173569

City of Phoenix

Minutes

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

City Council Formal Meeting

Wednesday, April 3, 2019 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, April 3, 2019, at 2:37 p.m. in the Council Chambers.

Present: 8 - Councilman Sal DiCiccio, Councilwoman Vania Guevara, Councilwoman Felicita M. Mendoza, Councilman Michael Nowakowski, Councilwoman Laura Pastor, Councilwoman Debra Stark, Vice Mayor Jim Waring and Mayor Kate Gallego

Absent: 1 - Councilwoman Thelda Williams

Councilwoman Pastor left the meeting during discussion on Item 108. Councilwoman Guevara left the meeting during Citizen Comments.

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

The City Clerk confirmed that copies of the titles of Ordinances G-6572 through G-6580; S-45422, S-45493 through S-45533 and S-45535 through S-45538; and Resolutions 21725 through 21734 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.

CITIZEN COMMENTS

Discussion

Mayor Gallego requested to suspend the rules and change the order of business to hear Citizen Comments at the end of the meeting due to the possibility of losing a quorum before City business was conducted.

A motion was made by Councilwoman Stark, seconded by Councilwoman Pastor, to suspend the rules and change the order of business to move Citizen Comments to the end of the agenda. The motion carried by the following voice vote:

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

MINUTES OF MEETINGS

1 For Approval or Correction, the Minutes of the Formal Meeting on Dec. 5, 2018

Summary

This item transmits the minutes of the Formal Meeting of Dec. 5, 2018, for review, correction and/or approval by the City Council.

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

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

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

BOARDS AND COMMISSIONS

2 Mayor and Council Appointments to Boards and Commissions

Summary

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

The following individuals were recommended for appointment by Mayor Gallego and Councilmembers:

Alhambra Village Planning Committee
Appoint Jamaar Williams, for a term to expire Nov. 19, 2020, as recommended by Councilwoman Guevara

Public Safety Personnel Retirement System Local Police Pension Board
Appoint Daren Wunderle, representing sworn Police Department employees, replacing James Smith, for a partial term to expire June 30, 2020, as recommended by Mayor Gallego

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

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

Mayor Gallego administered the oath of office to Daren Wunderle, Public Safety Personnel Retirement System Local Police Pension Board. He was invited to approach the dais so Council could extend their appreciation.

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

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

Note: Comment cards were submitted for the record in favor of Items 3-5, 9-13 and 16-17 by the following individuals:

Matthew Gorman - Agent, Item 3
Doreen Rios - Applicant, Item 3
Bojo Shestich - Applicant, Item 4
Natalie Scott - Representative, Items 5, 11 and 12
Amy Marschel - Applicant, Items 9 and 10

Alison Bromfield, Item 13
Mondher Mahmoud - Agent, Item 16
Allison Devane - Agent, Item 17

A motion was made by Vice Mayor Waring, seconded by Councilwoman Pastor, that Items 3-20 be recommended for approval, except Item 20. The motion carried by the following voice vote:

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

3 Liquor License - Matty G's

Request for a liquor license. Arizona State License Application 51863.

Summary

Applicant
Matthew Gorman, Agent

License Type
Series 12 - Restaurant

Location
18425 N. 51st Ave., Ste. I
Zoning Classification: C-1
Council District: 1

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

The 60-day limit for processing this application is April 16, 2019.

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

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

Other Active Liquor License Interest in Arizona

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

Matty G's (Series 12)
1958 E. Brown Road, #103, Mesa
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Sammy D's Saloon (Series 12)
930 E. University Drive, #208, Tempe
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant’s Statement

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

I have the capability, reliability and qualifications to hold a liquor license

because:
“I have both currently and in the past owned 6 restaurants that all had liquor licenses and have had no incidents or violations regarding the sale of liquor. I will personally be running the day to day operations at this location and have extensive knowledge of the alcohol industry and the factors that lead to responsible serving of patrons through my 20+ years of bartending and owning restaurants."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“We are Steakburger/All-American Family restaurant that serves award winning burgers with a vintage sports decor. It is important for families to have the option to order an alcoholic beverage with their meal for both their enjoyment and to differentiate Matty G's from the fast food restaurants of the world. Matty G's is a place where families can enjoy a sit down meal with their families while being served in a responsible way.”

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

Attachments
Liquor License Data - Matty G's
Liquor License Map - Matty G's

This item was recommended for approval.

4 Liquor License - Special Event - Free Serbian Orthodox Church St. Nicholas

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

Summary

Applicant
Bojo Shestich

Location
11640 N. 16th Place

Council District: 3

Function
Concert/Dance

Date(s) - Time(s) / Expected Attendance
May 18, 2019 - 7 p.m. to Midnight / 200 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

5 Liquor License - Spinato's Pizza

Request for a liquor license. Arizona State License Application 12074706.

Summary

Applicant
Kenneth Spinato, Agent

License Type
Series 12 - Restaurant

Location
1614 E. Bell Road, Ste. 104
Zoning Classification: C-2
Council District: 3

This request is for an acquisition of control of an existing liquor license for a restaurant. This location is currently licensed for liquor sales. This location requires a Use Permit to allow outdoor alcoholic beverage consumption.

The 60-day limit for processing this application is April 7, 2019.

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

Other Active Liquor License Interest in Arizona
The applicant acquiring control 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, I do. Have held the current liquor license since 1993. Only reason for new application is because of ownership restructuring."

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

This item was recommended for approval.

6 Liquor License - Las Islitas De San Blas

Request for a liquor license. Arizona State License Application 47994.

Summary

Applicant
Lilia Ortiz, Agent

License Type
Series 12 - Restaurant

Location
2119 N. 35th Ave.
Zoning Classification: C-2
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 April 12, 2019.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I demonstrate the ability to be a responsible person in all aspects of my life. For example, my reliability shows through my accomplishments, which include receiving a Bachelor of Arts from Arizona State University and being a law abiding citizen. I have also completed a liquor

management certificate."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "I will be able to provide a safe and clean place for my community to eat and consume alcoholic beverages. I also want to make Las Islitas de San Blas a family-friendly restaurant with a focus on allowing families to spend time together."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Las Islitas De San Blas
Liquor License Map - Las Islitas De San Blas

This item was recommended for approval.

7 Liquor License - MOD Pizza

Request for a liquor license. Arizona State License Application 51606.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
3350 N. 7th Ave., Ste. 110
Zoning Classification: PUD
Council District: 4

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor dining and outdoor alcoholic beverage consumption. A Use Permit hearing has been scheduled. This business has plans to open in July 2019.

The 60-day limit for processing this application is April 14, 2019.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Applicant is an experienced licensee committed to upholding the highest standards to maintain 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:
"MOD Pizza offers its guests a wide variety of 'endless options' customized pizzas, salads and more. Applicant would like to offer

alcoholic beverages to its guests 21 and over as an incident to the delicious meals served."

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

Attachments
Liquor License Data - MOD Pizza
Liquor License Map - MOD Pizza

This item was recommended for approval.

8 Liquor License - Special Event - Arizona Roller Derby Organization

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

Summary

Applicant
Stephanie Wilhelm

Location
5031 E. Washington St.
Council District: 6

Function
Sporting Event

Date(s) - Time(s) / Expected Attendance
April 13, 2019 - 9 a.m. to 9 p.m. / 500 attendees
April 14, 2019 - 9 a.m. to 9 p.m. / 500 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

9 Liquor License - Special Event - Madison District Educational Foundation, Inc.

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

Summary

Applicant
Amy Marschel

Location
5601 N. 16th St.
Council District: 6

Function
Community Event

Date(s) - Time(s) / Expected Attendance
April 13, 2019 - 6:30 p.m. to 11 p.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

10 Liquor License - Special Event - Madison District Educational Foundation, Inc.

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

Summary

Applicant
Amy Marschel

Location
5601 N. 16th St.
Council District: 6

Function
Art Show

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

April 20, 2019 - 7:30 p.m. to 10 p.m. / 600 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

11 Liquor License - Spinato's Pizza

Request for a liquor license. Arizona State License Application 12079149.

Summary

Applicant
Anthony Spinato, Agent

License Type
Series 12 - Restaurant

Location
5509 N. 7th St.
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application is April 7, 2019.

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

Other Active Liquor License Interest in Arizona
The applicant acquiring control 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, I do. Have held the current liquor license since 2007. Only reason for new application is because of ownership restructuring."

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

12 Liquor License - Spinato's Pizza

Request for a liquor license. Arizona State License Application 12078531.

