized mowers. This change will increase efficiency and reduce costs by ensuring less equipment downtime and lower repair costs. The contract will provide for the 48-month lease of mid-sized mowers, including a service plan to cover maintenance. The Parks and Recreation Department's current fleet of 15 gang mowers, as eligible for replacement, will be replaced with leased mid-sized mowers. Every two gang mowers that are eliminated provide funding for three mid-sized mowers and it is anticipated that the entire fleet will be replaced over the contract term.

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement. The City of Phoenix is a member of National IPA and 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 governmental pricing and volume discounts.

Contract Term

The four-year contract term will begin on or about March 15, 2018 and provisions of the contract include an option to extend the term up to one additional year.

Financial Impact

The aggregate contract value will not exceed $1,074,100 over the life of the contract. Funds are available in the Parks and Recreation Department's operating budget.

This item was adopted.

44 Paving Materials - Requirements Contract - IFB 12-098A (Ordinance S-44288)

Request to authorize the City Manager, or his designee, to extend Contract 132785 with Vulcan Materials Co. to continue to provide paving materials for citywide departments. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract provides various types of paving materials and is primarily utilized by the Street Transportation, Water Services, and Aviation departments. Additional time is needed to re-solicit a new citywide procurement, therefore a month-to-month extension is requested, for up to six additional months.

Contract Term

This extension will continue this contract through no later than Aug. 31, 2018.

Financial Impact

An additional amount of $888,000 is needed, and the revised aggregate value will not exceed $14,063,700. Funds are available in the various departments' budgets.

Concurrence/Previous Council Action

This contract is a result of IFB 12-098, awarded on Feb. 1, 2012.

This item was adopted.

45 Authorization to Apply for and Accept 2018-2019 Head Start Birth to Five Funds with Delegate Agencies and Child Care Partners (Ordinance S-44282)

Request to authorize the City Manager, or his designee, to apply for Fiscal Year 2018-2019 Head Start Birth to Five program grant funds from the U.S. Department of Health and Human Services (DHHS) for up to a total of $33,459,691 and to enter into contracts with Delegate Agencies and Child Care Partners upon successful award of the grant. Further request authorization to amend contracts to move one-time monies to Delegate Agencies and Child Care Partners for necessary health and safety items, provide direct and administrative services to Head Start Birth to Five families, or enter into collaborative contracts or other related agreements required for Head Start services. One-time funding additions to Delegate Agency and Child Care Partner contracts will be approved by the governing board before award. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item if awarded.

Summary

The Phoenix Head Start Birth to Five program currently provides comprehensive education and social services through three service delivery models. There are 300 families, including infant and toddler children, served through a home-based model with an additional 188 served in center-based classrooms and 2,963 preschoolers served in a center-based program. Many services are provided through contractors designated by the Office of Head Start as Delegate Agencies and Child Care Partners. See Attachment A for Delegate funding amounts.

The Delegate Agencies are as follows:
Alhambra Elementary School District.
Booker T. Washington Child Development Center.

Deer Valley Unified School District.
Fowler Elementary School District No. 45.
Greater Phoenix Urban League.
Murphy Elementary School District No. 21.
Roosevelt Elementary School District.
Washington Elementary School District.
Wilson School District No. 7.

The grant supports the partnership of Early Head Start programs with child care providers. The partnership allows programs to leverage their funds to provide more high quality early learning slots in their community. The Child Care Partners are as follows:

Kids Kampus
Out of This World Childcare
Cactus Kids
Robin's Nest

Contract Term
The Grantee is entering into the fifth year of a five-year grant for the Head Start preschool and Early Head Start Home-Based programs and the new contract term is July 1, 2018 to June 30, 2019. The Early Head Start - Child Care Partnership (EHS-CCP) grant is a separate application and will be in its fourth year of a four-year grant, the new contract term is July 1, 2018 to June 30, 2019. The contracts will be renewed for the remaining year, conditioned upon approval of the annual refunding applications, new budgets, and updated program information.

Financial Impact
Out of the total $33,459,691 grant, $16,723,795 is allocated to the Delegate Agencies, approximately $2,162,725 to the Child Care Partners, and $14,573,171 to provide direct and administrative services to Head Start Birth to Five children and families.

Early Head Start Child Care Partners are funded based on enrollment. The funding per day varies depending on whether children are receiving child care subsidies. The funding breakdown and the Partners are listed in Attachment B.

A 25 percent match required by the grant is generated by the contractors, City in-kind services, and community volunteers. No additional General Funds are needed to operate the Head Start Birth to Five program.

Concurrence/Previous Council Action
The Head Start Birth to Five Parent Policy Council approved this item on Jan. 8, 2018. The Parks, Arts, Education and Equality Subcommittee approved this item on Jan. 24, 2018 by a vote of 4-0.

This item was adopted.

46 Phoenix Public Library's Request to Apply, Accept, and Enter an Agreement for Federal Library Services and Technology Act Funds (Ordinance S-44292)

Phoenix Public Library (PPL) requests authorization for the City Manager, or his designee, to apply for, accept and enter into an agreement for funds up to the amount of $50,000, to be used to create an early language (age birth to three years) development partnership program for low-income families, from the Federal Library Services and Technology Act in FY 2018-2019. This also requests authorization for the City Controller to disburse all funds related to this item.

Summary
Phoenix Public Library (PPL), Phoenix Head Start, and Southwest Human Development (SWHD) will use grant funds to create a pilot partnership program to promote early language development for low-income families with children age birth to three years. Funds will be used to purchase Starling Digital Word Counters (imagine a Fitbit™ for words) which will be used across three different service delivery platforms: Phoenix Public Library "Smart Talk" series, Early Head Start Home Visits and child care partnerships, and SWHD "Raising a Reader" programs. Families will use the devices in their homes for up to eight weeks and receive real time feedback on the amount of words the child is hearing during the course of a day. Data from the devices, as well as participant surveys will be utilized to evaluate impact and provide a foundation of measurement in which to determine a potential for an expanded deployment.

Research shows that the quality of a child's experiences in the first few

years of life--positive or negative--help shape his or her brain development and ability to learn and succeed in school and in life. Research also tells us that a child's success in school is linked to the quality and quantity of words spoken to the child in the first three years of life.

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

Financial Impact

The amount of the grant (up to $50,000) will be expended in FY2018-2019 and no matching funds are required.

Concurrence/Previous Council Action

This item was recommended for approval at the Parks, Arts, Education and Equality Subcommittee meeting on Jan. 24, 2018 by a vote of 4-0.

Location

This pilot partnership program will be implemented in Council Districts 4, 5, and 7.

This item was adopted.

49 2018 National Recreation and Park Association Grants (Ordinance S-44290)

Request to authorize the City Manager, or his designee, to apply for and, if awarded, accept and enter into agreements for up to $95,000 in 2018 National Recreation and Park Association (NRPA) grants. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, any grant monies awarded.

Summary

Staff is seeking City Council authorization to submit applications for these grant opportunities, contingent upon the information received about the grant requirements and commitments received from partners. The Parks and Recreation Department is seeking to submit applications for the following projects.

Up to $30,000 for a 2018 NRPA Meet Me at the Park Play Spaces Grant to add fitness equipment to a segment of the Laveen Area

Conveyance Channel, which is a multi-use path that runs from 43rd Avenue and Southern Avenue to approximately 83rd Avenue. This 13-mile trail, which the Parks and Recreation Department maintains, provides opportunities for fitness, health and wellness and active living. This project proposes the addition of family-friendly fitness equipment to be purchased and installed along the Rogers Ranch segment, between 43rd Avenue and 51st Avenue. The installation of fitness equipment for this community will activate an open, public space and provide an avenue for families to exercise together, improving flexibility, boosting balance and increasing cardiovascular health.

Up to $25,000 for a 2018 NRPA Commit to Health Healthy Out-of-School Time Grant to expand the FitPHX Energy Zones Program to Phoenix After School Center (PAC) sites. FitPHX Energy Zones are a library-based afterschool program that provide nutrition education and physical activity to underserved Phoenix youth ages 10-14. The program focuses on physical activity and nutrition because of their importance in promoting health and preventing obesity as well as cancers, cardiovascular disease, diabetes, depression and other chronic diseases. Trained undergraduate student interns will be responsible for delivering the program and serving as near-peer mentors to participating youth. In addition to leading lessons and activities, they create an environment supportive of healthy choices, model physical activity and healthy eating, and provide positive reinforcement to participants. FitPHX Energy Zones also complement existing afterschool and health education programs in the area, expanding reach in Phoenix’s communities of need.

Up to $40,000 for a 2018 NRPA 10-Minute Walk Technical Assistance Grant. If successful, the City would receive $40,000 to work alongside NRPA, The Trust for Public Land and the Urban Land Institute to develop a measurable commitment to the 10-Minute Walk Campaign, a campaign to increase access to high-quality parks within a 10-minute walk.

NRPA's goal matches the City's goal to ensure everyone has access to a great park. To help achieve this goal, NRPA provides the park and

recreation community with grant opportunities to fund projects that matter to local communities.

Financial Impact
The combined amount of these grant applications is a total of up to $95,000.

Concurrence/Previous Council Action
Due to the February meeting of the Parks, Arts, Education and Equality Subcommittee being canceled and the early March application deadlines, this item was not heard previously.

This item was adopted.

50 Authorization to Issue Request for Proposals for Sale and Development of Two City-Owned Properties at 36 W. Holly St. and 42 W. Holly St.

Request authorization for the City Manager, or his designee, to issue a Request for Proposals (RFP) to select a development team and begin negotiations for the sale and urban infill development of two City-owned properties located at 36 W. Holly St. and 42 W. Holly St.

Summary
The City owns two vacant parcels in Midtown's Central Corridor, comprising approximately 24,000 square feet, or 0.56 acres, at 36 W. Holly St. and 42 W. Holly St. (the Site). The Site was purchased by the Human Services Department in 2006 as part of the purchase of the Central Avenue office building home to the Family Advocacy Center and Childhelp for future development of parking.

The need for additional parking has not materialized and staff is recommending disposal of the property. An RFP process is necessary to facilitate compatible infill development and sale of the Site. The parcels are zoned P-2, which will only allow for a parking garage. If the successful proposer's intended use requires a change in zoning, the successful proposer will be responsible for complying with the City's rezoning application process.

The proposed solicitation will be for the sale and development of the Site. Staff has commissioned an appraisal of the Site, which will be

posted with the RFP. The RFP will include a minimum purchase price and require each proposer to provide a proposal guarantee with its proposal.

The RFP will include standard terms, conditions and other necessary requirements, and will include the following evaluation criteria:

Concept to Activate the Site (0-375 points).
Return to the City (0-325 points).
Proposer's Qualifications and Experience (0-300 points).

The return to the City will be based on fair market value and other payments and consideration that provide public benefit.

The RFP will be issued after City Council approval and will remain open for at least 60 days. Responsive proposals will be evaluated by a diverse panel, including City staff and community representatives. Following negotiations with the recommended proposer, business terms will be presented to City Council for approval prior to entering into an agreement.

Financial Impact
This action will have no impact on the General Fund.

Concurrence/Previous Council Action
This item was provided to the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee for information Jan. 16, 2018, and approval was recommended by the Downtown, Aviation, Economy and Innovation Subcommittee on Jan. 17, 2018, by a vote of 4-0.

Public Outreach
Staff presented to the Midtown Neighborhood Association on Dec. 6, 2017, and the Willo Neighborhood Association on Dec. 14, 2017. Residents expressed interest in a development that blends well with the historic neighborhood to the west and serves as a transition to the intense uses along Central Avenue. Building height, traffic and density were concerns.

Location

The City-owned parcels are located at 36 and 42 W. Holly St., located in Midtown Phoenix, near the Willo Neighborhood.
Council District: 4

This item was approved.

53 Request to Issue Professional Services RFP for Comprehensive Airport Security Action Plan Consulting Services

Request to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for the development of a comprehensive airport security action plan at Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, and Phoenix Goodyear Airport (Airports), and the facilities at the Airports.

Summary

The security section of the Public Safety and Security Division of the Aviation Department maintains the Phoenix Sky Harbor Airport Security Program, which consists of measures that comply with 49 Code of Federal Regulations (C.F.R.) Part 1542. The last action plan was conducted in 2004 and updated in 2009. Many projects have been implemented and helped to maintain compliance with the Airport Security Program.

However, with the continuously evolving safety and security threats and Transportation Security Administration regulatory requirement changes facing the aviation industry, this is a request for a new comprehensive airport security action plan to identify **highly sensitive safety and security** risks and vulnerabilities at Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, and Phoenix Goodyear Airport. This contract will require a firm to analyze, assess, and develop detailed security threat and vulnerability assessments for the Airports. The firm will provide risk assessments; a mitigation plan; and analysis and recommendation of available technology and resources for the Airport's security, physical security, technology, and cyber security. Due to the sensitivity of identifying risks and vulnerabilities at the Airports, the products of this contract will be identified and held as Sensitive Security Information (SSI) in accordance with 49 C.F.R. Part 1520.

The plans and deliverables provided by the successful proposer will

allow the Aviation Department to improve and enhance the overall safety and security of the Airports, as well as to prioritize future capital and operating budget security enhancement projects.

Procurement Information
The RFP evaluation criteria, with the corresponding points (up to 1,000 points are available), are as follows:
Company History, Qualifications and Experience (0-200 points).
Key Personnel Qualifications and Experience (0-300 points).
Method of Approach (0-300 points).
Pricing (0-200 points).

It is anticipated that this professional services RFP will be issued immediately after City Council approval.

Contract Term
The term of the contract will be two years. The contract will include three, one-year options to extend the term at the Aviation Director's discretion.

Concurrence/Previous Council Action
This item was recommended for approval at the Downtown, Aviation, Economy and Innovation Subcommittee meeting on Feb. 7, 2018.

Location
Phoenix Sky Harbor International Airport, located at 3400 E. Sky Harbor Blvd., Phoenix Deer Valley Airport, located at 702 W. Deer Valley Road; and Phoenix Goodyear Airport, located at 1654 S. Litchfield Road, Goodyear, Ariz.
Council Districts: 1, 8, and Out of City

This item was approved.

55 KeyWatcher Key Control System Maintenance for the Aviation Department - Request to Issue an IFB

Request to authorize the City Manager, or his designee, to issue an Invitation for Bid (IFB) for a new maintenance agreement for the Morse Watchmans KeyWatcher Key Control System for the Aviation Department. The five-year aggregate value of the contract will not exceed $425,000 over the life of the contract.

Summary

The Aviation Department is seeking a vendor to service and maintain the existing Morse Watchmans KeyWatcher Electronic Key Control and Management System. The key control system consists of computerized key boxes that secure and manage the vehicle and building keys for all of the Aviation Department. This will be a parts and labor agreement that will be utilized as needed to service and maintain the key control system. Additionally, the agreement will be utilized to add, upgrade, and replace hardware as needed at various buildings/facilities throughout Phoenix Sky Harbor International Airport.