Summary

Applicant

Anthony Spinato, Agent

License Type

Series 12 - Restaurant

Location

4848 E. Chandler Blvd.
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application is April 7, 2019.

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

Other Active Liquor License Interest in Arizona
The applicant acquiring control 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, I do. Have held the current liquor license since 2010. Only reason for new application is because of ownership restructuring."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

13 Liquor License - Butler's Easy

Request for a liquor license. Arizona State License Application 06070266.

Summary

Applicant
Samuel Wright, Agent

License Type
Series 6 - Bar

Location
8369 N. 7th St.
Zoning Classification: C-2
Council District: 6

This request is for an ownership and location transfer of a liquor license for a bar. 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 alcoholic beverage consumption.

The 60-day limit for processing this application is April 5, 2019.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been a successful business owner in the Phoenix community for over 10 years. I work with the community to provide various services and give back as often as I can. I will surround the establishment with a knowledgeable and experienced workforce to ensure the safety of the

patrons, community, and staff. We will train all staff continuously to keep up to date regulations and requirements at the forefront of our minds. I have completed the management training required by the DLLC and am confident in my abilities."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Those associated with this business are passionate about providing a friendly environment and serving quality, boutique wines, beer, and liquor. As a local business, we believe in supporting other local Phoenix businesses by promoting small batch and local products and referral programs for other restaurants and nearby businesses. We want to introduce the community to artisan crafted libations in a calm and comfortable environment. We believe in bringing community members together to share in a common interest."

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

Attachments
Liquor License Data - Butler's Easy
Liquor License Map - Butler's Easy

This item was recommended for approval.

14 Liquor License - Century Grand

Request for a liquor license. Arizona State License Application 06070054.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 6 - Bar

Location

3626 E. Indian School Road
Zoning Classification: C-2
Council District: 6

This request is for an ownership and location transfer of a liquor license for a bar. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in July 2019.

The 60-day limit for processing this application is April 8, 2019.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:

"Applicant is an experienced licensee committed to upholding the highest standards to mountain 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: "From the owners of Barter & Shake, applicant applicant will offer craft cocktails in a dual-concept bar in a uniquely-designed space. One area will be casual neighborhood-style, while the other will be a high-end setting. Applicant would like to offer alcoholic beverages to guests 21 and over."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Century Grand
Liquor License Map - Century Grand

This item was recommended for approval.

15 Liquor License - Sushi Brokers

Request for a liquor license. Arizona State License Application 51138.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
4419 E. Indian School Road
Zoning Classification: C-2
Council District: 6

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

interim permit.

The 60-day limit for processing this application is April 12, 2019.

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

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

Twin Peaks (Series 12)
8787 E. Frank Lloyd Wright Blvd., Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: In August 2018, a fine of $9,000 was paid and a seven day suspension served for failure to protect the safety of patrons, selling liquor to an intoxicated or disorderly person and intoxicated on premises for thirty minutes.

Twin Peaks (Series 12)
6922 N. 95th Ave., Glendale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Twin Peaks (Series 12)

2135 E. Camelback Road, Phoenix
Calls for police service: 13
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 an experienced licensee committed to upholding the highest standards to maintain 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:
"Sushi Brokers has served fresh creative sushi and fish in the Arcadia neighborhood since 2012. Applicant would like to continue to offer guests 21 and over the opportunity to enjoy alcoholic beverages as an incident to the meals served."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Sushi Brokers
Liquor License Map - Sushi Brokers

This item was recommended for approval.

16 Liquor License - Dog Haus Biergarten

Request for a liquor license. Arizona State License Application 51528.

Summary

Applicant
Mondher Mahmoud, Agent

License Type
Series 12 - Restaurant

Location
1 E. Washington St., Ste. 120
Zoning Classification: DTC - BC
Council District: 7

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

The 60-day limit for processing this application is April 14, 2019.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I hold myself and any business and associates with the highest level of responsibility. I always adhere to policy and rules and have a high level of accontability and standards in everything I am associated with. My 15 years in managment and compliance are something I take very seriously."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I have a deep connection for what is happening in my community. I want to provide a place that community and families can enjoy and find as a local favorite destination for everyone."

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

Attachments
Liquor License Data - Dog Haus Biergarten
Liquor License Map - Dog Haus Biergarten

This item was recommended for approval.

17 Liquor License - Teaspressa

Request for a liquor license. Arizona State License Application 45358.

Summary

Applicant
Allison Devane, Agent

License Type
Series 10 - Beer and Wine Store

Location
100 W. Portland St., Spc. 108
Zoning Classification: DTC - Roosevelt East
Council District: 7

This request is for a new liquor license for a beer and wine store. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow retail liquor sales and outdoor entertainment.

The 60-day limit for processing this application was March 4, 2019. However, the applicant submitted a written request for more time.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
“My goal is bring added value to the community by providing a place with exceptional service & an unforgettable experience. I have a background delivering just that and have been featured on Shark Tank, VOGUE, FORBES, Better Homes & Gardens, etc for our excellence. I have been able to grow this business to an operation where we now have 3 locations (one out of state), a wholesale business where we are purchased by luxury brands like Antropologie & Neiman Marcus, and successfully run an online business, all with indepent funding.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“Part of our company mission is 'to serve the communiTEA & deliver our passion & joy, one cup at a time.' Our purpose is to again bring added value to the community. We love participating & supporting local initiatives as well as doing events to help the community. We believe that having the liquor license will bring convenience & value to our neighboring residents. Our landlord & building HOA also higly agrees & event suggested it based off feedback!”

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

Attachments
Liquor License Data - Teaspressa
Liquor License Map - Teaspressa

This item was recommended for approval.

18 Liquor License - Special Event - Liberty Wildlife, Inc.

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

Summary

Applicant

Margaret Mosby

Location
2600 E. Elwood St.
Council District: 8

Function
Wine Tasting/Tours

Date(s) - Time(s) / Expected Attendance
May 4, 2019 - 4 p.m. to 8 p.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

19 Liquor License - Club at PHX

Request for a liquor license. Arizona State License Application 51454.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 14 - Private Club

Location
3800 E. Sky Harbor Blvd., T4 N4 B15
Zoning Classification: A-1, R-3
Council District: 8

This request is for a new liquor license for a private club. 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 April 13, 2019.

Pursuant to A.R.S. 4-203, consideration should be given only to the

applicant's personal qualifications.

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Applicant is an experienced licensee committed to upholding the highest standards to maintain compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

20 Liquor License - Smokes R Us

Request for a liquor license. Arizona State License Application 49787.

Summary

Applicant
Simon Khoury, Agent

License Type
Series 10 - Beer and Wine Store

Location
3400 E. Thomas Road

Zoning Classification: C-2
Council District: 8

This request is for a new liquor license for a Beer and Wine Store. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow package liquor sales as an accessory to a convenience market when located within 300 feet of a residential zoning district. Zoning clearance for a tobacco oriented retailer is also required for this location.

The 60-day limit for processing this application was April 2, 2019. However, the applicant has submitted a written request for more time.

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

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

Public Opinion
Three letters containing fifty-two signatures protesting the issuance of this license have been received and are on file with the City Clerk. The letters are from local residents. They assert that issuance of a license at this location will have increased negative impact on the community.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
“I've managed this type of business for a long time in the State of Massachusetts never had a violation, I understand and prepare my employees who they can sell alcohol, no one under the age of 21 is allowed. Thank you.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“It is a community store and I price my inventory from tobacco to convenience store items and hopefully liquor to be affordable for our community and I do really care about our neighborhood. Thank you.”

Staff Recommendation
Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances. Staff gave careful consideration to the protests received, however after reviewing the application in its entirety staff is recommending approval of this application.

Attachments
Liquor License Data - Smokes R Us
Liquor License Map - Smokes R Us

Discussion
Mayor Gallego asked the applicant come to the podium and address community concerns.

Simon Khoury stated he was trying to get a beer and wine license, noting he had been in business for about a year with no problems. He said he thought the owner of a nearby liquor store put in a complaint about the U-Haul license. He pointed out he was not licensed to rent a U-Haul as he just worked for them and that the U-Haul business had a license. He expressed he was trying to improve his business in order to help his family.