The current agreement expires June 30, 2018.

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

Procurement Information

Offers will be reviewed for responsiveness and responsibility in accordance with the requirements set forth in the IFB. The contract will be awarded to the lowest responsive and responsible offeror.

Contract Term

The term of the contract will be five years from July 1, 2018, through June 30, 2023.

Financial Impact

The aggregate value of the contract will not exceed $425,000 over the life of the contract. Funding for the contract is available in the Aviation Department's budget.

Concurrence/Previous Council Action

This item was recommended for approval by the Downtown, Aviation, Economy and Innovation Subcommittee on Feb. 7, 2018, by a vote of 4-0.

Location

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

This item was approved.

56 Parking Management Services - Request to Issue RFP

Request to authorize the City Manager, or his designee, to issue a Request for Proposals for parking management services at Phoenix Sky Harbor International Airport.

Summary

The Aviation Department is seeking a vendor to manage, administer, and operate parking facilities at Phoenix Sky Harbor International Airport (PHX). The current vendor's agreement will expire Oct. 7, 2018. PHX parking is comprised of over 22,000 spaces, operates 24 hours per day, 365 days per year, and generates annual gross revenue of approximately $87 million.

The RFP will be issued to ensure a fair and competitive process, with the goal of selecting a vendor with extensive experience operating a large airport parking portfolio that will deliver innovative strategies to improve customer service, increase market penetration, and grow parking revenue.

The successful Respondent will be required to:

Manage, administer, staff, and operate parking facilities.
Operate the Airport's Parking Access and Revenue Control System.
Operate circulator vehicles.
Provide and operate an online booking system.
Coordinate the yield management program.
Coordinate the marketing program.

Procurement Information

Responsive and responsible Respondents will be evaluated according to the following evaluation criteria:

Qualifications and Experience (0-200 points).
Operations (0-175 points).
Marketing (0-175 points).
Yield Management (0-150 points).
Online Booking System (0-150 points).

Financial (0-150 points).

The highest ranked Respondent will be recommended for contract award.

Contract Term
The initial term will be three years, with three, one-year extension options, which shall be exercised at the sole discretion of the Aviation Director.

Financial Impact
The annual expenditure under the current contract is approximately $9,284,580. Respondents to this RFP will be required to submit their estimated annual costs for evaluation. Aviation Department funds are available.

Concurrence/Previous Council Action
This item was recommended for approval by the Downtown, Aviation, Economy and Innovation Subcommittee on Feb. 7, 2018 by a vote of 4-0.

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

This item was approved.

57 Floor Covering Products and Services - AVN RFP 17-035 (Ordinance S-44266)

Request to authorize the City Manager, or his designee, to enter into a contract with Continental Flooring Company (Continental) to provide floor covering products and services at Phoenix Sky Harbor International Airport, Goodyear Airport, and Deer Valley Airport and their maintained facilities. Further request authorization for the City Controller to disburse all funds related to this item. The total aggregate contract value will not exceed $3,250,000 for the five-year aggregate contract term.

Summary
The contractor will provide floor covering products, design services, removal/installation, on-site support, cleaning and maintenance instructions, and warranty services for the City's three airports.

Procurement Information
Request for Proposals (RFP) AVN RFP 17-035 Floor Covering Products and Services was conducted in accordance with Administrative Regulation 3.10. Two proposals were received by the Contracts and Services Division on Nov. 2, 2017.

The offers were evaluated and scored by a five-member evaluation committee, and interviews conducted on Nov. 28, 2017. The proposals were evaluated based on the following criteria:
Qualifications/Experience (0-100 points).
Methodology (0-200 points).
Maintenance (0-250 points).
Product/Yarn Construction (0-250 points).
Recyclability/Environmental Factors (0-100 points).
Cost (0-100 points).

The proposers and their scores are as follows:
Continental Flooring Company: 790 points
Norcon Industries Inc.: 672.50 points

Contract Term
The initial three-year contract term will begin on or about March 1, 2018. Provisions of the contract include two, one-year extension options, which shall be exercised at the sole discretion of the Aviation Director, for an aggregate term of five years.

Financial Impact
The total aggregate contract value will not exceed $3,250,000 for the five-year aggregate contract term. Funds are available in the Aviation Department's budget.

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

This item was adopted.

58 Fire Alarm System/Network and Fire Sprinkler/Suppression System Services - AVN RFP 18-007 (Ordinance S-44276)

Request to authorize the City Manager, or his designee, to enter into a contract with Climatec, LLC for the fire alarm system/network and fire sprinkler/suppression system services at Phoenix Sky Harbor International Airport, Deer Valley Airport, and Goodyear Airport (Airports) for an amount not to exceed $5,500,000 for the five-year aggregate term. Further request authorization for the City Controller to disburse all necessary funds relating to this item.

Summary

This contract will provide testing, inspection, and repair services for the fire alarm system and the fire sprinkler/suppression systems at the Airports. These services are essential for the efficient and successful operation of the fire life/safety systems, and to ensure code compliance and safety of the Airports' employees and the traveling public.

Procurement Information

Solicitation AVN RFP 18-007 was conducted in accordance with Administrative Regulation 3.10. Three offers were received on Jan. 8, 2018. All offers were found to be responsive and responsible. The offers were evaluated and interviews were conducted on Jan. 17, 2018. The offers were evaluated based on the following criteria:
Method of Approach (0-400 points).
Company Qualifications/Experience (0-300 points).
Personnel Qualifications (0-200 points).
Cost (0-100 points).

The evaluation panel's recommendation was reached by consensus in consideration of the above criteria. The proposers and their scores are as follows:
Climatec, LLC: 872.80 points
Honeywell Building Solutions: 542.40 points
Southwest Integrated Solutions, Inc.: 493.00 points

Climatec, LLC is the recommended proposer.

Contract Term
The initial term of the contract is two years commencing on or about March 1, 2018 and includes three one-year extension options.

Financial Impact
The total aggregate contract value will not exceed $5,500,000 for the five-year aggregate term. Funds are available in the Aviation Department's budget.

Location
The locations for this contract are Phoenix Sky Harbor International Airport, located at 3400 E. Sky Harbor Blvd.; Deer Valley Airport, located at 702 W. Deer Valley Road; and Goodyear Airport, located at 1658 S. Litchfield Road, Goodyear, Ariz.
Council Districts: 1, 8, Out of City

This item was adopted.

59 Lumacurve Taxiway, Runway Signs and Parts - AVN IFB 18-011 (Ordinance S-44278)

Request to authorize the City Manager, or his designee, to enter into a contract with Standard Signs, Inc., for lumacurve taxiway, runway signs and parts at Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, and Phoenix Goodyear Airport (Airports) for an amount not to exceed $1,500,000 for the five-year aggregate contract term. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The airfield lighted signs are experiencing accelerated deterioration, color fade, and delamination. For the Aviation Department to remain compliant with Federal Aviation Administration (FAA) standards, the airfield signs must be replaced when required.

The signage plays a critical role in the safe transition of aircraft to and from the runways and gates. Per the FAA advisory circular, airports are required to use Original Equipment Manufacturer (OEM) parts in order to make repairs to the equipment. These repairs can be time critical, and the ability to transition aircraft, along with maintaining arrival and departure rates, can become mission critical to the FAA Air Traffic Controllers. This

contract is for the repair and replacement of parts as required to ensure proper operation of the existing and planned runway and taxiway signage at the Airports.

Procurement Information
Solicitation AVN IFB 18-011 Lumacurve Taxiway, Runway Signs and Parts was conducted in accordance with Administrative Regulation 3.10. One bid was received on Thursday, Dec. 28, 2017.

Standard Signs, Inc. was the offeror deemed responsive and responsible.

Contract Term
This contract is for five-years and will commence on or about March 1, 2018.

Financial Impact
The aggregate contract value will not exceed $1,500,000 for the five-year term and will be paid using Aviation funds.

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

This item was adopted.

60 Ground Transportation Dispatch and Curb Monitoring Services - Requirements Contract - RFP 18-009 (Ordinance S-44285)

Request to authorize the City Manager, or his designee, to enter into a contract with Ace Parking III, LLC, dba Ace Parking, to provide ground transportation and curb monitoring services for the Aviation Department at Phoenix Sky Harbor International Airport, in an amount not to exceed $10,875,000 for the aggregate five-year term. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Aviation Department is seeking a qualified company to provide ground transportation (GT) dispatch and curb monitoring services at various curbside loading points and designated GT waiting areas at Phoenix Sky Harbor International Airport. The dispatch and curb monitoring services provide world class customer service to the Airport's arriving passengers by ensuring passengers are being transported by permitted operators and to meet customer demand at the terminal pick-up locations.

Procurement Information
Request for Proposal (RFP) 18-009 was conducted in accordance with Administrative Regulation 3.10. Three proposals were received on Dec. 22, 2017.

The proposals were scored by a three-member evaluation committee based on the following criteria:
Method of Approach (500 points).
Company Experience and Qualifications (300 points).
Pricing (200 points).

The proposers and their rankings are as follows:

Ace Parking III, LLC: 813 Points
ABM Aviation, Inc.: 750 Points
SP+ Corporation: 533 Points

Contract Term
The initial three-year contract term will begin on or about March 1, 2018, and includes two one-year extension options for an aggregate five-year term.

Financial Impact
The aggregate contract value will not exceed $10,875,000 including applicable taxes, with an estimated annual expenditure of $2,175,000. Funds are available in the Aviation Department's operating budget.

Location
Phoenix Sky Harbor International Airport, 3400 E. Sky Harbor Blvd.

Council District: 8

This item was adopted.

62 Preventative Maintenance and Repair Services for ADB Safegate Airfield Lighting Controls and Monitoring Systems - AVN IFB 18-022 (Ordinance S-44291)

Request to authorize the City Manager, or his designee, to enter into a contract with ADB Safegate Americas LLC (ADB Safegate) to provide preventative maintenance and repair services for ADB Safegate's airport lighting control and monitoring system (ALCMS) at Phoenix Sky Harbor International Airport, Phoenix Goodyear Airport, and Phoenix Deer Valley Airport. Further request authorization for the City Controller to disburse all funds related to this item. The total aggregate cost of the contract will not exceed $400,000.

Summary

The Aviation Department is required to maintain compliance with the requirements set forth in Federal Aviation Regulation (FAR) Part 139 and Federal Aviation Administration (FAA) Advisory Circular (150/5345-56) on the airport lighting equipment certification program. There are currently two ALCMS--one at Phoenix Sky Harbor International Airport and one at Phoenix Deer Valley Airport. An additional ALCMS will be added at Phoenix Goodyear Airport.

Procurement Information

Solicitation AVN IFB 18-022 was conducted in accordance with Administrative Regulation 3.10. One bid was received on Jan. 19, 2018 from ADB Safegate. The bid was determined to be responsive and ADB Safegate was determined to be responsible. The bid was evaluated on years of experience, certification, and price. The Aviation Department determined that it was in the best interests of the City to award a contract to ADB Safegate, which was the only responsive and responsible bidder.

Contract Term

The term of the contract is five years and will begin on or about March 1, 2018. The contract will not contain any option to extend the term.

Financial Impact

The total aggregate cost of the contract will not exceed $400,000. Funds

are available in the Aviation Department's budget.

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

This item was adopted.

63 Purchase of New Electric Motorcycles (Ordinance S-44264)

Request to authorize the City Manager, or his designee, to enter into a contract with Phoenix MV Agusta for purchase of two Zero Motorcycles, model DSRP, for the Aviation Police Department in an amount not to exceed $50,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
Zero Motorcycles is the sole manufacturer of an all-electric motorcycle built with a police package for both on-road and off-road use. The sole local provider of Zero Motorcycles is Phoenix MV Agusta Motorcycles, LLC. The motorcycle is equipped with emergency lighting, siren, and all other required equipment for police use. The motorcycles will be used for patrolling the airport terminals and outlying areas of the Phoenix Sky Harbor International Airport. These all-electric DSRP models minimize maintenance cost and eliminates fuel costs and emissions.

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo citing there is only one source for the necessary goods and services.

Contract Term
This contract will begin on or about March 1, 2018, for the one-time purchase of two Zero Motorcycle DSRP model motorcycles.

Financial Impact
Expenditure shall not exceed $50,000 over the life of the contract. Funds

are available in the Aviation Department's budget.

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

This item was adopted.

64 Purchase of New Front Loader/Backhoe Tractors (Ordinance S-44259)

Request to authorize the City Manager, or his designee, to enter into a contract with Titan Machinery, Inc., for purchase of new front loader/backhoe tractors, in an amount not to exceed $5,000,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
This contract will be used to purchase replacement front loader/backhoe tractors for Public Works, Water Services, Street Transportation, Parks and Recreation, Fire, and Aviation departments. Front loader/backhoe tractors are used for a variety of tasks including small demolition work, light transportation of building materials, excavating holes, landscaping, and road maintenance.

Procurement Information
Invitation for Bids 18-FSD-018 was conducted in accordance with Administrative Regulation 3.10. One offer was received by the City on Oct. 11, 2017. The offer, from Titan Machinery, Inc., was evaluated on price, responsiveness to all specifications, terms and conditions and responsibility to provide the required goods and/or services. This offer was deemed fair and reasonable based on the market.

Titan Machinery, Inc.: $78,840 base price per machine

Contract Term
The initial one-year contract term will start 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 an estimated annual expenditure of $1,000,000, with a total aggregate amount not to exceed $5,000,000 over the life of the contract. Funds are available within the Public Works, Water Services, Street Transportation, Parks and Recreation, Fire, and Aviation departments' budgets.

This item was adopted.

65 Steel Tank Rehabilitation Program - Construction Manager At Risk Design Phase Services Amendment - WS85050023 (Ordinance S-44260)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 141497 with Felix Construction Company to provide additional Construction Manager at Risk (CMAR) design phase services in support of the Steel Tank Rehabilitation Program. Fees for these services will not exceed $20,542. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The purpose of the Steel Tank Rehabilitation Program is to assess, rehabilitate, and prevent deterioration of 41 steel tanks located throughout the City that serve as potable water storage or pressure surge protection facilities within the City's water production and distribution system. Felix Construction Company has previously provided design phase CMAR services for six steel tanks in Groups H and I, and this amendment will expand the scope of their services to include Group J steel tanks at Tramonto (7B-ES1) and Well 235 West (3C-GS1-2). These services will include: project scheduling and phasing, construction document review, developing construction management plans, and cost estimation for the two steel tank sites.

Contract Term

The term of this amendment is for one year. 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 for work in progress. No additional contract work scope changes may be executed after the end of the contract term.

Financial Impact

The initial contract value was for a not-to-exceed amount of $24,286. Amendment 1 further increased the contract amount by $21,586, and

Amendment 2 will increase the contract amount by an additional $20,542, for a total contract value of $66,414. Funding is available in the Water Services Department 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 the Steel Tank Rehabilitation Program CMAR design phase services Contract 141497 on Sept. 30, 2015, and Amendment 1 on Feb. 1, 2017.