Councilwoman Mendoza stated she had received phone calls and emails from the community as this was a challenged area. She noted many things were going on in the neighborhood and the community had been working for years to make it a safer area. Therefore, she moved to disapprove this liquor application based on concerns with the location and neighborhood protests. She added there were sufficient liquor licenses in the area, including Tower Liquors which was approximately 200 feet from this business. She continued that Valley Hospital, an in-patient hospital that treated alcohol and drug addicts, was less than a quarter mile behind this store. She indicated there was a high rate of pedestrian traffic injuries and fatalities, so another liquor license would have a negative impact on the area. She pointed out a petition with over 50 signatures was received from neighbors who expressed they did not need another store selling alcohol in an already challenged community. She explained that Council was a recommending body and that the State made the final determination on this application. She reiterated her motion was to disapprove the liquor license.

Councilwoman Stark seconded the motion.

Mayor Gallego clarified the motion to disapprove was based on neighborhood concerns and the prevalence of liquor in the neighborhood.

A motion was made by Councilwoman Mendoza, seconded by Councilwoman Stark, that this item be recommended for disapproval. The motion carried by the following vote:

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

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

Note: Comment cards were submitted for the record with no position indicated by the following individuals:

Gregg Goodman, Item 99
Jennifer Herbert - Superstition Meadery, Item 102

A motion was made by Vice Mayor Waring, seconded by Councilwoman Stark, that Items 21-108 be approved or adopted, except Items 31-33, 35, 42, 52, 54, 57, 59, 67, 78, 83, 98, 103-106, and 108 ; continuing Items 29, 75, 77, and 107 to the April 17, 2019 City Council Formal Meeting; and noting that Item 101 has been withdrawn. The motion carried by the following vote:

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

Items 21-28, Ordinance S-45493, was a request to authorize the City Controller to disburse funds up to amounts indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

21 **Smiths Detection, Inc.**

For $61,160.00 in payment authority to purchase two X-Ray Inspection systems to properly screen the high volume of guests entering the Phoenix City Council Chambers and Calvin Goode Building for the Police Department and Office of Homeland Security and Emergency Management. These two systems allow for identification of various prohibited items which pose safety hazards. These systems are aligned with the security improvement plan and are critical in safeguarding infrastructure and large events against present day threats.

This item was adopted.

22 Settlement of Claim(s) Zepeda v. City of Phoenix

To make payment of $75,000.00 in settlement of claim in *Zepeda v. City of Phoenix*, 18-0634-001 GL BI, for the Finance Department pursuant to Phoenix City Code Chapter 42.

This item was adopted.

23 ProRider, Inc.

For $9,000.00 in additional payment authority for Contract 147231 for bike helmets for the Housing Department. The additional payment authority is to add the Housing Department to the Street Transportation Department contract to provide safety helmets to the residents under the Neighborhood Bike Share Program in the Edison-Eastlake Choice Neighborhood Community. Funding is from the Choice Neighborhood Bike Share Pilot Program Grant. There is no impact to the General Fund.

This item was adopted.

24 Life Technologies Corporation

For $15,927.00 in payment authority with Life Technologies for the service and maintenance agreement for two 3500xl Genetic Analyzers located in the Crime Lab Forensic DNA Section. The 3500xl Genetic Analyzers are proprietary and have been validated for use with laboratory reagents to meet national standards. These instruments are critical for conducting DNA analysis on biological evidence. Service is required to meet the federal standards for DNA casework laboratories.

This item was adopted.

25 Combs Construction Company, Inc.

For $350,000.00 in additional payment authority for Agreement 144858, for Change Order 1 for Project ST85100371-1, Avenida Rio Salado and Broadway Road, Phase II for the Street Transportation Department. The request for payment authority is to address unforeseen conditions on Broadway Road, from 51st Avenue to 35th Avenue, related to irrigation and landscape, tree removals, street lighting, retaining walls, a concrete barrier, traffic signals, and remediation of unsuitable subgrade material under roadway pavement. This work was not originally included in the contract.

This item was adopted.

26 **G & G Specialty Contractors, Inc.**

For $26,004.03 in additional payment authority for Agreement 146649, for Change Order 10, for Project AH10150006-E, Pine Tower Apartments Phase II, remodeling project for the Housing Department. Federal Capital Funds are being utilized for Phase II of the building modernization project and these additional funds will be used for an additional laundry room for the site, remodeling of the Community Center and other renovation amenities. These items are enhancements to the original design that are required to meet code compliance, provide energy efficiency, and improve life safety issues for the residents of the facility. This project uses Federal Housing and Urban Development funds. No General Funds will be used.

This item was adopted.

27 **Combs Construction Company, Inc.**

For $350,000.00 in additional payment authority for Agreement 145067 for Change Order 1, Project ST87600074 for the Grand Canalscape Phase I Uptown, Gateway North from 15th Avenue to 16th Street, and 36th Street to 40th Street for the Street Transportation Department. This request for additional payment authority includes work on Grand Canalscape related to unforeseen conditions such as additional vegetation removal, canal shoulder grading, and remediation of unsuitable subgrade soil material. Additionally, in some locations, it was necessary to modify planned light poles to bollard-style lights due to space constraints and provide additional lighting in other locations. This work was not originally included in the contract.

This item was adopted.

28 **Lee R. Bays Concrete & Cooldecking, Inc. doing business as Lee Bays Supply**

For $10,600.00 in payment authority to purchase an Occupational Health Dynamics Quantifit Testing System for the Water Services Department (WSD). WSD technicians at remote sites utilize self-contained breathing apparatus (SCBA) when inspecting, installing, replacing, and repairing equipment in an environment that has chemicals and dust. The Quantifit Testing System tests the SCBA respirators to ensure there are no leaks that allow particles, vapor, or gases into the SCBA masks.

This item was adopted.

29 (CONTINUED FROM MARCH 6, 2019) - Temporary Staffing Services - Requirements Contract (Ordinance S-45422)

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

Summary

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

Procurement Information

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

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

Contract Term

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

Financial Impact

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

This item was continued to the April 17, 2019 City Council Formal Meeting.

30 Establish a City of Phoenix Starting Full-Time Wage

Request to authorize the City Manager, or his designee, to establish a minimum hiring rate of $15.00 per hour for all full-time City of Phoenix employees, effective the first full pay period of May 2019.

Summary

The City Council, city management and labor organizations are committed to ensuring employees earn a livable rate of pay. Upon approval, all full-time employees below the City's established starting full-time wage of $15.00 will be adjusted to at least the new rate or to the step in their pay grade closest to, but not lower than, the City's new minimum rate, effective the first full pay period of May 2019. Full-time employees hired after this date will begin at a rate no lower than the City's established minimum entry rate of $15.00.

Financial Impact

Approximately 150 full-time employees in 64 active job classifications will be impacted by this action. The total estimated cost is $525,000 annually, with approximately $230,000 annually from the General Fund. Based on analysis from the Budget and Research Department, it has been detemined that this amount can be absorbed within the existing operating budget using savings from unanticipated vacancies.

This item was approved.

34 Appoint Election Officials and Boards for May 21, 2019 Runoff Election (Ordinance S-45538)

Request to appoint the required election officials and boards for early ballot processing and at the designated voting centers for the City of Phoenix Runoff Election on Tuesday, May 21, 2019; fixing the honorariums of the election officials and boards; and authorizing payment thereof.

Summary

On Tuesday, May 21, 2019 the City of Phoenix will conduct a Runoff Election in which all Phoenix voters residing in Council Districts 5 and 8 will elect a council member to represent their respective districts.

A Runoff Election is required by the City Charter on May 21 because no candidate for the offices in Districts 5 and 8 received a majority of the votes cast in the March 12, 2019 Special Election.

This request asks the City Council to appoint the board workers needed for processing early ballots received in the mail and preparing those ballots for tabulation, and the board workers needed to conduct voting at the voting centers. The City Code and this ordinance authorize the City Clerk to appoint additional boards necessary to process and prepare ballots for tabulation. Board workers are paid an honorarium for their service as provided by the City Code and related ordinance.

This item was adopted.

36 Business Roadmap Program Facilitation Services - Requirements Contract - RFQ 19-078 (Ordinance S-45505)

Request to authorize the City Manager, or his designee, to enter into a contract with A New Leaf, Inc. to facilitate the Business Roadmap Program (BRP) and DreamBuilder Academy in English and Spanish for the Phoenix Public Library. The aggregate contract value will not exceed $40,000 (including applicable taxes), with an estimated annual expenditure of $20,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract will provide entrepreneurs in business and non-profit organizations opportunities to participate in the hive @ central’s Business Roadmap Program (BRP) and DreamBuilder Academy in both English and Spanish. BRP and DreamBuilder includes classes and workshops that are open to the public for the entrepreneur, micropreneur and the small business community and are designed to provide knowledge in topics such as "How to Start a Business in Arizona" and "The Legal Ins and Outs of Startups." A New Leaf, Inc. will provide facilitators for all classes and workshops, purchase any necessary class and workshop materials and collect data on participant demographics, business

information and bench mark anecdotes utilizing participant surveys and interviews.