Location
7B-ES1 (Tramonto): 34701 N. 19th Ave.
3C-GS1-2 (Well 235 West): 6026 E. Caballo Dr., Paradise Valley, Ariz.
Council Districts: 2 and Out of City

This item was adopted.

66 Water Services Department Specialized Equipment, Piping, and Infrastructure Coatings Construction Administration and Inspection Services Cave Creek Water Reclamation Plant and 23rd Avenue Wastewater Treatment Plant - WS90200056, WS90200053, WS90300009, WS90400023 (Ordinance S-44261)

Request to authorize the City Manager, or his designee, to enter into separate agreements with Arcadis U.S., Inc., and RFI Consultants, LLC, to provide construction administration and inspection services for the Specialized Equipment, Piping and Infrastructure Coatings project. The fee for services will not exceed $1.14 million for all contracts. 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

The City of Phoenix has equipment, pipe manholes and other structures at various facilities throughout the wastewater system infrastructure that have coatings applied to help protect the infrastructure from the harsh wastewater environment. In order for these coatings to be effective, they require routine maintenance. The continual upkeep of protective coatings enhances and extends the life of the infrastructure.

Arcadis U.S., Inc.'s and RFI Consultants, LLC's services will include but are not limited to: evaluation of coating systems, testing of existing coatings, project review and document preparation for selected coating systems, cost estimates for various coating options, including long-term maintenance programs, inspection and testing services, and additional services as needed.

Procurement Information

Arcadis U.S., Inc., and RFI Consultants, LLC, were chosen for this project using a qualifications-based selection process according to section 34-604 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. Two firms submitted. The ranking follows:

Arcadis U.S., Inc.: Ranked 1
RFI Consultants, LLC: Ranked 2

Contract Term

The term of each contract will be for five years starting on or around July 1, 2018. 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

Arcadis U.S., Inc.'s fees will not exceed $320,000 and RFI Consultants, LLC's fees will not exceed $820,000 for each contract, including all subconsultants and reimbursable costs. Funding is available in the Water

Services Department Capital Improvement Program budget. Contract payments may be made up to contract limits for all rendered contract services, which may extend past the contract termination.

Location
22841 N. Cave Creek Road
2470 S. 22nd Ave.
Council Districts: 2, 7

This item was adopted.

67 Val Vista Transmission Main Rehabilitation Design Services - WS85500437 (Ordinance S-44263)

Request to authorize the City Manager, or his designee, to enter into an agreement with Wilson Engineers, LLC, to provide design services, prepare a complete set of construction documents, and provide any necessary special documents for rehabilitation of the Val Vista Transmission Main. Wilson Engineers, LLC's fee for the design services will not exceed $180,000, including all subconsultant and reimbursable costs. Further request authorization to execute amendments to the contract as necessary within City 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: electric, water, sewer, natural gas, telecommunications, cable television, railroad, and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

Summary
The Val Vista Transmission Main was constructed 46 years ago and is critical to water service delivery for Phoenix residents. Rehabilitation on sections of the main began in 2004, to prevent deterioration due to corrosion. Construction plans for rehabilitation of the entire pipeline were prepared in 2007. These construction plans require updating to reflect

current conditions and specifications.

Scoping analysis and design prepared by Wilson Engineers, LLC, in 2016, under project WS85500444, determined that the remaining 29,000 linear feet of the Val Vista Transmission Main needing rehabilitation should be re-scoped. This was confirmed during a January 2017 re-inspection of the main.

The scope of this contract will include, but is not limited to: updating construction plans and documents to reflect current conditions; performing internal and external agency permit coordination and preparing necessary contract documents needed for construction; conducting advanced outreach to impacted stakeholders; and conducting cost model reviews and participating in value engineering evaluations.

Wilson Engineers, LLC, has the experience, resources, and historical knowledge of the Val Vista Transmission Main necessary to provide engineering design for the steel structural liner required for this rehabilitation project. Approximately half of the design for the next construction phase has been designed by Wilson Engineers, LLC, which will assist in the next design phase of the rehabilitation project.

Procurement Information
Wilson Engineers, LLC, was chosen to provide the design for this project using a direct-select process according to section 34-103 of the Arizona Revised Statutes.

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

Financial Impact
Wilson Engineers, LLC's fee for the design services will not exceed $180,000, including all subconsultant and reimbursable costs. Funding is available in the Water Services Department's Capital Improvement

Program budget. Contract payments may be made up to the contract limits for all rendered contract services, which may extend past the contract termination.

Location
Construction will take place in the following areas:
Rio Salado Parkway and Tempe Canal;
Center Street and E. Inglewood Street;
Bass Pro Drive and N. Alma School Road;
Mesa Drive and Juniper Street; and
Jensen Street and Gilbert Road.
Council District: Out of City

This item was adopted.

68 Amendment to Salt River Project Land Use License for City of Phoenix Project, Grand Canalscape Phase II, Segments 1, 2 and 3 - ST87600114 (Ordinance S-44283)

Request to authorize the City Manager, or his designee, to amend a Land Use License with Salt River Project (SRP). The license agreement is for the City of Phoenix Canalscape project on the Grand Canal bank from Interstate 17 (I-17) south of Indian School Road to 56th Street south of Washington Street, Project ST87600114, Phase II.

Summary
The purpose of the amendment is to add 10 signalized pedestrian crossings to Section 2 ("Purpose") of the License. The amendment will also correct an error in the legal description called out in Section 3 of the License ("Licensed Property").

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

established by the license or by laws. Per City of Phoenix Code, indemnification of another public entity requires approval from the City Council.

Location

Grand Canal at West Indian School Road
Grand Canal at Osborn Road
Grand Canal at 20th Street
Grand Canal at Thomas Road
Grand Canal at 24th Street
Grand Canal at Oak Street
Grand Canal at McDowell Road
Grand Canal at 32nd Street
Grand Canal at 44th Street
Grand Canal at 48th Street
Council Districts: 4, 6, and 8

Concurrence/Previous Council Action

This license was approved by ordinance S-43517, adopted on May 10, 2017.

This item was adopted.

69 2017 CMAQ Alley Dust Proofing Federal Aid Design-Bid-Build - ST87400253 (Ordinance S-44284)

Request to authorize the City Manager, or his designee, to accept Cactus Transport, Inc., as the lowest-priced, responsive, and responsible bidder and to enter into an agreement with Cactus Transport, Inc., for construction services for the 2017 Congestion Mitigation and Air Quality (CMAQ) Alley Dust Proofing project. The fee for construction services will not exceed $2,157,516. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The purpose of this contract is to aid the City of Phoenix in meeting the requirements of the Federal Clean Air Act, which is designed to improve air quality throughout the City. Through the use of surface treatments, the City is able to reduce Particulate Matter (PM) emissions which place Maricopa County at risk of decreased air quality and exceedances of the PM-10 standard, identified by the Environmental Protection Agency

(EPA). These exceedances can result in EPA imposed sanctions, including the loss of Federal Highway User Revenue Fund (HURF) money and a Federally imposed implementation plan for corrective action.

The City administers this program Citywide on an annual basis, based upon Federal funding and anticipates completion in 2020. Location determinations are made in response to the evaluation of air quality data obtained from PM-10 monitors throughout the City.

Cactus Transport, Inc.'s services will include approximately 205,325 square yards of clearing, grubbing, and subgrade preparation, including removal, hauling, and disposal of deleterious materials and degraded asphalt millings; 188,215 square yards of single application of MC-800TR and pre-coated fractured aggregate; weed control; traffic control; and other miscellaneous items in various alleys within the City of Phoenix.

Procurement Information
Three bids were received according to section 34-201 of the Arizona Revised Statutes by the Street Transportation Department on Dec. 12, 2017. The bids were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and general contractor responsiveness in demonstrating compliance with the project’s Disadvantaged Business Enterprise (DBE) goal. A DBE goal of 5.84 percent has been established for this project. All bidders were deemed responsive.

The bids ranged from a low of $2,157,516 to a high of $2,342,145. The Engineer's estimate and the three lowest responsive, responsible bidders are listed below:

Engineer's Estimate: $2,600,780.02
Cactus Transport, Inc.: $2,157,516.00
VSS International, Inc.: $2,257,000.00
Cholla Pavement Maintenance, Inc.: $2,342,145.00

Contract Term

The term of the contract is 180 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 term may be agreed to by the parties, and work may extend past the termination for the contract. No additional contract work scope changes may be executed after the end of the contract term.

Financial Impact

The contract amount for this project will not exceed $2,157,516. The bid award amount is within the total budget for this project. Funding is available in the Street Transportation 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.

This item was adopted.

70 Purchase of Polymers for Water Treatment and Production (Ordinance S-44265)

Request to authorize the City Manager, or his designee, to enter into a contract with Polydyne, Inc., to provide polymers to the Water Services Department. Expenditures are not to exceed $25,000,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Wastewater Treatment and Water Production plants use polymers to enhance coagulation and filtration, allowing small particles of organic matter to clump together and be removed during the water and wastewater treatment processes.

Procurement Information

The solicitation was completed in accordance with Administrative Regulation 3.10. One offer was received by the Water Services Department; the offer was evaluated based on price, responsiveness to all specifications, terms, conditions, and responsibility to provide the required goods. The offer submitted by Polydyne, Inc., is deemed to be responsive to the solicitation requirements.

Contract Term

The contract term will be for five years, effective March 1, 2018, through Feb. 28, 2023.

Financial Impact

Expenditures are not to exceed $25,000,000 over the life of the contract. Funding for the contract is available in the Water Services Department's operating budget.

This item was adopted.

71 Salt Contract for Water and Wastewater Treatment Process (Ordinance S-44268)

Request to authorize the City Manager, or his designee, to enter into a contract with Charlie Pepper, Inc., to provide salt for the Water Services Department. Expenditures are not to exceed $502,597 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Water Services Department has two wastewater treatment plants, four water production plants, and nine remote facilities that use salt during the water and wastewater treatment process. Salt is used in some water system disinfection and to produce soft water necessary for chemical dilution.

Procurement Information

A solicitation was completed in accordance with City of Phoenix Administrative Regulation 3.10. The Water Services Department received two bids, with only one bid determined to be responsive to the solicitation requirements. The offer submitted by Charlie Pepper, Inc., is deemed to be fair and reasonable based on the market conditions.

Contract Term

The contract term will be for five years effective March 1, 2018, through Feb. 28, 2023.

Financial Impact

Expenditures are not to exceed $502,597 over the life of the contract. Funding for the contract is available in the Water Services Department's operating budget.

This item was adopted.

72 Purchase of Microcystin/ADDA ELISA Water Testing Kits (Ordinance S-44270)

Request to authorize the City Manager, or his designee, to enter into a contract with Abraxis, Inc., to provide enzyme-linked immunosorbent assay (ELISA) kits for the Water Services Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value, including all option years, will not exceed $25,000 (including applicable taxes).

Summary

The Water Services Department uses ELISA kits to meet Environmental Protection Agency and Safe Drinking Water Act requirements. Beginning January 2018, the Safe Drinking Water Act requires monitoring of public water systems for 30 chemical contaminants through December 2020. This monitoring provides a basis for future regulatory actions to protect public health.

Procurement Information

RFQ 1718-63 Microcystin/ADDA ELISA Kits was conducted in accordance with Administrative Regulation 3.10. One offer was received by the Water Services Department on Sept. 13, 2017. The offer was evaluated based on price, responsiveness to all specifications, terms, conditions, and responsibility to provide the required goods. The offer submitted by Abraxis, Inc. is deemed to be fair and reasonable based on the market conditions.

Contract Term

The initial contract term shall begin on or about March 1, 2018, and end on Feb. 28, 2020. Provisions of the contract may include an option to extend the term of the contract up to three additional years.

Financial Impact

The aggregate contract value including all option years will not exceed $25,000 (including applicable taxes). Funds are available in the Water Services Department's operating budget.

This item was adopted.

73 Purchase Water Meter Security Products (Ordinance S-44271)

Request to authorize the City Manager, or his designee, to enter into a contract with Fullerform Systems, Inc., to provide water meter security products for the Water Services Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $61,460 (including applicable taxes).

Summary

When the Water Services Department must turn off water service due to non-payment and it is determined that there may be unauthorized water usage, a water service locking device is installed at the water meter to prevent any unauthorized water usage. This contract will provide water service locking devices and water meter security devices.

Procurement Information

RFQ 1718-WDD-87 was conducted in accordance with Administrative Regulation 3.10. One offer was received by the Water Services Department on Nov. 21, 2017. The offer was evaluated based on price, responsiveness to all specifications, terms, conditions and responsibility to provide the required goods. The offer submitted by Fullerform Systems, Inc., is deemed to be fair and reasonable based on the market and previous contract pricing.

Contract Term

The initial contract term shall begin on or about April 1, 2018, and end on March 31, 2023.

Financial Impact

The aggregate contract value will not exceed $61,460 (including applicable taxes).

This item was adopted.

74 Water Services Department and Arizona State University Strategic Partnership (Ordinance S-44272)

Request authorization for the City Manager, or his designee, to enter into an Intergovernmental Agreement with Arizona State University for a total not to exceed $750,000. Further request authorization for the City

Controller to disburse all funds related to this item.

Summary

The City of Phoenix Water Services Department (WSD) partners with Arizona State University on various research and university-related initiatives related to its water and wastewater utilities. Topics may include, but are not limited to: water conservation education and outreach, water consumption patterns, water demand forecasting, water quality, water resource management, climate change and its impacts on water quality and quantity, water and wastewater treatment techniques, energy usage in water and wastewater utilities, statistical analysis of large data sets, industrial water use, workforce planning and development, warehousing and inventory management, asset management, riparian restoration, capital improvement project procurement methods, water education and outreach, construction engineering, industrial discharge, drinking water aesthetics, wetland management, growth and land use, premise plumbing, and watershed management. WSD wishes to streamline these various efforts into one funding and partnership agreement and to establish an annual internship program through which students work directly with WSD on these and other initiatives.

Contract Term

The term of this Intergovernmental Agreement shall be for three years. Provisions of this agreement include two options to extend the term for one additional year each, which may be exercised by the City Manager or designee.

Financial Impact

The cost to the City of Phoenix to fund this Agreement is $750,000. Funding is available in the Water Services Department's operating budget. Payments may be made up to the agreement limits for all rendered services, which may extend past the agreement termination.

This item was adopted.

75 Water Services Department and University of Arizona Strategic Partnership (Ordinance S-44277)

Request authorization for the City Manager, or his designee, to enter into an Intergovernmental Agreement with the University of Arizona for a total not to exceed $500,000. Further request authorization for the City

Controller to disburse all funds related to this item.