Procurement Information
RFQ 19-078 Business Roadmap Program - English & Spanish was conducted in accordance with Administrative Regulation 3.10. Two offers were received by the Procurement Division on Jan. 8, 2019. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions and responsibility to provide the required goods and services.

The offers received were:
A New Leaf, Inc.: $19,020 annually.
The Center for Professional Development, Inc.: $91,800 annually.

The Deputy Finance Director recommends that the offer from A New Leaf, Inc. be accepted as the lowest priced, responsive and responsible offeror.

Contract Term
The two-year contract term shall begin on or about April 3, 2019.

Financial Impact
The aggregate contract value will not exceed $40,000 (including applicable taxes), with an estimated annual expenditure of $20,000. Funds are available in the Library Department's budget.

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

This item was adopted.

37 Acquisition of Real Property Located at Northwest Corner of 59th Avenue and Baseline Road for Park-and-Ride and Transit Center (Ordinance S-45504)

Request to authorize the City Manager, or his designee, to acquire fee title or lessor interest in all or portions of land located at the northwest corner of 59th Avenue and Baseline Road for a park-and-ride and transit

center, and if necessary, provide relocation assistance as required under state and federal law. Further request authorization to enter into temporary occupancy agreements as may be necessary to and in furtherance of this acquisition. Acquisition is to be by donation, purchase within the City's appraised value, purchase at a settlement amount arrived through mediation and determined by the City Manager or designee to be reasonable under the circumstances, or by the power of eminent domain. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse all funds related to this item.

Summary

Public Transit staff has worked to identify land at this location (approximately four to five acres) for a future park-and-ride and transit center in order to provide regional commuter options and connectivity to the South Mountain Freeway, as well as the continued expansion of transit services under the City's Transportation 2050 (T2050) plan. The proposed park-and-ride and transit center will serve an existing cross-town local bus route on Baseline Road which serves commuters in both Phoenix and Tempe, a future local bus route on Dobbins Road, and any other routes which may be expanded in the area. The new facility will also serve as a destination for a future RAPID bus route into downtown Phoenix, and a potential bus rapid transit (BRT) route on Baseline Road. The park-and-ride will provide between 200-400 parking spaces and have manned security, closed circuit cameras, transit ticket vending machines, and berths for current and future bus routes. The land to be acquired is currently farmland located at the northwest corner of 59th Avenue and Baseline Road, and is identified by Maricopa County Assessor parcel number 104-86-007.

Financial Impact

The capital project is funded with regional Prop. 400 and Federal Transit Administration funds, available in the Public Transit Department Capital Improvement Program budget.

Concurrence/Previous Action

On May 16, 2018, the Public Transit and Finance departments previously received City Council approval to negotiate with the property owners at the southeast corner of 59th Avenue and Baseline Road for a potential park-and-ride and transit center. Planning for development on that site

continues and staff is seeking to explore all options in the area.

Location
Northwest corner of 59th Avenue and Baseline Road.
Council District: 7

This item was adopted.

38 Acceptance and Dedication of an Easement for Public Utility Purposes (Ordinance S-45509)

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

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

Easement (a)
Applicant: Tsalm Services LLC, its successor and assigns
Purpose: Public Utility
Location: 2224 N. 37th Place
File: FN 190004
Council District: 8

This item was adopted.

39 Printing Equipment Repair and Maintenance - Requirements Contract - RFA 18-240 (Ordinance S-45519)

Request to authorize the City Manager, or his designee, to enter into a contract with Mark Andy, Inc., Mark Andy Print Products for printing equipment repair and maintenance for the City Clerk Department in an aggregate amount not to exceed $39,600 over three years. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
This contract will provide repair and maintenance of the existing Presstek Dimension Computer-To-Plate printing equipment used by the City Clerk Department Print Shop. The printing equipment is used to make metal plates for all offset presses. Repair and maintenance is required to ensure the equipment is functional and capable of printing public

information materials for City departments.

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

Procurement Information
The original contract for this equipment was awarded through a competitive Invitation for Bids process. In accordance with Administrative Regulation 3.10, normal competition for ongoing printing equipment repair and maintenance was waived as the result of a Determination Memo citing parts and service provided by the manufacturer mitigates the risk of future expensive repairs and only factory trained technicians are authorized to repair this equipment.

Contract Term
The three-year contract term shall begin on or about April 3, 2019.

Financial Impact
The aggregate contract value shall not exceed $39,600 (including applicable taxes), with an estimated annual expenditure of $13,200. Funds are available in the City Clerk Department budget.

Concurrence/Previous Council Action
On Oct. 3, 2012, City Council awarded City Clerk Contract 134686 to Presstek, Inc., now Mark Andy, Inc., Mark Andy Print Products to provide the City Clerk Department with a computer-to-plate printing system.

This item was adopted.

40 Mailroom Equipment, Supplies and Maintenance - State of Arizona Cooperative Contract - ADSPO16-16987 (Ordinance S-45523)

Request to authorize the City Manager, or his designee, to utilize the Maricopa County Cooperative Contract awarded as a result of solicitation - ADSPO16-16987, and to enter into a contract with Pitney Bowes, Inc. for mailroom equipment, supplies and maintenance. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $31,000.

Summary
The mailroom equipment, supplies and maintenance contract will allow

the Police Department to accurately and efficiently process mail through its mail folding/inserter high capacity sheet feeder machine. This equipment is used to prepare approximately 25,000 - 30,000 envelope mailers per month. In addition this contract covers repairs, maintenance, labor, travel time and parts required for repair for the term of the contract.

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 State of Arizona contract covers the purchases of mailroom equipment, supplies and maintenance; and was awarded May 15, 2017.

Contract Term

The five-year contract term shall begin on or about April 1, 2019.

Financial Impact

The aggregate contract value will not exceed $31,000. Funds are available in the Police Department's budget.

This item was adopted.

41 Hazardous and Non-Hazardous Material Removal and Disposal - Requirements Contract - RFP 14-012A (Ordinance S-45532)

Request to authorize the City Manager, or his designee, to extend contracts 138276 with Kary Environmental Services Inc., 138277 with Clean Harbors Environmental Services Inc., and 138278 with Environmental Response Inc. to support a month-to-month extension, up to four months, through Aug. 31, 2019 to provide Citywide departments with hazardous and non-hazardous material removal and disposal, on an as-needed basis while a new procurement is completed. Further request authorization for the City Controller to disburse all funds in an amount not to exceed $500,000 related to this item.

Summary

Contractors provide hazardous and non-hazardous material removal by utilizing sampling, cleanup, packaging, manifesting, storing and transporting various waste types from city and non-city sites to regulated

Treatment, Storage, and Disposal Facilities for ultimate disposal, recycling, and/or destruction on an emergency and non-emergency basis in order to minimize risks to human health and/or the environment. The primary departments that use these contracts are Public Works, Water Services, Aviation, Environmental Programs, Housing and Police. The extension of these contracts ensures that services are not interrupted while a procurement incorporating new environmental requirements is completed.

Financial Impact

The estimated expenditure for the month-to-month extension through Aug. 31, 2019 will not exceed $500,000. Funds are available in various departments' budgets.

This item was adopted.

43 Request for City Council to Call to Meet in Executive Session on April 17, 2019 at 1 p.m.

Request for the City Council to call to meet in Executive Session pursuant to Arizona Revised Statutes (A.R.S.), section 38-431.03.A, on Wednesday, April 17, 2019 at 1 p.m. in the East Conference Room, 12th Floor of Phoenix City Hall, 200 W. Washington St., Phoenix, Arizona.

Public Outreach

The Notice and Agenda for the April 17, 2019 Executive Session will be posted no later than 1 p.m. on April 16, 2019, pursuant to A.R.S. section 38-431.02.

This item was approved.

44 Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-45528)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Amy Roberts in the amount of $16,108.57 to the Arizona State Retirement System, and further request authorization for the City Controller to disburse funds.

Summary

Pursuant to Arizona Revised Statutes, sections 38-730 and 38-922, retirement service credits for former members of the City of Phoenix Employees’ Retirement System (COPERS) may be transferred to the

Arizona State Retirement System (ASRS) upon approval by the Council. The following former City of Phoenix employee has requested transfer of the balance of their credited service:

Roberts, Amy: $16,108.57

Concurrence/Previous Council Action
The COPERS Board approved this item at its March 6, 2019 meeting.
This item was adopted.