Summary

The City of Phoenix Water Services Department (WSD) partners with the University of Arizona on various research and university-related initiatives related to its water and wastewater utilities. Topics may include, but are not limited to: water conservation education and outreach, water consumption patterns, water demand forecasting, water quality, water resource management, climate change and its impacts on water quality and quantity, water and wastewater treatment techniques, energy usage in water and wastewater utilities, statistical analysis of large data sets, industrial water use, workforce planning and development, warehousing and inventory management, asset management, riparian restoration, capital improvement project procurement methods, water education and outreach, construction engineering, industrial discharge, drinking water aesthetics, wetland management, growth and land use, premise plumbing, and watershed management. WSD wishes to streamline these various efforts into one funding and partnership agreement and to establish an annual internship program through which students work directly with WSD on these and other initiatives.

Contract Term

The term of this Intergovernmental Agreement shall be for three years. Provisions of this agreement include two options to extend the term for one additional year each, which may be exercised by the City Manager or his designee.

Financial Impact

The cost to the City of Phoenix to fund this Agreement is $500,000. Funding is available in the Water Services Department's operating budget. Payments may be made up to the agreement limits for all rendered services, which may extend past the agreement termination.

This item was adopted.

76 Water Main Extension Development Agreement with Mr. William Rodriguez (Ordinance S-44294)

Request authorization for the City Manager, or his designee, to enter into a development agreement with Mr. William Rodriguez (Developer). The agreement would allow the Developer to make payment to the City of the

estimated costs associated with installing a new 12-inch water main. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

The Developer is required by the Water Services Department (WSD) to upsize approximately 100 linear feet of 6-inch water main along his project's frontage on Roosevelt Street. WSD's Design Standard Manual for Water and Wastewater Systems requires developers within the City's Downtown Core to upsize 6-inch diameter and smaller mains to 12-inch mains. This development agreement would allow the Developer to make payment to WSD in lieu of installing the new main and associated improvements. WSD will use this money to construct this water main at a later date.

Financial Impact

The Developer will pay the City for all estimated costs associated with installing a new 12-inch water main along this development's frontage along Roosevelt Street. This agreement will not impact the City of Phoenix General Fund.

Location

Southeast corner of 7th Avenue and Roosevelt Street.
Council District: 7

This item was adopted.

77 Modification of Stipulation Request for Ratification of Jan. 17, 2018 Planning Hearing Officer Action - Z-132-04-2

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 Jan. 17, 2018. This ratification requires formal action only.

Summary

Application: PHO-4-17- Z-132-04-2
Current Zoning: CP/GCP
Acreage: 4.14
Applicant: Sun State Builders
Owner: 3005 Rose Garden LLC
Representative: Matthew Holly

Proposal:
1. Modification of Stipulation 1 regarding general conformance to site plan and elevations date stamped January 6, 2006.
2. Modification of Stipulation 7 regarding bay doors.
3. Technical correction to Stipulations 2, 3, 5 and 8.

Location
Approximately 624 feet west of the southwest corner of 32nd Street and Rose Garden Lane.
Council District: 2
Parcel Address: N/A

Concurrence
Village Planning Committee (VPC) Recommendation: The Paradise Valley Village Planning Committee recommended approval by a 11-0 vote on Jan. 8, 2018.

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval on Jan. 17, 2018.

This item was approved.

78 Modification of Stipulation Request for Ratification of Jan. 17, 2018 Planning Hearing Officer Action - Z-146-80-2(3)

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 Jan. 17, 2018. This ratification requires formal action only.

Summary
Application: PHO-1-17- Z-146-80-2(3)
Current Zoning: PAD-10
Acreage: 30.3
Applicant: Rod Jarvis
Owner: MHC Sunrise Heights, LLC
Representative: Greg Loper

Proposal:

1. Deletion of Stipulation 1 regarding development of mobile home subdivision in accordance with Section 108-K of the Zoning Ordinance.
2. Modification of Stipulation 2 regarding substantial compliance with the site plan and rendering.

Location
Northeast corner of 16th Street and Grovers Avenue.
Council District: 3
Parcel Address: N/A

Concurrence
Village Planning Committee (VPC) Recommendation: The Paradise Valley Village Planning Committee recommended approval by a 11-0 vote on Jan. 8, 2018.

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended denial as filed and approved with an additional stipulation on Jan. 17, 2018.

This item was approved.

79 Modification of Stipulation Request for Ratification of Jan. 17, 2018 Planning Hearing Officer Action - Z-123-00-7(4)

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 Jan. 17, 2018. This ratification requires formal action only.

Summary
Application: PHO-5-17- Z-123-00-7(4)
Current Zoning: C-2
Acreage: 2.80
Applicant: Planet Fitness, Kevin Kelly
Owner: Southwest Regional Council of Carpenters
Representative: Stephen C. Earl - Earl, Curley & Lagarde

Proposal:
1. Modification of Stipulation 4 regarding comprehensive sign plan.
2. Deletion of Stipulation 5 regarding signage not exceeding 10 feet in

height.
3. Technical correction to Stipulation 6.

Location
Approximately 760 feet south of the southwest corner of 43rd Avenue and McDowell Road.
Council District: 4
Parcel Address: N/A

Concurrence
Village Planning Committee (VPC) Recommendation: The Maryvale Village Planning Committee recommended approval by a 10-0 vote on Jan. 10, 2018.

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with additional stipulations on Jan. 17, 2018.

This item was approved.

80 Modification of Stipulation Request for Ratification of Dec. 20, 2017 Planning Hearing Officer Action - Z-114-04-7(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 Dec. 20, 2017. This ratification requires formal action only.

Summary
Application: PHO-2-17- Z-114-04-7(8)
Current Zoning: S-1, Approved R-3A
Acreage: 10.1
Applicant: Gehan Homes of Arizona, LLC
Owner: Laveen Gardens, LLC (Allen R. Marsh)
Representative: EPS Group, Inc.

Proposal:
1. Modification of Stipulation 1.a regarding general conformance to site plan date stamped April 25, 2005.
2. Deletion of Stipulation 1.b regarding general conformance to elevations date stamped April 28, 2005.
3. Modification of Stipulation 2 regarding additional passive and active

recreational amenities.
4. Modification of Stipulation 9 regarding CPTED and multi-housing crime free housing requirements.
5. Technical correction to Stipulations 4, 8 and 10.

Location
Approximately 360 feet north of the northwest corner of 27th Avenue and Vineyard Drive alignment.
Council District: 8
Parcel Address: N/A

Concurrence
Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee recommended approval with additional stipulations by a 9-0 vote on Oct. 16, 2017.

Planning Hearing Officer Recommendation: The Planning Hearing Officer took the case under advisement. The Planning Hearing Officer took the case out from under advisement on Jan. 8, 2018 and recommended denial as filed and approved with modified stipulations and additional stipulations.

This item was approved.

81 Final Plat - 24655 North 23rd Avenue - Holiday Inn Express - 170081

Plat: 170081
Project: 11-4002
Name of Plat: 24655 North 23rd Ave Holiday Inn Express
Owner(s): 23 WW, LLC
Engineer(s): Hunter Engineering, Inc.
Request: A 1 Lot Commercial Subdivision Plat
Reviewed by Staff: Jan. 26, 2018

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

Location

24655 N. 23rd Ave.
Council District: 1

This item was approved.

82 Final Plat - Cactus Center - 170107 - Northeast Corner of 28th Drive and Cactus Road

Plat: 170107
Project: 13-1412
Name of Plat: Cactus Center
Owner(s): Cactus Center, LLC
Engineer(s): CEG Applied Sciences
Request: A 3 Lot Commercial Subdivision Plat
Reviewed by Staff: Jan. 25, 2018

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

Location
Generally located at the northeast corner of 28th Drive and Cactus Road.
Council District: 1

This item was approved.

83 Final Plat - Meridian Crossing - 170063 - North of Baseline Road on the West Side of 27th Avenue

Plat: 170063
Project: 14-1201
Name of Plat: Meridian Crossing
Owner(s): Calatlantic Homes of Arizona, Inc.
Engineer(s): Rick Engineering Company
Request: A 71 Lot Residential Plat
Reviewed by Staff: Jan.18, 2018
Final Plat requires Formal Action Only

Summary
Staff requests that the above plat be approved by the City Council and

certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public.

Location
Generally located 652 feet +/- north of Baseline Road on the west side of 27th Avenue.
Council District: 8

This item was approved.

84 Amend City Code - Remove/Replace Zoning District for Telles Annexation - Annexation 485 (Ordinance G-6421)

Request to authorize the City Manager to amend the Code of the City of Phoenix, Arizona, Part II, Chapter 41, Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by removing the Maricopa County Rural 43 zoning district and replacing it with the City of Phoenix S-1 (Ranch or Farm Residence) zoning district on properties located east of the Black Canyon Highway and north of Circle Mountain Road, parcels 202-22-003F, 202-22-003K, 202-22-003J, which were annexed into the City of Phoenix on Jan. 24, 2018 by Ordinance S-44238 (Telles Annexation - Annexation 485).

Location
Located east of Black Canyon Highway and north of Circle Mountain Road.
Council District: 1

This item was adopted.

85 Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-17--Z-SP-4-11-1 - Southwest Corner of Central Avenue and Misty Willow Lane (Ordinance G-6420)

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 Jan. 17, 2018.

Summary
Application: PHO-1-17--Z-SP-4-11-1
Existing Zoning: A-1 DVAO SP

Acreage: 37.21
Applicant: Nick Wood, Esq., Snell & Wilmer LLP
Owner: Airpark 30 LLC
Representative: Nick Wood, Esq., Snell & Wilmer LLP

Proposal:
1. Modification of Stipulation 1 regarding expiration of special permit.

Location
Southwest corner of Central Avenue and Misty Willow Lane.
Council District: 1
Parcel Address: 23472 N. Central Ave.

Concurrence
Village Planning Committee (VPC) Recommendation: The Deer Valley Village Planning Committee recommended approval by a 9-0 vote on Dec. 21, 2017.

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval on Jan. 17, 2018.

This item was adopted.

86 Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-17--Z-62-13-7 - Approximately 1,320 Feet South of the Southwest Corner of 59th Avenue and Lower Buckeye Road (Ordinance G-6419)

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 Dec. 20, 2017.

Summary
Application: PHO-1-17--Z-62-13-7
Existing Zoning: A-1
Acreage: 35.0
Applicant: Red River 647 Holdings, LLC dba 59LBR
Owner: Newport Groups 22, LLC
Representative: Teresa Harvey

Proposal:
1. Modification of Stipulation 1 regarding general conformance with site plan and landscape plans date stamped Feb. 27, 2017.
2. Modification of Stipulation 2 regarding a minimum 75-foot building setback along the west and south property lines.
3. Modification of Stipulation 3 regarding a minimum 75-foot building setback along the west and east property lines.
4. Deletion of Stipulation 5 regarding an 8-foot decorative wall.
5. Deletion of Stipulation 6 regarding perimeter wall material and textural differences.
6. Modification of Stipulation 8 regarding outdoor storage within 250 feet of the north, south and west property lines.
7. Deletion of Stipulation 9 regarding a one-foot non-vehicular access easement along the west property line.
8. Deletion of Stipulation 10 regarding right-of-way dedication for the south half of Lower Buckeye Road.
9. Deletion of Stipulation 13 regarding right-of-way dedication for the 63rd Avenue Alignment.
10. Deletion of Stipulation 14 regarding right-of-way dedication for the proposed 63rd Avenue from Florence Avenue to Lower Buckeye Road.
11. Deletion of Stipulation 15 regarding right-of-way dedication for the east half of 63rd Avenue.
12. Deletion of Stipulation 16 regarding contacting Bruce Littleton.
13. Technical correction to Stipulations 18 and 19.

Location
Approximately 1,320 feet south of the southwest corner of 59th Avenue and Lower Buckeye Road.
Council District: 7
Parcel Address: N/A

Concurrence
Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee recommended approval with modified stipulations by a 8-0 vote on Oct. 17, 2017.

Planning Hearing Officer Recommendation: The Planning Hearing Officer took the case under advisement. The Planning Hearing Officer took the

case out from under advisement on Jan. 8, 2018 and recommended denial as filed and approved with modified stipulations and an additional stipulation.

This item was adopted.

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, to suspend the rules and hear Item 61 out of order. The motion carried by voice vote:

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

61 Terminal 3 Food and Beverage and Retail Revenue Contract Solicitation Award Recommendation (Ordinance S-44289)

Request to authorize the City Manager, or his designee, to enter into Food and Beverage and Retail Concession Agreements at Phoenix Sky Harbor International Airport. The gross sales for all Agreements are estimated to produce $400 million over the 10-year term, resulting in approximately $51.6 million in revenue to the City.

Summary

On May 10, 2017, Phoenix City Council authorized the issuance of a Revenue Contract Solicitation (RCS) for four Concession Agreements (Agreement) opportunities in Terminal 3, two Food and Beverage and two Retail. The goals of the solicitation were to encourage competition, reflect the region and include national, regional, local brands and concepts, optimize sales and revenue, increase opportunity for local and small business participation, raise quality and uniqueness of souvenir and gifts merchandise, and phase implementation to coincide with the Terminal 3 Modernization construction schedule.

The four Agreement opportunities were designed to achieve a diverse and balanced concession program. The opportunities consist of nine Food and Beverage locations and eleven Retail locations. Successful respondents may only be awarded one Food and Beverage Agreement

and one Retail Agreement. Each Agreement will include an Employee Retention Policy, which will require the successful Respondent to hire current Terminal 3 Food and Beverage and Retail concession employees and retain those employees for at least 120 days in a similar job classification.

The RCS was issued on May 18, 2017, with responses due on Aug. 1, 2017.

Procurement Information
Eleven responses were received and reviewed for minimum qualifications; all responses were found to be responsive and responsible. The evaluation panel interviewed all Respondents on Dec. 4, 5, and 6, 2017. The panel members evaluated the responses based on the following criteria established in the RCS:

Proposed Concepts, Menus or Merchandise Plan (0-250 points).
Design and Quality of Tenant Improvements (0-225 points).
Management, Marketing and Operations Plans (0-225 points).
Experience and Qualifications of Respondent and Partners, if any (0-200 points).
Proposed Business Plan (0-100 points).

The evaluation panel recommendations were reached by consensus in consideration of the above criteria. The following Respondents are recommended for award to enter into an Agreement:

Food and Beverage - Package 1 (4 units): Host International, Inc.
Food and Beverage - Package 2 (5 units): SSP America, Inc.
Retail - Package 1 (6 units): HG PHX T3 Retailers 2017 JV
Retail - Package 2 (5 units): Stellar Retail Group PHX, LLC

Tenant construction dates will coincide with the opening of Terminal 3 - Phase 2 Modernization project, which includes the new south concourse.

The City Transparency policy is in effect until all Agreements from this RCS are awarded.

Public Outreach
In collaboration with the Equal Opportunity Department (EOD), staff conducted two local and industry outreach meetings, one Fast-Pitch event, and an RCS pre-response meeting to generate interest and participation in this solicitation. This offering was advertised in both local and national industry publications.

Contract Term
Each Agreement will have a 10 year term, commencing when all units have been constructed and are open; the commencement date of each Agreement will align with the opening of Terminal 3.

Financial Impact
For each Agreement, the Tenant will pay Minimum Annual Guarantee (MAG) or percentage rent, whichever is greater. The gross sales for all Agreements are estimated to produce $400 million over the 10-year term, resulting in approximately $51.6 million in revenue to the City.

Concurrence/Previous Council Action
This item was recommended for approval by the Downtown, Aviation, Economy and Innovation Subcommittee on Feb. 7, 2018 by a vote of 4-0.

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

Discussion
Councilwoman Williams recalled this went through Subcommittee where it was thoroughly vetted.

A motion was made and seconded for approval.

Mayor Stanton confirmed the following individuals submitted speaker comment cards in favor and did not wish to speak:

Bruce Mosby
Richard Szark
Nava Singam

Ricardo de Leon spoke in favor. He thought it was good when local people noticed the selection process was fair and had a shot at being part of this enterprise. He and his partner were local minority partners with Hudson Group and proud to be members of this community at Phoenix Sky Harbor International Airport.

Dr. Ann Hart thanked Council, the Phoenix Aviation Advisory Board and Aviation staff for providing transparency and appropriate oversight as well as awarding contracts that supported diversity and inclusion of minorities and small businesses. She was a frequent traveler and appreciated how the city provided opportunities for minorities and small businesses to grow in the Phoenix Sky Harbor Airport retail concessions.

Kerwin Brown spoke in favor. He recalled having a meeting a couple years ago with Councilman Valenzuela and Aviation Director Jim Bennett about the lack of diversity in the airport. He wished to thank Council, the Phoenix Aviation Advisory Board and the Aviation director for what he had seen provided thus far for Terminal 3 and hoped the efforts continued.

Mayor Stanton stated the following individuals submitted comment cards in favor, but did not wish to speak:

Danny Dans - Ajo Als
Scott Welding - SSP America
Jennifer Reynolds
Joe Yuhas
John Richmond
Laura Alphran
Jeff Martin
Joya Kizer Clarke
Lauren Bailey
Craig DeMarco
Nicole Robinson
Rueben Rodriguez
Stephen Douglas
Patty Killian
Susan Stackhouse Bosquez

Todd Knight
Lachele Mangum
Gonzalo de la Melena
Gregory Golden
Charles Walton

Councilwoman Gallego said she was excited to have new tastes coming to the airport as well as shopping opportunities. She pointed out there were several partners who had been reaching out to recruit at-risk populations, including people impacted by homelessness and young people who neither worked or went to school. Also, there were several applicants who were partners on equal pay that were trying to close the pay gap between men and women. She emphasized this was an exciting opportunity for the City and congratulated those recommended.

Councilman Nowakowski remembered fighting for local and minority participation in the past at Terminal 4 and it was now a trend for Terminal 3. He hoped it mirrored the face and unique taste of Phoenix and thanked all his past and present colleagues for this continued tradition.

Councilman Valenzuela thanked all of the participants, particularly those who won the opportunity and responsibility to serve at Phoenix Sky Harbor Airport. He commented there was more diversity and reflection of the local community at the airport which would continue, noting there were no protests. Moreover, he thanked the winning participants for investing in the people because these jobs supported families.

Councilwoman Stark also wished to thank everyone involved as Sky Harbor Airport was special due to the local businesses.

Vice Mayor Pastor stated she was most proud of the airport keeping the local flare along with the diversity that represented the city. She also congratulated the Aviation Director for getting to this point without a protest. She recognized those employed with the airport that were mainly working families who appreciated working for the city and airport.

Mayor Stanton conveyed these airport procurements were incredibly competitive with some very talented businesses and entrepreneurs being

recommended for approval for this contract. There were also some really talented business people and restauranteurs that were not being recommended but, more importantly, they were not present in opposition. He stressed that was a testament to the professionalism and fairness of the procurement system utilized at Phoenix Sky Harbor Airport. He thanked the City Manager and Aviation Director for doing it the right way and selecting these outstanding businesses which he thought made this a success. He also congratulated those being recommended as the airport was the front door to the city as well as the biggest economic engine. He remarked it was important to not only work with established businesses but take a risk on new businesses and make sure the diversity was represented at the airport.

A motion was made by Councilwoman Williams, seconded by Vice Mayor Pastor, 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:	0	
Absent:	1 -	Councilman DiCiccio

35 License Agreement for Art Installation and Maintenance Between City of Phoenix and LMC Central at McDowell, LLC

Request to authorize the City Manager, or his designee, to enter into a license agreement with LMC Central at McDowell, LLC for installation and maintenance of a mural on the south-facing wall located at 1636 N. Central Ave., for a five-year period with one additional five-year option.

Summary

LMC Central at McDowell, LLC (LMC) owns Muse Apartments located adjacent to City-owned property at 1636 N. Central Ave., occupied by the Arizona Opera. The City consulted with the Arizona Opera in developing the agreement and are in support of the agreement. The wall along the southern property line facing Muse Apartments is currently an unfinished block which occasionally attracts graffiti. LMC wishes to have a mural painted on the wall for a more desirable aesthetic view. A muralist, engaged by LMC, proposed a concept based on cultural themes in the

Central Avenue Arts District which was reviewed and approved by representatives of the Office of Arts and Culture and by the Arizona Opera. The proposed agreement between the City and LMC sets forth terms and conditions satisfactory to the City concerning design, installation, maintenance, and removal of the mural. The license fee for use of the south facing wall is nominal, and is offset by the costs of the mural and reduced maintenance and graffiti removal costs by the City. LMC is responsible for all costs related to the art installation and maintenance, including removal.

Contract Term

The term of the agreement will be five years, beginning on the date the agreement is fully executed. There will be one additional five-year option. The contract may be terminated by either party upon receipt of a 30-day written notice.

Location

1636 N. Central Ave.
Council District: 4

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

36 General Police Towing Services - Requirements Contract - RFP 17-182 (Ordinance S-44262)

Request to authorize the City Manager, or his designee, to enter into contracts with DV Towing, LLC and Western Towing of Phoenix, Inc. to provide the Police Department with general police towing services. Further request authorization for the City Controller to disburse, and City Treasurer to accept, all funds related to this item. The aggregate amount will not exceed $531,500.

Summary

The Police Department requires general towing services to provide assistance to citizens involved in accidents, towing abandoned vehicles, vehicles left in the roadways, illegally parked vehicles and other law enforcement impoundments. The Police Department also requires auctioning services when vehicles have been lawfully impounded and determined to be abandoned by the Arizona Department of Transportation Motor Vehicle Division (MVD).

The costs associated with this contract will be passed on to the citizens of the City of Phoenix, and the revenue portion allows the Police Department the ability to fund the towing program.

Procurement Information

RFP 17-182, General Police Towing Services was conducted in accordance with Administrative Regulation 3.10. The solicitation was emailed to 68 vendors and was posted on the City's website. Four offers were received by the Procurement Division on July 7, 2017. The proposals were scored by an evaluation panel based on the following criteria:

Capacity / Experience of Offeror	350 points
Cost (Includes Line Item Pricing and % of Sales Proceeds)	350 points
Method of Approach	300 points

Following is a summary of the highest scored offers:

Zone A

DV Towing, LLC 929 Points

Zone B

DV Towing, LLC 940 Points

Zone C

Western Towing of Phoenix, Inc. 1,000 Points

Zone D

Western Towing of Phoenix, Inc. 901 Points

On Oct. 19, 2017, All City Towing submitted a protest of award recommendation. On Nov. 15, 2017, the City denied their protest. On Nov. 27, 2017, ACT submitted an appeal on the protest denial, which was referred to the Office of Administrative Hearing (OAH). On Jan. 10, 2018, the City received a favorable review from OAH and was forwarded to the City Manager's Office for their review and final decision. On Jan. 24, 2018, the City Manager's Office agreed with the OAH and dismissed ACT's appeal and recommends the City Council award four agreements under RFP 17-182 to DV Towing, LLC and Western Towing of Phoenix, Inc.

The Deputy Finance Director recommends the offers from DV Towing, LLC and Western Towing of Phoenix, Inc. be accepted as the highest scored, responsive and responsible offers.

Contract Term

The three-year contract term will begin on or about April 1, 2018 and end on or about March 31, 2021. Provisions of the contract include an option to extend the term for one, two-year contract term of up to five years, which may be exercised by the City Manager or his designee.

Financial Impact

The expenditures against this contract shall not exceed the aggregate amount of $531,500. Funds are available in the Police Department's budget. This is a revenue contract that allows the Police Department to fund the towing program, however, there are some costs involved for improper tows. The cost submitted by the proposers are passed on to the citizens of the City of Phoenix.

Concurrence/Previous Council Action

The Public Safety and Veterans Subcommittee approved this item on Oct. 12, 2016. On Nov. 30, 2016, the City Council approved the issuance of RFP 17-182.

Discussion

A motion was made and seconded for continuance.

Paul Levine, with DV Towing, spoke in opposition to the continuance,

noting the award recommendation was originally made on October 11th which was about four-and-a-half months ago. He conveyed two active protests were filed by All City Towing. The first was filed on October 19, 2017 which was denied. The second protest was taken to a judge who rendered a very detailed opinion. He believed there was nothing substantively new concerning any of the issues and reiterated his objection to the continuance since the City provided detailed recommendations. He emphasized the Council had adequate information to make a decision consistent with the initial award recommendation.

Jose de Jesus Rivera also opposed postponement because the delay hurt citizens since the old contract was significantly higher than the bids with the new contract. Further, the contract was supposed to go into effect on February 1st, noting the awardees had already started purchasing equipment which equaled a loss.

Mayor Stanton stated Jeffrey Dunn submitted a comment card in favor, but did not wish to speak.

Mayor Stanton advised the motion for continuance did not indicate Council's position on the matter but was normally granted for a reasonable period out of courtesy for the councilperson.

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that this item be continued to the March 7, 2018 City Council Formal Meeting. The motion carried by voice vote:

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

47 Intergovernmental Agreement with Laveen School District for Joint Park/School Site

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the Laveen School District to jointly develop a 17.8-acre joint school/park site located northeast of 55th

Avenue and Carver Road.

Summary

In 2016, the Parks and Recreation Department was approached by Taylor Morrison Home Builders and the Laveen School District regarding a 2007 development agreement that required the donation of 17.8 acres to the Parks and Recreation Department for a future park site. The 17.8-acre site, located northeast of 55th Avenue and Carver Road, was planned to be developed through the impact fee program as a neighborhood park.

Taylor Morrison Home Builders had also provided a designated site to the Laveen School District for a future school. With the extension of the Loop 202 (South Mountain Freeway), the school property was absorbed into the freeway improvements, which left the school district and the neighborhood without a site for a future school.

The Parks and Recreation Department was approached with a shared-site idea that would combine the park and a school.

The Parks and Recreation Department, the Laveen School District and Taylor Morrison Home Builders have come together and developed a preliminary plan to develop the existing 17.8-acre park site into a shared use facility. The site will include a neighborhood park and a school facility. The preliminary plan is as follows:

The City will allow eight acres of the site to be developed with a school facility (building and parking).
The City and the Laveen School District will enter into an IGA for use of the fields and courts developed for the school.
The remaining 9.8 acres of the site will be improved into a shared park/fenced sports field area. The park (0.5 acres) will remain open to the public daily and the fenced sports field area (9.3 acres) for the school will be open to the public at the end of each school day.
Maintenance of all improvements will be the responsibility of the Laveen School District.
The City will program use of the neighborhood park during non-school hours.
Taylor Morrison Home Builders will be responsible for the development

of the new facility and will work with the Parks and Recreation Department to ensure that the improvements meet City park standards.

The Parks and Recreation Department and Taylor Morrison Home Builders will work with the Planning and Development Department to utilize impact fee credits to assist in the funding of the site improvements.

Taylor Morrison Home Builders will receive impact fee credit for eligible costs incurred for park site improvements. Staff is currently working with Taylor Morrison on a cost-sharing proposal for park development costs to bring to City Council at a future date. Any contribution by the City toward park development would likely come from impact fee funds that are available to the Parks and Recreation Department.

The proposed plan is expected to benefit the community by allowing a school facility to be built in the area and providing an improved park site ahead of schedule. By providing for construction and maintenance, the plan also maximizes City resources and taxpayer dollars.

Financial Impact

The only financial impact to the City would be from future ongoing maintenance/energy costs related to lighting and programming of the park.

Concurrence/Previous Council Action

This item was recommended for approval at the Parks, Arts, Education and Equality Subcommittee meeting on Dec. 6, 2017 by a vote of 4-0.

Location

17.8-acre site, located northeast of 55th Avenue and Carver Road.
Council District: 8

Discussion

Leonard Clark spoke in favor but expressed concern because the agreement said the fenced in athletic fields would be available to the public. He wanted to know where the children would play if it was open to the public. He also wondered how people coming onto the school property would be checked if the land was open to the public.

Mayor Stanton understood kids would play on this land during the school day but asked staff what happened after hours. In addition, he thought this was an exciting collaborative effort and model to look at where the City and school districts worked together so recreation activities were maximized.

Parks and Recreation Director Inger Erickson replied the gates would be closed during the school day so kids could use the fields and opened at night so the public could use the facilities and the Parks and Recreation Department would program the activities.

Mayor Stanton said he was supportive of this item and reiterated it was a great model to look at not just for new schools but for established schools to allow school facilities to be better accessed by the community.

Councilwoman Gallego agreed this was a great model of success, noting it had been in the works for multiple years. She had also talked about school safety issues and the importance of letting the public use the fields when school was not in session while making sure students had priority during school hours. She emphasized this was an exciting program with a high quality facility built to city park standards and a good example of a win-win for the school and community as well as the City.

Kevin Hegarty conveyed he had been working with city staff on this for a long time as there were many barriers. He looked forward to Council's approval as well as future projects, noting he was already in discussions about other things that would leverage tax dollars.

In response to questions from Vice Mayor Pastor, Ms. Erickson replied the school district would maintain the grounds as part of their regular maintenance per standards set and agreed upon with the city. She added the cost to the city was the lights put on the grounds and the electricity.

A motion was made by Vice Mayor Pastor, seconded by Councilman Nowakowski, that this item be approved. 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: 0

Absent: 1 - Councilman DiCiccio

48 **Golf Scorecards - Request for Proposals Recommendation (Ordinance S-44274)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Transportation Media, Inc., dba Bench Craft Company, to provide scorecards, benches, tee signs and ball washers, for each of the City-managed golf courses, at no cost to the City.

Summary

Transportation Media, Inc., dba Bench Craft Company, will provide scorecards, benches, tee signs and ball washers at each of the City-managed golf courses: Aguila, Cave Creek, Encanto 9 and 18 and Palo Verde. Bench Craft Company will provide the specified golf products and related services, including the removal of current products where they exist and the replacement with new products, which will contain advertising.