45 Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-45529)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Loretta Browning in the amount of $84,295.13 to the Arizona State Retirement System, and further request authorization for the City Controller to disburse funds.

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

Browning, Loretta: $84,295.13

Concurrence/Previous Council Action
The COPERS Board approved this item at its March 6, 2019 meeting.
This item was adopted.

46 Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-45530)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Douglas Salentine in the amount of $8,532.66 to the Arizona State Retirement System, and further request authorization for the City Controller to disburse funds.

Summary
Pursuant to Arizona Revised Statutes, sections 38-730 and 38-922,

retirement service credits for former members of the City of Phoenix Employees' Retirement System (COPERS) may be transferred to the Arizona State Retirement System (ASRS) upon approval by the Council. The following former City of Phoenix employee has requested transfer of the balance of their credited service:

Salentine, Douglas: $8,532.66

Concurrence/Previous Council Action
The COPERS Board approved this item at its March 6, 2019 meeting.

This item was adopted.

47 Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-45531)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Carlos S. Encinas in the amount of $164,758.07 to the Arizona State Retirement System, and further request authorization for the City Controller to disburse funds.

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

Encinas, Carlos S.: $164,758.07

Concurrence/Previous Council Action
The COPERS Board approved this item at its March 6, 2019 meeting.

This item was adopted.

48 Authorization to Apply for, Accept, and Implement U.S. Department of Housing and Urban Development Family Self-Sufficiency Service Coordinator Grant (Ordinance S-45514)

Request to authorize the City Manager, or his designee, to apply for, accept, and, if awarded, enter into any agreements as necessary to implement a Family Self-Sufficiency (FSS) Service Coordinator grant

from the U.S. Department of Housing and Urban Development (HUD). Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds for the life of the grant. There is no impact to the General Fund. This grant does not require matching funds.

Summary

The Housing Department is seeking to apply for a FSS Service Coordinator grant from HUD. If awarded, the FSS Service Coordinator grant is anticipated to provide up to $300,000 in funding for calendar year 2020 to fund up to four staff members. This ongoing program helps Public Housing and Section 8 residents transition from dependence on government benefits to an improved level of financial self-sufficiency.

Caseworkers coordinate support services offered by non-profit, governmental, and educational community partners; provide case planning and coordination, supportive counseling and referral and advocacy; assist with access to educational resources, vocational training and employment opportunities; and assist with budgeting, homeownership preparation, and transportation. Successful participants engage in training, improve employment outcomes, save money, and buy a home. In the past year, 14 residents graduated from the FSS program.

The Notice of Funding Availability (NOFA) is anticipated to be issued in Spring 2019. Due to the timing of the NOFA and quick turnaround for grant submittal, the Housing Department is requesting authority to apply prior to receiving the NOFA.

Financial Impact

There is no impact to the General Fund. This grant does not require matching funds.

Concurrence/Previous Action

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

This item was adopted.

49 Authorization to Apply for, Accept, and Implement U.S. Department of Housing and Urban Development Resident Opportunities and

Self-Sufficiency Service Coordinator Grant (Ordinance S-45515)

Request to authorize the City Manager, or his designee, to apply for, accept, and, if awarded, enter into any agreements as necessary to implement a Resident Opportunities and Self-Sufficiency (ROSS) Service Coordinator grant from the U.S. Department of Housing and Urban Development (HUD). Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds for the life of the grant. There is no impact to the General Fund. This grant does not require matching funds.

Summary

The Housing Department is seeking to apply for a ROSS Service Coordinator grant from HUD. If awarded, the three-year ROSS Service Coordinator grant is anticipated to provide up to $250,000 in total funding for calendar years 2020 to 2022 to fund one caseworker position for residents at the Matthew Henson Community. This program helps Public Housing residents create opportunities for an improved level of financial self-sufficiency.

ROSS caseworkers coordinate supportive services offered by non-profit, governmental, and educational community partners; provide supportive counseling and advocacy; facilitate access to educational resources, vocational training and employment opportunities; and develop resident empowerment opportunities.

The Notice of Funding Availability (NOFA) is anticipated to be issued in Spring 2019. Due to the timing of the NOFA and quick turnaround for grant submittal, the Housing Department is requesting authority to apply prior to receiving the NOFA.

Financial Impact

There is no impact to the General Fund. This grant does not require matching funds.

Location

840 W. Tonto St.
Council District: 8

Concurrence/Previous Action

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

This item was adopted.

50 Authorization to Apply for, Accept and Disburse Area Agency on Aging, Region One, Inc., Grant for Home Delivered Meal Funds (Ordinance S-45521)

Request to authorize the City Manager, or his designee, to apply for Area Agency on Aging (AAA) grant funding in an amount not to exceed $2,082,325 for a one-year period and to enter into a contract with AAA upon successful award of the grant for the Home Delivered Meal (HDM) program. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item, if awarded.

Summary

AAA provides federal and state funds for HDM to seniors throughout Maricopa County. The City of Phoenix has partnered with AAA for more than 30 years. In Fiscal Year 2019-2020, the Human Services Department (HSD) is projected to prepare and deliver approximately 290,000 nutritionally balanced meals to homebound seniors.

Contract Term

If awarded, the resulting HDM contract will be in effect on or about July 1, 2019 through June 30, 2020, with four one-year options to extend. The City of Phoenix will reapply for funding each extension year if provided the option by AAA.

Financial Impact

The annual amount of the AAA contract will not exceed $2,082,325. There is a 10 percent match requirement and the fund source for this match will be the City of Phoenix general fund. The projected match amount is $208,233.

Concurrence/Previous Council Action

Ordinance S-44610 was adopted on May 16, 2018, authorizing HSD to contract with Selrico Services, Inc., for food management of the Senior

Congregate and HDM programs. Selrico Services produces and delivers meals according to the specified AAA standards for the HDM program. The contract term for Selrico is July 1, 2018 through June 30, 2023.

This item was adopted.

51 Amend Contract with Wildfire for Weatherization Assistance Program Grant Services (Ordinance S-45499)

Request to authorize the City Manager, or his designee, to amend Contract 140469 with Wildfire, formerly known as the Arizona Community Action Association, to accept up to $600,000 for the contract period May 1, 2019 thru March 31, 2020, to provide Weatherization Assistance Program (WAP) grant services, including funding for City-approved individual grant agreements between property owners and qualified contractors, in accordance with the Wildfire contract terms. Further request authorization for the City Manager or designee to execute any and all documents and agreements and take any and all other actions necessary or appropriate to administer the grant and carry out the purposes of this ordinance. Further requesting authorization for the City Treasurer to accept and the City Controller to disburse all funds.

Summary

The Neighborhood Services Department (NSD) utilizes funding received from Wildfire, and other local organizations and federal agencies, to perform weatherization activities in households which meet federal poverty income guidelines throughout the city. WAP services include energy efficiency retrofit activities, such as attic insulation, sun screens, duct sealing, room pressure relief/air balancing, and the repair or replacement of heating and cooling systems to eligible homes. NSD also provides WAP funding to city-approved contractors as well as administering the grants awarded to eligible property owners by funding contracts between property owners and qualified contractors, in order to perform WAP activities.

Wildfire may provide NSD with an opportunity to receive additional weatherization funds during the term of the contract. Should additional WAP funding be provided, NSD will request City Council approval to amend the contract for the additional funds.

Contract Term

The term of the agreement will be from May 1, 2019 to March 31, 2020.

Financial Impact

Funding is provided by the Salt River Project (SRP) low-income Weatherization Assistance Program in the amount of $600,000. There is no financial impact to the General Fund; WAP projects are funded with grants from federal agencies and local organizations.

Concurrence/Previous Council Action

This contract was originally approved by City Council at the Dec. 7, 2016, Formal meeting.

This item was adopted.

53 Artist Fabrication and Construction Oversight Contract for Community Well Site 84/88 Public Art Project (Ordinance S-45527)

Request to authorize the City Manager, or his designee, to enter into a contract with Arizona artist Bobby Zokaites, or his City-approved designee, for an amount not to exceed $300,000, to fabricate, deliver and oversee installation of fencing, lighting fixtures and illuminated pedestrian arches to enhance Community Well Site 84/88 Public Art Project, at 7304 West Crittenden Lane, in Maryvale. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Fiscal Year 2018-23 Public Art Project Plan includes a project to commission artists to work with landscape architects and engineers to enhance the security and appearance of community well sites and other water facilities Citywide.