Procurement Information

On Oct. 10, 2017, the Parks and Recreation Department issued a Request for Proposals (RFP) for golf scorecards (PKS10102017). Proposals were due on Nov. 7, 2017. In the RFP, the City requested that all items for advertisement at the City's golf courses be provided at no cost to the City for the duration of the contract term.

One proposal was received:
Transportation Media, Inc., dba Bench Craft Company

Contract Term

The contract term shall be three years, commencing on March 1, 2018 and ending on Feb. 28, 2021.

Financial Impact

There will be no cost to the City under this contract. The Parks and Recreation Department will receive the following revenue from the contract:
Year 1: $10,000
Year 2: $12,000
Year 3: $15,000

Discussion

City Manager Ed Zuercher stated this was a contract with Transportation Media who would provide the city payment of $10,000 a year and escalating as well as supply scorecards, tees and benches to the city.

Parks and Recreation Director Inger Erickson added this was an effort to take the expense off of the city while providing the city with revenue.

Mayor Stanton confirmed the company would put advertising on the cards plus pay the city $10,000 a year and increase thereafter.

A motion was made and seconded for approval.

Vice Mayor Pastor further affirmed this would eliminate an expense while generating revenue.

Councilman Waring expressed this was a good thing though he did not think the city should be in the golf business, but this alleviated a little bit of the cost.

In response to Councilman Nowakowski, Ms. Erickson responded staff would approve any advertisements.

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:	0	
Absent:	1 -	Councilman DiCiccio

51 Authorization to Assign and Amend City Contract for Development of 200 W. Monroe St. (Ordinance S-44293)

Request to authorize the City Manager, or his designee, to assign City Contract 135145 ("Agreement"), a development agreement with 211 W. Monroe Holdings, LLC, and amend the scope and certain terms of the agreement. The amendment will not impact the General Fund.

Summary

200 W. Monroe St. is an entire city block ("Site") which is owned by 211 W. Monroe Holdings, LLC, an affiliate of Golub Real Estate Corporation ("Golub") out of Chicago, Illinois. In July of 2012, City Council authorized business terms for Golub to develop a high rise tower which would include approximately 350,000 square feet of office space, 900 structured parking stalls, 3,500 square feet of public incubator space for emerging business enterprises or collegiate education, ground floor commercial space and a commitment to provide parking for Orpheum Theatre events on weekends. The City and Golub entered into an Agreement in December 2012 in accordance with that authorization which initiated certain performance benchmarks for Golub. Unfortunately, due to the market and economic impacts of the recession on the office market for an office tower of this size, Golub has been unsuccessful in advancing the original plan. Golub has been working with another Chicago development group, XSC 200 W. Monroe Acquisition, LLC, ("Developer") to acquire the site and development agreement.

Golub has reached terms with the Developer to acquire the site and development rights to develop a dense, urban, mixed-use, high-rise development on the Site. If approved by City Council, this amendment will take the Site from an underutilized parcel with surface parking and a vacant automotive repair shop, to a productive redeveloped property. In order to facilitate the development of the Site, staff recommends the following revised terms to be incorporated into an amended development agreement.

The project scope will be amended to be a two phase, mixed-use, high-rise project with two towers with approximately 600 residential units, 40,000 square feet of commercial space, 1,000 structured parking stalls, and associated streetscape improvements ("Project").

The Project will be developed in two phases with each phase consisting of an approximately 275-foot tower with:

*Phase 1, 300 rental residential units, 650 structured parking stalls, and 20,000 square feet of commercial space.

*Phase 2, 300 rental residential units, 350 structured parking stalls, and 20,000 square feet of commercial space.

The performance benchmarks, and commencement of separate 25-year lease terms, for each phase are modified as follows:

*Phase 1, Commence Construction within 24 months of signing the amended Agreement, subject to one 12-month extension.

*Phase 1, Complete Construction and enter into Phase 1 Lease by Dec. 16, 2022.

*Phase 2, Enter into Phase 2 Lease by Dec. 16, 2022.

*Phase 2, Commence Construction within 24 months of entering into Phase 2 Lease, subject to one 12-month extension.

*Phase 2, Complete Construction within 36 months.

Developer agrees to forfeit the $10,000 Performance Deposit to the City.

The Net Rent provisions of the Agreement will be split equally between the phases and the First Sale provision will end after completion of Phase 2.

The public incubator space may be used for office, retail or restaurant purposes at a rental rate at or below market.

The Orpheum Theatre parking commitment will be modified to include all of the public having access to available parking spaces.

If Golub and the Developer fail to complete the assignment within three months of Council approval of the amendment, the Agreement will terminate.

Developer shall provide to the Community and Economic Development Department, at least one month prior to their submittal of Preliminary Plans, a site plan and elevations. These documents will be assessed by Community and Economic Development and Planning and Development Departments within 2 weeks so that additional feedback related to code impacts may be provided to Developer prior to submission of Preliminary Plans for formal review.

All other terms and conditions of Agreement will remain the same. This

includes the previously authorized GPLET treatment of the lease and eight years of abatement of the excise tax after receiving the certificate of occupancy. Redevelopment of the Site will bring 600 new residential living options to downtown, approximately $283,000 per year in net new residential and commercial rental tax revenues to the City, approximately $2,000,000 in construction sale tax revenues, and $200,000,000 in new capital investment in downtown.

Contract Term
The amendment will not change the 25-year lease term previously approved by City Council in 2012. Additionally, pursuant to state law, the Developer must enter into the lease within 10 years of the original development agreement approval date of Dec. 20, 2012.

Financial Impact
This amendment will not impact the General Fund.

Concurrence/Previous Council Action
The development agreement was originally authorized by City Council on July 3, 2012 through Ordinance S-39053. The request to Assign and Amend City Contract 135145 was recommended for approval by the Downtown, Aviation, Economy and Innovation Subcommittee on Feb. 7, 2018 by a vote of 4-0.

Location
200 W. Monroe St.
Council District: 7

Discussion
Mayor Stanton stated the following individuals submitted speaker comment cards in favor, but did not wish to speak:

David Krietor - DPI
Dan Klocke - Downtown Phoenix, Inc.
Nick Wood
Noah Gottlieb

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:	1 -	Councilman Waring
Absent:	1 -	Councilman DiCiccio

Procedural Discussion
Prior to her vote, Vice Mayor Pastor wanted to make sure that Planning and Development and Community and Economic Development departments were part of the motion as voted on in Subcommittee.

Community and Economic Development Director Chris Mackay confirmed they were included, noting Planning and Development Director Alan Stephenson had already been working with the client.

52 **Phoenix Convention Center Department Exclusive Food and Beverage Services - Request to Issue Revenue Contract Solicitation**

Request to authorize the City Manager, or his designee, to issue a Revenue Contract Solicitation (RCS) for an exclusive Food and Beverage Service provider for the Phoenix Convention Center Department (PCCD).

Summary
PCCD's food and beverage (F&B) catering and concessions program is a critical component of the department's overall operations. An important goal of the PCCD is to maintain its distinctive brand by offering premium level F&B services.

PCCD entered into a contract with ARAMARK Sports and Entertainment Services, LLC, (dba Aventura Catering) to provide exclusive F&B services on April 1, 2008, for a period of five years, with one, five-year contract extension. Subsequently, PCCD obtained approval to extend the existing contract until Dec. 23, 2018, to avoid impacting an international convention booked at the PCCD. In addition, PCCD retained a consultant with F&B expertise in the convention industry to provide an analysis of the marketplace, industry best practices, and assist with the development of

the scope of work. The consultant will provide services throughout the evaluation process leading to contract award.

PCCD F&B services are being requested to support the three Convention Center facilities and two performing arts theaters located downtown. The successful offeror will provide F&B services, sell alcoholic beverages under certain conditions, operate pantry and other food production/storage areas, operate fixed and mobile concession stands, restaurants, cafes and bistros, cater food and beverages to meetings, banquets, and special functions, and vend various refreshments and other items as approved by the PCCD. The successful offeror will, generally, conduct all catered and retail F&B operations at the Phoenix Convention Center, Symphony Hall and Orpheum Theatre. In addition, PCCD will require the successful offeror to make a capital investment in F&B facilities. The successful offeror will provide PCCD with commissions from all activity generating revenue that is conducted at PCCD or utilizes PCCD equipment or facilities for the rights of exclusivity for providing F&B services.

Procurement Information

With approval, PCCD will conduct an RCS to select an exclusive food and beverage provider. Responsive and responsible respondents will be evaluated according to the following evaluation criteria:

Investment and Financial Return to the City - Capital investments and commission structure offered (0-275 points available).

Qualifications of Proposer - Experience and performance history of proposing firm in the public assembly industry (0-225 points available).

Business Plan - Sales and marketing approach, retail outlets/concessions proposed, local business participation, off premise catering, use of technology (0-200 points available).

Operations Plan - Quality and service standards, sustainability efforts, staffing plan, staff training, ADA compliance (0-200 points available).

Management Team - Qualifications and experience of proposed on-site managers (0-100 points available).

Proposals will be evaluated by a diverse panel including City staff and community representatives consisting of two representatives from PCCD, two representatives from the tourism and hospitality community,

and one representative from another City department. The highest-ranked respondent will be recommended for the exclusive Food and Beverage services award.

Contract Term
This agreement will have a primary term of 10 years, with one, five-year renewal option to be exercised at the sole discretion of the Phoenix Convention Center Director.

Financial Impact
Revenue will be realized in the form of a Minimum Annual Guarantee (MAG) or a percentage of sales, whichever is greater. This agreement also will provide for additional commission payments based upon achievement of certain gross receipts milestones. Additionally, the agreement will require an initial capital investment of a minimum of $5 million to be used for the renovation or new construction of food and beverage systems and equipment.

Concurrence/Previous Council Action
The Downtown, Aviation, Economy and Innovation Subcommittee recommended this item on Feb. 7, 2018, by a vote of 4-0.

Location
Phoenix Convention Center Department, 100 N. 3rd St.
Council Districts: 7 and 8

Discussion
A motion was made and seconded for approval.

Councilwoman Gallego noted points were given for local business partnerships but she thought a local supply chain was important since people wanted to try unique food and beverage products they could not get in their home town. Also, she did not see employee retention in this solicitation so she requested a friendly amendment to include that and preference for a local supply chain as well as points in the operations plan for equal pay.

Phoenix Convention Center Director John Chan replied, although it was not detailed in the staff report, the solicitation would contractually obligate

the selected proposer to offer employment opportunities to existing employees for 120 days of similar job classification. Further, proposers would be contractually obligated to follow the City's equal employment opportunity requirements pertaining to equal compensation for performing similar work. He added there would be a requirement in the evaluation criteria for proposers to demonstrate commitment to source local products as part of the contract on top of minority and local business participation.

In further response to Councilwoman Gallego, Mr. Chan confirmed these areas would not receive line item points but would be included in the criteria which consisted of business plan, operations plan, management and qualifications and, therefore, would be part of general point allocation.

Vice Mayor Pastor requested clarification on how a proposer could obtain a point in the business plan area if certain criteria had to be met.

Mr. Chan explained one of the criteria under business plan asked proposers to list if they were including local business participation in their proposal, so local businesses could participate as a subcontractor to the primary proposer which was part of the evaluation criteria.

In further response to Vice Mayor Pastor, Mr. Chan conveyed a subcontractor was obligated to provide equal pay as it was a requirement that flowed on from the primary contractor.

City Manager Ed Zuercher added any contractor had to provide equal pay based on the City's ordinance during the life of the contract and also had to certify that in their response. He further affirmed convention center management and the contract manager were responsible for enforcement of such things.

Mayor Stanton confirmed there was no amendment to the motion as the items were covered in the current solicitation.

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

No: 0

Absent: 1 - Councilman DiCiccio

54 **West Ground Transportation Center Request for Qualifications and Revenue Contract Solicitation**

This report provides an update on a potential development opportunity at Phoenix Sky Harbor International Airport (Airport) associated with the future West Ground Transportation Center (West GTC) of the PHX Sky Train (Train) extension and requests City Council authorization to issue a Request for Qualifications and a subsequent Revenue Contract Solicitation.

Summary

The East Economy lot and garages contain nearly 9,500 of the Airport's 11,000 economy parking spaces. The East Economy parking facility is served by the Train and offers affordable parking rates and convenient access to the Airport terminals. The facility regularly fills to capacity due to high demand. By contrast, the West Economy lot has just over 1,500 surface parking spaces with neither bus nor Train service. With 86 percent of the parking inventory, the Airport's economy parking options are heavily weighted to the east end of the Airport. This disproportionality causes approximately half of the 800,000 economy parkers living on the west side of the Airport to drive past their terminal each year in order to park. This condition will be further magnified by the closure of Terminal 2 and the associated West Economy lot by 2021.

In October 2016, the Phoenix City Council authorized the Airport to proceed with the completion of the Train. Construction of this final stage of the Train will extend the system's transit access to the Rental Car Center, a future West GTC, and make provisions for a station at a future west terminal location.

It is anticipated that new commercial development opportunities will be created around the new West GTC station. This station is expected to

provide an opportunity to better serve the parking and ground transportation needs of Phoenix residents who live west of the Airport. With its strategic location near 24th Street and Buckeye Road, the West GTC station could potentially be a dense, multi-modal hub including a new West Economy parking garage, commercial ground transportation options, hotel, office, and other commercially viable development. This location would be particularly convenient for Phoenix residents in the central and western parts of the city who could easily access a West Economy parking garage using Interstate 10, or Buckeye Road. With its connection to the METRO Light Rail at 44th Street and Washington, the first stage of the Train leveraged the public's investment in mass transit. The second stage will further leverage the Airport's close proximity to the downtown area and freeway access to the rest of the City.

A Request for Information (RFI) was issued on May 5, 2017 to developers interested in development on the West GTC station site. Six responses were received by the July 14, 2017 due date. The respondents supported the need for additional parking on the west side of the airport, and expressed interest in building a new West Economy garage and associated commercial development. The respondents also sought the city's consideration of a long-term lease of all of the Airport's parking facilities. This lease structure would require the developer to make an up-front payment and provide ongoing lease payments to the city in exchange for the right to operate the Airport's parking lots and structures.

Based upon the results of the RFI submissions, staff requests City Council authorization to issue a Request for Qualifications and subsequent Revenue Contract Solicitation for a comprehensive development agreement that would include a new West Economy parking garage and a commercial development on the West GTC site, and a long-term Airport parking concession.

Concurrence/Previous Council Action

This report was reviewed by the Business and Development Subcommittee on Oct. 5, 2017, by the Phoenix Aviation Advisory Board on Oct. 19, 2017, and by the Downtown, Aviation, Economy and Innovation Subcommittee on Feb. 7, 2018.