On Jan. 10, 2018, City Council approved a $35,000 design contract for Mr. Zokaites to work with Dig Studio Landscape Architecture to design enhancements for the Community Well Site 84/88. Since then, the artist and landscape architecture team have worked with the community and more than 100 students at nearby Trevor G. Browne High School to design site improvements. The proposed enhancements address the community's request for more shade, pedestrian amenities, brightly-colored landmarks, improved fencing and lighting, and safer walking areas away from the street. Under the requested contract, Mr.

Zokaites will fabricate 390 feet of fencing, twelve lighting fixtures and two large-scale, illuminated pedestrian arches; and provide construction oversight for the overall well site enhancement.

Financial Impact

This Community Well Enhancement Project is part of the Community Beautification and Greenspace Program that is one of 31 projects in the Fiscal Year 2018-23 Public Art Project Plan that City Council approved on June 28, 2018. The Art Plan includes $1,000,000 this fiscal year for this and two other community well site enhancement projects. The requested $300,000 contract will cover all costs for the artist to fabricate, deliver and oversee installation of the work. Funds for this project come from the Water Services Department Capital Improvement Program.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission reviewed and recommended this item for approval on March 19, 2019.

Location

7304 W. Crittenden Lane
Council District: 5

This item was adopted.

55 Authorization to Enter into Development Agreement with Hyatt Regency Phoenix Hotel Company, LP for Streetscape Improvement Project in Downtown Phoenix (Ordinance S-45516)

Request to authorize the City Manager, or his designee, to enter into a development agreement, and other agreements as necessary, with Hyatt Regency Phoenix Hotel Company, LP, or its City-approved designee (Developer), for the City to reimburse funds up to $280,000 to the Developer for streetscape improvements in the right-of-way adjacent to the hotel. Further request authorization for the City Controller to disburse funds related to this item. There is no impact to the General Fund.

Summary

The Hyatt Regency Phoenix Hotel is undergoing a $40 million renovation that includes upgrades to guest rooms, enhancements to the meeting and public spaces, new food and beverage options, and new ground floor activation on the corner of Adams Street and 2nd Street, directly

across from the Phoenix Convention Center. The Developer has agreed to improve streetscape around the hotel as part of the project, including more shade and enhanced hardscapes along Adams Street. The project is consistent with the recommendations of the Adams Street Activation Study, which was approved by City Council in 2013. The $280,000 reimbursement, after construction is completed, will be for enhancements and modifications to the rights-of-way adjacent to the hotel along Adams Street and 2nd Street. The investment in the streetscape improvements around the hotel will help facilitate the Adams Street Activation Study's recommendations to create new ground floor activation around the hotel, and increase the walkability and pedestrian experience for those headed to and from the Phoenix Convention Center. The hotel's investment will generate an estimated $2.7 million in construction sales tax to all taxing jurisdictions.

Financial Impact

The project will have no expense impact to the General Fund. The one-time construction tax revenue to the City is estimated at approximately $900,000. Funding for the $280,000 reimbursement is available in the Downtown Community Reinvestment Fund in fiscal year 2019-20.

Concurrence/Previous Council Action

This item was heard at the Planning and Economic Development Subcommittee on March 13, 2019, and was approved by a vote of 4-0.

Public Outreach

Staff presented this project to the Downtown Voices Coalition on March 9, 2019 and Downtown Neighborhood Alliance on March 12, 2019.

Location

122 N. 2nd St.
Council District: 7

This item was adopted.

56 Authorize Amendment to Phoenix Business and Workforce Development Board Bylaws (Ordinance S-45525)

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

Bylaws for the Phoenix Business and Workforce Development (PBWD) Board of the City of Phoenix. There is no financial impact with this action.

Summary

The PBWD Board was established in accordance with the federal Workforce Innovation and Opportunity Act (WIOA) of 2014. The Bylaw amendments incorporate provisions consistent with the WIOA legislation and Workforce Arizona Council policies. The PBWD Board is responsible for the legislated responsibilities under the WIOA and addressing the workforce development needs of the local workforce area. The local workforce area, known as the ARIZONA@WORK City of Phoenix, serves as a jurisdiction for the administration of workforce development activities, and execution of adult, dislocated worker, and youth funds allocated by the State.

Significant revisions made to the Bylaws are as follows:
1. ARTICLE V. MEMBERSHIP, Section II. Nominations and Appointments. Individuals are appointed to the PBWD Board by the City of Phoenix Mayor and approved by the City Council in accordance with State criteria established under WIOA Sec. 107(b)(2).
2. ARTICLE V. MEMBERSHIP, Section IV. Vacancies and Resignations. To comply with Workforce Arizona Council Local Governance Policy, PBWD Board vacancies must be filled within 120 days of the vacancy.
3. ARTICLE V. MEMBERSHIP, Section V. Attendance was changed to reflect that any three absences from a regularly scheduled board meeting, during a program year (June 30 - July 1), will result in a recommendation to the Mayor for removal from the PBWD Board.
4. Added ARTICLES IX. ETHICS AND CONFLICT OF INTEREST, X. CONFLICT RESOLUTION, XI. AMENDMENTS and XII. SEVERABILITY.

A copy of the Bylaws are included in **Attachment A**.

Financial Impact

There is no financial impact with this action.

Public Outreach

The proposed Bylaw amendments were approved at the public meeting of the PBWD Board on March 14, 2019.

This item was adopted.

58 Issuance of Education Facility Revenue Bonds (Summit School Project), Series 2019 (Resolution 21732)

Request City Council approval for the issuance of Education Facility Revenue Bonds (Summit School Project), Series 2019, to be used in one or more tax-exempt and/or taxable series in an aggregate principal amount not to exceed $8,000,000.

Summary

Request City Council adoption of a resolution granting approval of the proceedings under which The Industrial Development Authority of the City of Phoenix, Ariz., (the "Phoenix IDA") has previously resolved to issue up to $8,000,000 of Education Facility Revenue Bonds (the "Revenue Bonds") for use by Foothills Educational Foundation (the "Borrower"), an Arizona nonprofit corporation, to

a) refinance acquisition, renovation, construction, improvement, and equipping of land and buildiings used as charter school facilities in Phoenix, Arizona.

Concurrence/Previous Council Action

The Phoenix IDA Board has previously resolved to issue the Revenue Bonds at its meeting held on March 20, 2019.

Location

The Project is located at 4515 E. Muirwood Drive in Phoenix, Ariz. Council District: 6

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

This item was adopted.

60 Request to Issue Request for Proposals for Designated Aviation Channeling Services

Request to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for designated aviation channeling (DAC)

services for airport credentialing of badge holders.

Summary

Phoenix Sky Harbor International Airport (Airport) is required under Code of Federal Regulations Title 49, Part 1542 and Transportation Security Administration (TSA) Aviation Security Directive 1542-04-08N to conduct background checks on all Airport workers before issuing a badge for unescorted access authority to restricted areas at the Airport. The TSA requires that airports use a TSA-certified and approved DAC service providers when submitting these background checks. The current contract will expire Dec. 31, 2019 and contains no additional options to extend the term.

The DAC service provider (1) receives, validates, and aggregates biographic and biometric data from the Airport and then transmits the data to the TSA for airport worker screening, (2) fully automates the transmission of the biographic and biometric data from the Airport to the TSA and from TSA to the Airport, (3) provides a web-based portal for the Airport to obtain transmitted airport worker screening information, and (4) integrates with the Airport's identity management system and existing fingerprint equipment.

Procurement Information

Responsive proposers will be evaluated according to the following criteria:
Method of Approach.
Pricing.
Qualifications and Experience.
Customer Service and Ongoing Support.

Contract Term

The initial contract term is one year and will begin on or about Jan. 1, 2020. The contract will include four one-year options to extend the term that may be exercised at the discretion of the Aviation Director.

Financial Impact

The estimated annual contract cost will not exceed $300,000. The five-year aggregate cost will not exceed $1.5 million. Funds are available in the Aviation Department budget.

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

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

This item was approved.

61 Aviation Department Information Technology Staffing Services Request for Proposals

Request to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for multiple professional services agreements to provide information technology (IT) staffing services for the Aviation Department. The total estimated cost of the agreements over their five-year terms will not exceed $20 million, with an estimated annual expenditure of $4 million.

Summary
The Technology Division of the Aviation Department currently uses 27 contracted IT staff from five different vendors to provide additional IT staff to support technology systems at Phoenix Sky Harbor International Airport (PHX). The contracted IT staff are used to augment the 50 full-time City of Phoenix IT employees assigned to the Technology Division. Without the additional staffing, the Technology Division does not have enough full-time employees to support the numerous critical systems at PHX, including the Access Control and Alarm Monitoring System (ACAMS), the Operations Security Portal (OSP) for badging, the Video Surveillance System (VSS), the Parking Revenue Control System (PRCS), and the common use systems for the airlines (i.e., paging, checkpoint wait times, flight information displays, common use kiosks, and automated passport control kiosks). These systems are crucial to airport operations and passenger and employee safety, so they must be supported 24 hours a day, seven days a week, 365 days a year. IT staffing augmentation is the only way to ensure that these systems are managed and supported for the ongoing operation of PHX.

The current agreements with 22nd Century Staffing, Inc. (Contract 139376); RW Staffing Solutions, LLC (Contract 139377); Scott Business Group, LLC (Contract 139374); Solu Technology Partners, LLC (Contract 139416); and Tech Data Corporation dba Signature Technology Group, Inc. (Contract 139415) will expire on Sept. 30, 2019.

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

Procurement Information

The Aviation Department will solicit for IT staffing services to award multiple agreements using the RFP process. Responsive and responsible proposals will be evaluated according to the following evaluation criteria:

Experience with providing temporary IT staff placement to the public sector.

Method of approach to the scope of services.

Fee schedule.

The highest ranked proposers will be recommended for contract award.

Contract Term

The terms of the agreements will be five years beginning on Oct. 1, 2019 and expiring on Sept. 30, 2024.

Financial Impact

The total estimated cost of the agreements over their five-year terms will not exceed $20 million, with an estimated annual expenditure of $4 million.

Concurrence/Previous Council Action

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

Location

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

This item was approved.

62 Request to Issue Airport Concessions Revenue Contract Solicitation

Request to authorize the City Manager, or his designee, to issue a revenue contract solicitation (RCS) for concession leases at Phoenix Sky Harbor International Airport (PHX), including specific contract packages, evaluation criteria, related business requirements, and the airport contracting policy. Estimated annual revenue for all leases will be approximately $840,000. The leases may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Additionally, to provide uninterrupted service to the Rental Car Center customers, extend the existing lease with JMC-LLC, concession Lease 123991, month-to-month until a new concessionaire is selected and commences operations. This extension is expected to continue for a period not to exceed 12 months. All other terms and conditions apply.

Summary

On April 22, 2015, the City Council authorized the Aviation Department (AVN) to issue one RCS with two contracting phases for new concession opportunities in Terminal 4 (T4). AVN issued the T4 RCS on July 1, 2015. On June 15, 2016, the City Council approved seven leases for Phase 1. On May 10, 2017, the City Council approved six leases for Phase 2. There was no response to two of the packages.

The RCS will award leases for the four remaining T4 Phase 2 locations; award a new food and beverage location in T4; award new automated and small footprint retail opportunities in Terminal 3 (T3) and T4; award a sleep/suite opportunity in T4; and award a food, beverage, and retail location in the Rental Car Center (RCC). Automated retail has been identified as a new opportunity at PHX. Automated retail locations are self-service and work as fully automated retail stores. A sleep/suite concept provides a private, relaxing, and quiet amenity where customers can work, nap, shower, etc. The food, beverage, and retail location in the RCC will provide snacks, coffee, and key retail items. The RCC location will be offered as a small business opportunity with the small business threshold set by the Equal Opportunity Department in compliance with Small Business Administration standards.

AVN's concession program goals include encouraging competition and creating opportunities that mirror our community; reflecting our region by including national, regional, and local brands and concepts and current trends; optimizing sales and revenues; increasing the opportunity for local and small business participation; and raising the quality and uniqueness of concessions offerings.

The contract opportunities include:

Retail Package 1
T4 Lobby News and Gifts.
T4 S4 Souvenirs.
T4 S3 Cosmetics.

Automated and Small Footprint Retail Package 2
T4 lobby automated retail.
Multiple automated and small footprint locations in T3 and T4.

Automated and Small Footprint Retail Package 3
Multiple automated and small footprint locations in T3 and T4.

Sleep/Suite Package 4
T4 N4 International Concourse location.

Food and Beverage Package 5
T4 S2 Bar with limited food service.

Rental Car Center Food, Beverage, and Retail Package 6
RCC Lobby.

Procurement Information
AVN will conduct an RCS to select a vendor for each lease. Responsive and responsible respondents will be evaluated according to the following evaluation criteria (1,000 points possible):
Proposed concepts: 0-250 points.
Design/quality of tenant improvements: 0-225 points.
Management/marketing/operations plan: 0-225 points.
Experience and qualifications: 0-200 points.

Proposed business plan: 0-100 points.

The highest ranked respondent for each opportunity will be recommended for award of a concession lease.

In accordance with the City's Employee Retention Policy, the successful respondent must hire affected concession employees and retain them for at least 120 days. The successful respondent may only interview outside of this group of employees when there are no longer any employees in the group that are available to hire. AVN will secure a third-party facilitator to assure that this process is successful.

AVN intends to issue the solicitation in the summer of 2019. It is estimated that leases will be awarded in late 2019. The City's Transparency Policy will be in effect with the release of the RCS and throughout the solicitation process.

Contract Term
The terms of the five leases should begin in late 2019 and will coincide with the terms of the existing T4 retail contracts, which expire on Dec. 31, 2023. The leases will contain one three-year option to extend the term that may be exercised at the sole discretion of the Aviation Director. Finally, extend the existing lease with JMC-LLC, concession Lease 123991, until a new concessionaire is selected and commences operations on a month-to-month basis not to exceed 12 months.

Financial Impact
Minimum annual guarantee for the leases will be based on concession category, using PHX historical and market data, or percentage of gross sales, which will depend on the concession category and range from 10 percent to 16 percent, whichever is greater. Estimated annual revenue for all leases will be approximately $840,000.

There will be a minimum capital investment as follows:

Package 1:
Retail - $350 per square foot.

Package 2:
T4 Lobby Location - $350 per square foot.
Automated and Small Footprint Locations - Connect to power and data as necessary.

Package 3:
Automated and Small Footprint Locations - Connect to power and data as necessary.

Package 4:
Sleep/Suite - $350 per square foot.

Package 5
Food and Beverage - $450 per square foot.

Package 6
RCC Food - $50 per square foot.

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

Public Outreach
The solicitation process will include all standard and required outreach efforts and conduct targeted outreach efforts to attract interest for each of these unique contracting opportunities.

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

This item was approved.

63 Automated Passport Control Kiosks Contract Extension (Ordinance S-45507)

Request to authorize the City Manager, or his designee, to amend APC Kiosk Supply & Support Contract Suite 138886 (Contract) to extend the term five years. The Contract is with Vancouver Airport Authority (YVR),

which provides maintenance and repair services for the 12 existing automated passport control (APC) kiosks at Phoenix Sky Harbor International Airport (PHX). The amendment may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. The cost of the extension will not exceed $375,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Aviation Department owns 12 APC kiosks at PHX that are used by the United States Customs and Border Protection (CBP) for processing international arrival passengers into the port of entry at PHX. The amendment to the Contract will include services to maintain hardware and software to ensure that all APC kiosks are properly maintained and operating correctly. Regular maintenance of the APC kiosks ensures that all international arrival passengers' information is provided to CBP for processing in a timely manner. The APC kiosks at PHX are proprietary and can only be maintained by YVR.

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

Procurement Information

The Contract requires YVR to provide APC kiosks and maintenance and repair services to hardware and software. Extending the term of the Contract will ensure that efficiencies and cost effectiveness are achieved because APC kiosks are YVR products that are proprietary and can only be maintained by YVR. By extending the Contract term, APC kiosks will remain operational and the need for a possible replacement will be eliminated.

Contract Term

The Contract term will be extended on or about July 1, 2019 and continue for five years.

Financial Impact

The cost of the five-year extended Contract term will not exceed $375,000. Funds are available in the Aviation Department's budget.

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

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

This item was adopted.

64 Airport Apron Buses and Ground Support Equipment - AVN IFB 19-016 (Ordinance S-45513)

Request to authorize the City Manager, or his designee, to enter into separate contracts with Cobus Industries, LP, for the purchase of six airport apron buses, and Stinar HG, LLC, for the purchase of one self-propelled passenger boarding stairs. The contracts will have a one-time expenditure of $3,474,086. The contracts may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
Sky Harbor International Airport (PHX) is expanding rapidly and the Aviation Department wants to establish a hardstand gate operation to address gate constraints during high demand periods.