Public Outreach
The Airport held a public pre-response meeting to discuss the RFI process with interested developers on May 22, 2017.

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

Discussion
A motion was made and seconded for approval.

Councilman Waring was not a fan of Sky Train but he supported putting good stuff around it.

Councilwoman Gallego understood the airport typically built and financed most of these directly as it was important to support public art. She wanted to continue to support public art at the airport irregardless if the private sector built it.

Mayor Stanton confirmed the one percent for the arts program was included in the proposed RFQ.

Councilwoman Gallego continued thought it was important to have a diversity of people owning parking instead of one entity owning all of the parking around the airport.

Aviation Director Jim Bennett advised this proposal was for on-airport parking only so proposals would be limited to existing on-airport business and would not involve parking facilities off-airport that were not controlled by the City.

Councilwoman Gallego confirmed, based on several things happening now with airport parking and privatization, that no one entity could acquire all of the on- and off-airport parking.

Councilman Nowakowski wanted clarification this was not just a parking garage but would be a multi-faceted facility as was discussed in Subcommittee. In fact, there was discussion that more people were

using other means of transportation to the airport so future parking garages needed to have office or retail space. He also wanted to make sure this fit within the cultural atmosphere of the community and that the surrounding neighborhood had input on the project.

Councilman Waring requested assurance the City was not going to build a hotel at the airport.

Mr. Bennett replied that was correct, noting the City was looking for the private sector to pay some form of a land rental and then invest, develop, own, operate and finance any improvements erected on the property.

Vice Mayor Pastor asked if this was considered P3.

Mr. Bennett responded this was similar to the food and beverage retail contracts that were just approved. He conveyed this was a parking and development concession for a level of services not currently provided on the west side of the airport.

Mayor Stanton believed this was common at airports, particularly allowing a concessionaire hotel to come on site for the convenience of the traveling public.

Vice Mayor Pastor thought the parking was a concession while the other pieces were different than a concession and requested an explanation from staff.

Mr. Bennett pointed out this was similar to what was just approved for Terminal 3 as well as see if there was interest in a hotel concession. The City would provide the land and whoever was successful would come in and finance, design and build the tenant improvements on the airport property.

Councilman Nowakowski remarked the Community Economic and Development Department had done a great job attracting businesses and hotels to the downtown area. Since it was talked about at Subcommittee, he wanted to make sure they were included as one of the responsible departments.

Vice Mayor Pastor accepted the friendly amendment to include that department as well as the Planning and Development Department.

City Manager Ed Zuercher confirmed the Community and Economic Development Department would be part of the process as was discussed in Subcommittee and would make sure to include the Planning and Development Department.

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Williams, that this item be approved as amended to include the Community and Economic Development and Planning and Development departments in the process. 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:	0	
Absent:	1 -	Councilman DiCiccio

CITIZEN PETITIONS

87 Consideration of Citizen Petition that Expeditiously Outlaws the Funding of City Funds, Buildings and Staffing Resources Including Policing for any Future Visits from President Trump

This report provides the City Council with information in response to a citizen petition submitted by Viridiana Hernandez at the Feb. 7, 2018 Formal City Council meeting (Attachment A).

Summary

The petitioner requests the City Council to "expeditiously outlaw the funding of city funds, buildings and staffing resources including policing for any future visits from President Trump."

The City of Phoenix has a responsibility to provide security and a police presence for the community and dignitaries up to and including the President of the United States when they are in the City of Phoenix.

Staff recommends denying this petition.

Discussion

Councilwoman Williams wished to deny the petition as it was not in the best interest of the City and all residents of not only Phoenix but anyone who attempted to be part of this or any other function. She further emphasized it was the City's responsibility to ensure the safety of all people.

Carlos Garcia spoke in favor. He hoped that Council voted the right way and denied the president from coming to Phoenix, especially since his last visit cost the City three quarters of a million dollars.

Tim Rafferty expressed he was saddened to spend time on this subject; nonetheless, he agreed with staff's recommendation and Council's motion to deny the petition.

Leonard Clark spoke in favor. He asked Council to change their minds and instead send a strong message to the individual in the White House.

Jim Williams stated he was ashamed this was even being discussed. He emphasized this was a nation governed by laws and thought it was the Police Department's responsibility to protect anyone that came to the City.

Rich Osiol believed all legal people had the right to come to Phoenix and be protected by the police. He concurred with staff's recommendation and appreciated Councilwoman Williams's comments.

Adam Rocha spoke in favor, though he did not understand why protecting the president was being discussed.

Mayor Stanton explained the city charter dictated when a petition was made that Council would hear it which was the reason for this discussion.

Bill Wood agreed with the previous speakers about protecting anybody that came to the City, especially the president. Thus, he requested Council reject this petition.

Lesa Antone found it shocking this was even brought up; however, she commented if people peaceably protested police resources would not be used.

Karen Woods said she was very disheartened with the lack of respect for authority, processes and laws. She noted officers risked their lives every day for people who had contempt for the laws.

Viridiana Hernandez indicated she submitted this petition and was opposed to staff's recommendation. In fact, she wanted to know where it was written that it was the City's responsibility to provide security. She conveyed the other issue in the petition was the cost because so much was spent for a few hours. She asked for an immediate vote since the president's visit was not only a financial burden but a safety concern as peaceful protestors were hurt. Still, if money was spent she suggested it be used for training the Police Department on how to safely treat the community. Again, she requested a vote and if money was used that the federal government be billed instead of using taxpayer money.

Jennifer Harrison recalled when protestors shut down streets at a previous Trump rally which prohibited supporters from attending that rally. She expressed it was unacceptable to interfere with people's rights to attend any event.

Milagros Renteria and Trieanna Myles submitted speaker comment cards in opposition, but did not speak.

Councilman Nowakowski conveyed he was just hearing about the expense and wondered if it was a presidential visit or a campaign rally.

Police Chief Jeri Williams replied staff considered this to be a mutual aid agreement between the city and federal government to provide protection and assistance per mutual aid policy Ops Order 1.4.

In further response to Councilman Nowakowski, Chief Williams conveyed there was no reimbursement as it was a function of the Phoenix Police Department to protect community members and those who visited the city.

Vice Mayor Pastor inquired if police provided protection based on an official visit or a campaign.

Chief Williams answered this was a visit, noting the president rented out the convention center. She added any time a president came to the Valley or another city, regardless of the circumstance, police were required to provide protection per mutual aid agreements.

Mayor Stanton said he supported the motion because, regardless how a person felt about the president, police had an obligation to provide public safety services to any dignitary visiting the City.

Councilman Nowakowski remarked he also supported the motion but wanted to look into reimbursement options when any president came to Phoenix to campaign. He believed it was appropriate to provide protection when the president came on an official visit. However, if it was a rally or campaign, he thought Council should come up with a policy to deny funds, especially if it was not in the budget. He was chair of the Public Safety and Veterans Subcommittee where they balanced budgets for police, fire and the court every month and expressed it was hard to have a zero budget with surprise visits. He asked if other cities picked up the cost.

Chief Williams reiterated every city had to provide resources in order for transport and protection per mutual aid agreement so other cities faced similar situations. Further, she understood the president's campaign paid for use of the convention center but costs related to protection were not reimbursed.

Councilman Nowakowski wanted to explore this area in the future for all presidents.

Councilwoman Williams stressed she wanted to be very cautious that Council not err on the side of being politically correct and put people in danger. She pointed out this was a standard practice that had been in place since the first president. Moreover, she believed Chief Williams prepared the department's budget knowing it could happen in order to

cover costs.

A motion was made by Councilwoman Williams, seconded by Councilwoman Stark, that this petition be denied. 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: 0

Absent: 1 - Councilman DiCiccio

88 Consideration of Citizen Petition that Expeditiously Outlaws Phoenix Police Department Officers to Have Use of Non-Lethal Chemical Weapons Oleoresin Capsicum, and Chloroacetophenone[CS] at Protests and Large Community Events

This report provides the City Council with information in response to a citizen petition submitted by Carlos Garcia at the Feb. 7, 2018 Formal City Council meeting that "expeditiously outlaws Phoenix Police Department officers to have use of non-lethal chemical weapons Oleoresin Capsicum and Chloroacetophenone[CS] at protests and large community events" (Attachment A).

Summary

In reviewing the petition, the Police Department noted some inaccuracies contained in the petition, which have been clarified (Attachment B). The following information is provided in response to the outcome requested by the petition.

From a public safety perspective, chemical agents for crowd management curtail civil disobedience, create distance between officers and eliminate the need for officers to physically contact persons while maximizing efficiency and safety. Without chemical agents, the remaining non-lethal options available to law enforcement include foam impact projectiles, hard impact tools (batons) or stun equipment (like Tasers). However, these other non-lethal options only address one rioter at a time and are ineffective on large crowds, particularly when crowds vastly outnumber police. Chemical agents are used by police departments

nationally for crowd management because they are an effective option that is both non-lethal and deployable in large crowd settings.

The Phoenix Police Department's Downtown Operations Unit responds to an average of 15 marches/protests/rallies a year. As a testament to its restraint, the Phoenix Police Department has deployed gas munitions and/or impact rounds only three times in the past 10 years. The first occasion was on Nov. 11, 2010, at the National Socialist Movement March where approximately 100 counter-protesters blocked the march route and began throwing rocks and bricks. The second occasion was on July 18, 2016, when approximately 300-500 marchers attempted to close the freeway by marching onto Interstate 10 at 7th Street and throwing rocks and concrete. The third occasion is the event prompting this petition during the Aug. 22, 2017 Presidential visit where water bottles and gas canisters were thrown at police, and protesters tried to break the police line. Violence and damage during all three occasions was avoided, in part, due to the availability of chemical agents as a non-lethal, effective crowd management option.

Per the Police Department's policies, the deployment of tactical chemical agents outlined in this petition is limited to those officers and supervisors specifically trained and authorized in their use. Additionally, only supervisors from the Department's tactical units may authorize the use of these agents. These levels of training, permission and policy help to ensure restrained deployment of chemical agents.

Berkeley, California recently changed its policy to allow the use of Oleoresin Capsicum (pepper spray) as a crowd control technique following the volatile protest events that occurred last year, which resulted in injuries and property damage. The Berkeley protests demonstrated that the inability to deploy chemical agents for crowd control can have severe consequences to life and property. The effectiveness of chemical agents is in their ability to stop dangerous situations before severe violence and destruction occurs.

In contrast, when law enforcement fails to intervene, the violence potential can escalate rapidly as seen last year in Charlottesville, Virginia. Officers were removed from the area where protesters gathered for a

period of time. The absence of law enforcement, coupled with the failure to create safety zones and maintain distance between opposing groups, are key factors that led to the tragedy that resulted in deaths.

Options for Council Action

A. Accept the petition.
B. Deny the petition.
C. Other direction to staff.

Staff recommends this petition be denied, thereby preserving the use of chemical agents as non-lethal, effective crowd management tools for the Phoenix Police Department to maintain public safety and order.

Discussion

Councilwoman Williams wished to deny the petition, thereby preserving the use of chemical agents as non-lethal crowd management tools for the Phoenix Police Department to maintain public safety and order. She was proud of the Police Department whom she thought did an outstanding job and trusted their judgment since they had been recognized nationally and internationally for their service to this community.

Police Chief Jeri Williams explained these tools were utilized in order to keep law enforcement officers from going hands-on with community members. She advised it was a proven tactic used across the country, noting officers used the same tool in this instance. She emphasized it this tool was not available officers would use other techniques to engage the crowd and prevent unlawful activity, such as batons, stun guns and canines which was not sound policing. Therefore, these non-lethal tools were an option, though not every law enforcement officer used them as they had to go through an annual certification process. In fact, this tool was used judiciously and had only been utilized three times in the last ten years.

Chief Williams pointed out the City of Berkeley was not allowed to use this tool so officers were hands-on with batons and other weapons with students. Conversely, Charlottesville told their employees to stand back and permit the violence to happen which resulted in lives lost. She stressed the department did not take this lightly and made revisions to their training following the Trump rally. She indicated there was a need for

more audio sound available to officers so different mask systems were purchased that allowed for more vocal direction and orders to be given for and to officers which were methods covered under operations orders in two different sections. She also noted tactical response unit officers were going through the certification process now.

In response to Mayor Stanton, Chief Williams specified the department purchased a different system of the gas mask officers wore so they would be audible when giving instructions and directions to people.

In further response to Councilman Nowakowski, Chief Williams said gas had been used three times in the last ten years - 2010, 2016 and 2017.

Mayor Stanton noted Michelle Shaw submitted a speaker comment card in favor, but was not present to speak.

Maria Castro submitted documents to Council. She mentioned that she met with police liaisons and DPS prior to the president coming to Phoenix to alert them about people wanting to exercise their first amendment right to peacefully protest. She also provided police with her number so they could call her when it was time to disperse the crowd. Unfortunately, the Phoenix Police Department did not provide a warning until 20 minutes after police rushed the crowd via helicopter. She requested the officers that ordered deployment of chemical weapons be held accountable for not following protocol.

Jennifer Harrison recalled people intentionally blocked traffic from attending this rally, yet no one was arrested. She respected the Police Department and obeyed the laws, especially when told by officers to go home.

Sandra Castro Solis said that she was one of several observers at the protest, noting information on the police report did not make sense. She stressed the Phoenix Police Department failed to give a warning until 30 minutes after chemical weapons were deployed. She did not think such force was necessary and asked Council to hold the Police Department accountable and reprimand the officers who gave the orders.

Mayor Stanton noted a speaker comment card was submitted by James Eyler who was not present to speak.

Leonard Clark stated he was at the protest and thought officers panicked. Yet, he did not blame the police and, instead, held politicians responsible for what happened.

Tim Rafferty agreed with staff's recommendation to deny this petition. Moreover, he requested the mayor keep decorum in the meeting and not allow disruptions from both sides as it was unacceptable.

Councilman Waring confirmed with the police chief that there was no loss of life, no property damage, and no permanent or disfiguring injuries from the August event. He remarked that was a success given the combustible mix of people and differing views. He too thought the disruptions from both sides was appalling, noting there were rules but they were not enforced.

Note: Mayor Stanton temporarily left the voting body. Vice Mayor Pastor assumed the Chair.

Viridiana Hernandez expressed there was a lack of accountability and transparency regarding this event. She wanted to know why chemical weapons were being used on residents when they were being outlawed in war. Further, she clarified there were more than 10 complaints filed, given a previous Council meeting that had over six hours of complaints, plus more on social media and through different organizations. She read a participant's experience who was hurt and pointed out it was inaccurate to say people were not injured.

Note: Mayor Stanton returned to the voting body and resumed as Chair.

Vince Ansel believed the citizen petition process was being abused, especially the last petition as it undermined law enforcement and denied access to city services from a president. He did not want Phoenix to become a city of chaos where police were instructed to stand down in the face of violence. He thanked staff for denying this petition and hoped Council voted in like manner.

Mayor Stanton explained the citizen petition process was spelled out in the city charter so Council was obligated to hear this item. He said while he might not agree with an idea it was good public policy to follow the charter as Council was required to do so.

Jim Williams thanked the Council for denying this petition. He had been to a lot of protests and could not recall many people getting hurt because most obeyed the law. He believed in the rule of law and the city's law enforcement.

Manuel Saldana disagreed with what happened at the rally as he saw thousands of people hurt. He expressed officers failed to observe escalation of force since the only violence he witnessed that night came from police. He hoped Council would protect people by not using these weapons.

Councilman Waring interjected his earlier point was for people to protest peacefully. He thought police did a good job but the behavior from folks at this meeting was disgraceful. He noted that Council was willing to listen in order to give everyone a fair hearing.

Komalpreet Kaur Sahota pointed out folks were harmed by tear gas which had not been tested to determine the long-term effects. She expressed Council continued to ignore their complaints about safety from that type of police force by opposing this petition. Moreover, the police chief said if tear gas was not used that other options were dogs and stun guns which she felt was a threat and should be addressed. She emphasized contact information was provided to police for when the crowd needed to be dispersed but that method was not used and thousands of people were harmed because of it.

Mayor Stanton wished to give the police chief another opportunity to explain why this mechanism was used by the department.

Police Chief Williams conveyed if this tool was not available for officers to use then police would have to resort to other measures in order to control the crowd.

Dai Dawson urged Council to control the Phoenix Police Department from assaulting people.

Milagros Renteria felt disrespected by discriminatory remarks made at this meeting.

Maria Gomez did not think it was right for kids to get tear-gassed. She also felt disrespected by comments made and asked that everyone be courteous to each other.

Karen Woods commended the Police Chief for what officers had to contend with at the rally as she witnessed protestors attacking people coming out of the convention center. Moreover, she did not appreciate race being brought up because it did not define a person's status.

Adam Rocha remarked he was at the protest and saw people become out of control which was why police officers used these tools to control the crowd. Further, he did not think one person could control everybody as was stated earlier.

Lesa Antone expressed she was disappointed having to defend police officers a third time for this event. She thought police forces across the country should take lessons on how the Phoenix Police Department handled the crowd. Still, she walked through the tear gas to her car which ended up being three-and-a-half miles away though she parked half a block away at the Sheraton due to this event. She commented everyone should follow orders from police and not act like lawless people to avoid this kind of outcome.

Treianna Myles expressed the Police Department did not need to use this type of force to protect citizens.

Bill Wood stated he was at the protest and followed police direction to keep moving and not linger. He commended the Police Department as officers had to take certain things into consideration before determining which tool to use.

Carlos Garcia pointed out he submitted this petition as he thought the Police Department was out of control at this rally. He recalled there was an opportunity for an independent report but it did not happen. Moreover, there were inconsistencies in the information he had received about that night, like the order to disperse coming after police force was used instead of calling the group's contact. He asked that Council look at the submitted pictures of weapons used on the community and hoped a decision was made to not use them on people.

Councilman Waring agreed there was a process in place to hear citizen petitions and emphasized Council sat patiently and respectfully unlike the audience who disrupted testimony, noting his earlier comments about decorum were directed at both sides. Further, he apologized to the officers in the Chambers that were insulted during testimony. He was proud of the job officers did that night as there was no loss of life, no permanent injuries and no property damage which he thought was a testament to leadership. He acknowledged officers had an extremely stressful job and commended them for maintaining dignity and self-control that night.

Mayor Stanton expressed Phoenix had an excellent police department and while it was not perfect staff was willing to improve if there were similar incidents in the future. He thought the police chief made the point that while these tools were not the preferred option if they were not available other methods might cause more harm. Therefore, he supported the motion to not outlaw these tools from the Police Department.

Councilwoman Gallego stated the City worked very hard to build a safe community and appreciated that people were willing to listen to other folks, noting there was some unhelpful dialogue on both sides. She said these were important issues that should have an open and honest debate. In fact, she had supported the outside review but Council and the public did not favor that option though it would have been helpful to have someone with expertise look at these issues. She hoped to never use this option but wanted to have it available for protection purposes. She conveyed the City needed to continuously look at what it could do better by looking at other cities to incorporate their best practices for safe

communities.

Councilman Nowakowski mentioned he was at the rally for about four hours and noticed young people from both sides offering water because folks were standing in the heat for hours. He thought it was a great rally with people protesting in a peaceful manner and officers communicating with the different groups. He did not know what happened to create such chaos that night but the same thing was happening at this meeting with people insulting officers as well as each other. He believed the police chief was doing her job to the best of her ability; however, he wanted to have a conversation to figure things out. He did not believe this was the right forum and suggested this information be discussed at a Public Safety and Veterans Subcommittee meeting which he chaired.

A motion was made by Councilwoman Williams, seconded by Councilwoman Stark, that this petition be denied. 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:	0	
Absent:	1 -	Councilman DiCiccio

89 Consideration of Citizen Petition Related to the Seven Motor Inn - 2936/2970 E. Van Buren St.

This report provides the City Council with information in response to a citizen petition submitted by Rev. Jarrett Maupin at the Feb. 7, 2018 Formal City Council meeting regarding how the City interacts with the multifamily tenants and property owners when violations of health and safety and slum and blight are concerned (Attachment A).

Summary

The petitioner requests the City Council to consider and enact a resolution(s), ordinance(s), or measure(s) that will:

1. Prevent rental property owners from collecting rents or deposits on condemned or uninhabitable property when said property is scheduled for forced eviction actions due to lack of compliance with or adherence to

City of Phoenix regulations or rental property maintenance standards.

2. Establish a socio-economically sensitive City of Phoenix forced eviction action notice (period, policy, and procedure) for renters - if property owners fail to correct dangerous electrical, sewage, and structural integrity compliance issues - to provide a more humane and reasonable time-frame for innocent renters to attempt relocation efforts or conduct emergency shelter seeking.

3. Require rental property owners to publicly and conspicuously post signage to inform tenants or contractually perspective tenants about non-compliance issues and any related pending forced eviction actions for a period of time that is congruent with City of Phoenix forced eviction action notices, periods, policies, or procedures - or for the City to post signage, if the owners fail to.

The Planning and Development (PDD) and Neighborhood Services Departments (NSD) are responsible for ensuring compliance with many city codes and ordinances that govern residential, commercial and industrial properties. Planning and Development (PDD) staff ensures the safe construction of buildings and infrastructure. NSD staff has primary responsibility for enforcement of property maintenance codes and the Zoning Ordinance. Code compliance is achieved through a combination of education, resource and assistance referral, and enforcement. Code enforcement for existing buildings is done primarily on a complaint-basis. Both PDD and NSD have standard code enforcement processes that include onsite inspections to determine if the complained upon violation(s) is present, issuance of notices to the property owner/responsible party, and reinspection to ensure violations have been corrected. The timing of inspections and timeframe for correction is dictated by the nature of the violation(s), taking into account any potential health or safety hazards that may affect residents. When imminent hazards are identified, PDD, NSD, Human Services and the Police Department utilize an established inter-departmental process to ensure the hazard is mitigated and affected residents are advised of and connected with available resources and informed of their Landlord/Tenant rights.

In the case of the East Van Buren Street property referenced in the petition, no residents were evicted by the City of Phoenix from the rental units. However, for the residents' safety due to an imminent electrical safety hazard, the power to the building had to be shut off until the property owner makes the necessary repairs. Even though this case did not require forced evictions, the removal of electrical power is highly significant and involved the multi-departmental coordination and tenant outreach described above to help ensure the safety of the residents.

Options for Council Action

A. Accept the petition.
B. Deny the petition.
C. Other direction to staff.

Location

The Seven Motor Inn is located at 2936/2970 E. Van Buren St.
Council District: 8

Discussion

Councilwoman Williams wished to deny the petition as this was not City-owned property. However, she thought Item 3 on the petition had some merit and wanted staff to verify if there was a way to provide appropriate notice to people whose electricity would be shut off.

Councilwoman Gallego said she chaired the Sustainability, Housing, Efficiency and Neighborhoods Subcommittee and thought this would be an appropriate item to discuss and come up with a good policy regarding notification to residents.

A motion was made by Councilwoman Williams, seconded by Councilwoman Stark, that this petition be denied, with direction that staff study Item 3 listed in the petition. 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:	0	
Absent:	1 -	Councilman DiCiccio

90 Consideration of Citizen Petition Related to Ethics Commission Application Process

This report provides the City Council with information in response to a citizen petition submitted by Marcelle Costello at the Feb. 7, 2018, Formal City Council meeting regarding the Ethics Commission Application Process (Attachment A).

Summary

The petitioner requests the City Council provide information regarding the Ethics Commission application process, specifically regarding (1) oral or written public comment regarding Ethics Commission applicants' qualifications; (2) Ethics Commission applicant interviews taking place during public session; and (3) voting by the Judicial Selection Advisory Board (JSAB) on Ethics Commission applicants to select the nominees taking place during public session.

On June 28, 2017, the JSAB met in public session (Attachment B). During this meeting, the Commission Applicants were name screened by the JSAB. On Aug. 1, 2017, the JSAB met in public session (Attachment C) where the Board interviewed the Ethics Commission Applicants and voted whether to nominate each applicant to the City Council for consideration. A Call to the Public was provided during both meetings where any oral or written public comment regarding any applicant could be provided, and a mailing address to send written comment was provided on both agendas.

The next step would be for the Mayor to convene the City Council for the purpose of interviewing the recommended candidates. However, the process to date has not resulted in a sufficient number of eligible candidates. Therefore, staff recommends that the JSAB reopen the selection process to allow for additional candidates to apply. Candidates who already have applied will continue to be considered, if they so choose.

Discussion

Note: Councilman Valenzuela left the Chambers but remained part of the voting body via telephone.

Councilwoman Williams wished to deny the petition and refer back to the

JSAB for new applicants and submit to Council.

Mayor Stanton reiterated the motion was to deny but kick it back to the JSAB for new recommendations relative to membership on the citizens Ethics Commission.

Mayor Stanton noted Leonard Clark submitted a speaker comment card marked as neutral, but was not present to speak.

Dianne Barker indicated there was no public notice, though the allegations related to the improper process for the Ethics Commission. She conveyed the last paragraph said the process resulted an insufficient number of eligible candidates which needed to be resolved. Also, she wanted to know if candidate interviews would be in public.

Chief Assistant City Attorney Dan Brown affirmed the interviews would be in public, similar to the practice of the Chief Presiding Judge and other Municipal Court judges.

Councilman Waring expressed it had taken awhile to get enough applicants; still, he thought the JSAB did a terrible job given that Council spent a lot of time setting up the Ethics Commission. He pointed out someone was sent through the first and second rounds who should have been rejected which made him question if the JSAB was reviewing the candidates. He inquired if there was a way to have another group select candidates. Further, there was a stipulation to have two Republicans, two Democrats and an Independent and he wondered if the Independent's background was checked.

Mayor Stanton stated this was a new process so everyone was learning together. He asked if the process could be improved moving forward.

Deputy City Manager Karen Peters replied this was the first instance in which the Judicial Selection Advisory Board (JSAB) had this responsibility and, just like judicial candidates, the JSAB was obligated to vet commission candidates. Staff worked with each candidate to determine their voter registration length to make sure it was continuous for five years in the appropriate category.

In further response to Councilman Waring, Ms. Peters said staff inquired about candidates voter registration but did not call to confirm such information. She added staff could add that step in the process.

Vice Mayor Pastor expressed concern because there were guidelines but they were not followed in determining candidates registration and length, especially since Maricopa County Elections would assist in obtaining that information. She found it disturbing that what Council voted on for staff to implement was not being followed. Secondly, the recommendations by rank from the JSAB were received prior to background checks which resulted in some of the names being removed. She thought it was embarrassing for people in the process to get to the end only to be told they were no longer being recommended.

Ms. Peters agreed there were errors in the process though the JSAB spent a lot of time talking to references and doing other checks. However, staff had learned the JSAB did not sufficiently confirm candidates precinct status.

Councilman Nowakowski conveyed another concern was a majority of the individuals came from District 6. He thought there should be diversity not only with race but geographically for equal representation. He was not sure if Council was stuck with this process of going through the JSAB or if another body could do the work. Nonetheless, he agreed it was embarrassing to have individuals show up only to find out they were no longer recommended.

Ms. Peters conveyed staff's recommendation was to go back and solicit new names and encouraged Council to go out to their districts and bring forward individuals for consideration.

Councilman Waring said he did not think the issue was enough citizens but the group making the selection. He again mentioned an individual made it through but was later found ineligible based on information included on the application. He did not think that inspired much confidence in the JSAB given they also selected judges. If the JSAB was not interested in doing the work then another group had to be found; on

the other hand, if the JSAB was interested then members needed to be more involved in their work. He still wondered if it was possible to have another group select members.

Councilwoman Stark recalled her time on the Maricopa County Trial Court Selection Commission where she went through extensive applications. She mentioned staff helped that commission by creating a matrix of important information as it was a daunting task. She thought City staff could do the same in this situation and was willing to discuss further review.

Vice Mayor Pastor remarked having a matrix was a great idea moving forward with staff looking at the applications followed by the JSAB vetting them. By the time names move up before the Council there should be no issues, so she thought some kind of process needed to be implemented.

Mayor Stanton stated the motion was to deny the petition and send it back to JSAB for new recommendations, along with suggestions on how to improve the research on people moving forward to Council.

Councilman Nowakowski asked if it had to go through the JSAB or if there was another committee or process.

Mayor Stanton interjected the Council voted to assign this task to the JSAB after much review on who the appropriate entity would be to select the right people. He did not think the quality of people was in question but whether they met the technical requirements before being selected.

City Attorney Brad Holm replied the ordinance listed the JSAB as the review board that proposed names for Council's consideration. However, the Council could enact changes to the ordinance and establish a new board.

Councilman Waring reiterated a couple applicants made it through the process and should not have which was the reason for his earlier statement about the JSAB. He did not think it was unreasonable to take another route if the JSAB did not want to do this task.

Mayor Stanton clarified a vote in favor of this item did not stop the Council from changing the process or make-up of the JSAB.

A motion was made by Councilwoman Williams, seconded by Vice Mayor Pastor, that this petition be denied, with direction to refer back to JSAB for new recommendations. 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:	0	
Absent:	1 -	Councilman DiCiccio

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

CITIZEN COMMENTS

Note Councilman Valenzuela disconnected from the meeting Vice Mayor Pastor also left the voting body

Pasquale Labate submitted exhibits to Council and expressed concern regarding parking violations on a rezoned lot across from his property. He requested the City remove the driveway and close the fence in the alley.

ADJOURN

There being no further business to come before the Council, Mayor Stanton declared the meeting adjourned at 5.55 p m

MAYOR

ATTEST

CITY CLERK

SC

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 21st day of February, 2018. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 18th day of April, 2018.

CITY CLERK