The hardstand gate operation will be located in a designated aircraft parking area at PHX. Passengers will be transported to the operation by airport apron buses and will board the aircraft using self-propelled passenger boarding stairs. Passengers will be moved safely and quickly between the aircraft and terminal buildings, which will allow airlines to run on-time operations and maintain an acceptable level of service for passengers.

Procurement Information
Invitation for Bid (IFB) 19-016 was conducted in accordance with Administrative Regulation 3.10. The solicitation was separated into four groups based on the component of the hardstand operation. Offerors were given the opportunity to bid on all, some, or one of the groups. One

bid was received for Group 1 (Airport Apron Buses) and two bids were received for Group 4 (Self-Propelled Passenger Boarding Stairs).

The three bids were evaluated for responsiveness. One bid for Group 4 did not meet the minimum specifications listed in the IFB and was deemed nonresponsive.

The lowest responsive and responsible offeror for each group is as follows:

Group 1 (Airport Apron Buses) - Cobus Industries, LP.
Group 4 (Self-Propelled Passenger Boarding Stairs) - Stinar HG, LLC.

Contract Term
The terms of the contracts will begin on or about April 4, 2019. The bid price will be valid for one-year from City Council award so the Aviation Department may choose to purchase additional items at the bid price.

Financial Impact
The cost of the contracts will not exceed $3,474,086 for the aggregate one-time purchases. Funds are available in the Aviation Department's Capital Improvement Program budget.

Concurrence/Previous Council Action
This item was recommeded for approval at the Aviation and Transportation Subcommittee meeting on March 26, 2019, by a vote of 3-0.

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

This item was adopted.

65 Professional Technology Services Common Use System (Ordinance S-45524)

Request to authorize the City Manager, or his designee, to spend up to $2,850,000 in additional money under Contract 132424 (Contract) with SITA Information Networking Computing USA, Inc. for maintenance and

support services for the common use systems at Phoenix Sky Harbor International Airport (PHX). Further request to authorize the City Manager, or his designee, to extend the term of the Contract for approximately six months on a month-to-month basis through May 31, 2022, in order to implement the new systems after a new procurement is completed. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Aviation Department operates several passenger-facing and airport operational common use systems at PHX. The systems include the Common Use Passenger Processing System (CUPPS), Common Use Self Service (CUSS) kiosks, Flight Information Display System (FIDS), Public Announcement/Paging (PA) System, Common Use Airport Resource Management System (AMS), and Security Checkpoint Wait Time System. The systems provide real-time information to passengers and allow the Aviation Department and airlines to run critical day-to-day airport operations.

The Terminal 3 redevelopment program significantly expanded the common use footprint at PHX. Terminal 3 South Concourse opened in January 2019, which increased the CUPPS footprint at PHX by an additional 15 boarding gates, and 10 more gates will be added when the Terminal 3 North Concourse opens in early 2020. CUPPS provides necessary technology to support airlines' ticketing and boarding operations by checking in passengers, printing boarding passes and bag tags, and ultimately boarding passengers on flights using a common infrastructure. The system also provides necessary technology and infrastructure for all international airline operations in Terminal 4.

The Terminal 3 redevelopment program has also expanded the scope of PHX's common use FIDS with an additional 447 flight information displays. FIDS provides real-time arrival and departure flight information to passengers, airlines, meeters and greeters, and other PHX stakeholders. The FIDS also provides baggage claim information to arriving passengers.

The Aviation Department is required to provide TSA safety and security messages, airline flight messages, and public service announcements

through the PA System. The system allows PHX to meet federal regulatory requirements related to disseminating time-sensitive public safety messages throughout PHX. Terminal 3 has further expanded the footprint of PHX's PA System by adding 99 new paging stations throughout PHX.

The additional spending authority is necessary to support and maintain all common use systems operational at PHX through the end of the Contract term. The Aviation Department will solicit these systems through a competitive procurement process that will result in a new contract or contracts by the end of the Contract term on Nov. 23, 2021.

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

Contract Term
This request will extend the term of the Contract approximately six months on a month-to-month basis, if necessary, through May 31, 2022. After completion of a new procurement process, the Aviation Department will implement the new systems at PHX.

Financial Impact
Based on the expanded footprint of the common use systems, the request to increase spending authority up to $2,850,000 will allow for effective maintenance and support of these systems throughout the Contract term. The additional money will increase the aggregate cost of the Contract to $10,419,929 for the aggregate Contract term. Funds are available in the Aviation Department's operating budget.

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

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

This item was adopted.

66 Ground Lease with Sky Harbour, LLC at Deer Valley Airport (Ordinance S-45535)

Request to authorize the City Manager, or his designee, to enter into a 30-year ground lease with Sky Harbour, LLC at Phoenix Deer Valley Airport (DVT) for the construction and subleasing of aircraft storage hangars. The lease may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Sky Harbour, LLC will pay ground rent at the rate of $0.54 per square foot per year, plus applicable taxes. Rent will be adjusted annually by the Consumer Price Index (CPI) using the Phoenix-Mesa-Scottsdale index.

Summary

Sky Harbour, LLC has requested to lease approximately 265,280 square feet (6.09 acres) of undeveloped land near the southeast corner of DVT. Sky Harbour, LLC will invest approximately $12 million to construct executive aircraft storage hangars. Upon completion of the hangars, Sky Harbour, LLC's commercial use of the premises will include subleasing hangar space and providing aircraft management services. Upon completion of the hangars, a metes and bounds survey will be completed, which will reflect the actual square footage of the premises. If the square footage is increased or reduced, the ground rent will be adjusted accordingly. The City will conduct the initial Phase I environmental site assessment on the premises and Sky Harbour, LLC will perform an environmental exit audit at the end of the lease term.

Contract Term

The term of the lease is 30 years. The lease will not contain any option to extend the term.

Financial Impact

Sky Harbour, LLC will pay ground rent at the rate of $0.54 per square foot per year, plus applicable taxes. Rent will be adjusted annually by the Consumer Price Index (CPI) using the Phoenix-Mesa-Scottsdale index. Rent will commence 12 months after the effective date of the lease or upon Sky Harbour, LLC's beneficial occupancy of the hangars, whichever occurs first. Rent for the first year of the lease will be approximately $143,251. Sky Harbour, LLC will own the hangars during the lease term. When the lease expires or is terminated, title to the hangars will be

conveyed to the City. The lease will generate approximately $4.3 million in rent over the 30-year term of the lease, excluding CPI adjustments.

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

Location
Phoenix Deer Valley Airport, 702 W. Deer Valley Road
Council District: 1

This item was adopted.

68 Contract Award for Processing of Plastics #3 - #7 into Liquid Fuel and Enter into Land Lease at City of Phoenix Resource Innovation Campus - RFP 19-SW-007 (Ordinance S-45501)

Request to authorize the City Manager, or his designee, to enter into a new contract with Renew Phoenix for the processing of plastics #3 - #7 into liquid fuel; and to enter into a land lease at the City of Phoenix's Resource Innovation Campus (RIC) located at 27th Avenue and Lower Buckeye Road. Further request authorization for the City Treasurer to accept all funds related to this item. Total revenue from the land lease is estimated to generate between $8,400 to $12,000 per year for an estimated total of $252,000 to $360,000 over the anticipated life of the contract, including extensions.

Summary
In 2013, the City Council adopted the goal of diverting 40 percent of trash from the landfill by the year 2020. In April 2016, this goal was expanded to achieve Zero Waste by 2050. To achieve these goals, the Public Works and the Community and Economic Development departments have been collaborating to create public-private partnerships to build the City's circular economy by redirecting materials back into the economy instead of sending them to the landfill.

Plastics #3 - #7 include low-density polyethylene (LDPE), polypropylene (PP), polystyrene (PS), and other mixed plastics, which are found in things such as shrink wrap, plastic toys, frozen food bags, yogurt cups, and Styrofoam containers. The City sorts an estimated 521 tons of these

plastics annually. This represents the tons of plastics #3 - #7 processed through the materials recovery facilities (MRFs), captured during the sorting process and baled for sale as a mixed plastics commodity. Recent changes in commodities and recycling markets have impacted how the City handles these plastics. Previously, plastics #3 - #7 were bundled and sold on the open market, whereas today there is no longer a market for most of these materials. Currently, the operator of the City's MRFs separates plastics #5 from the mix and sells the material as a commodity.

Procurement Information

Request for Proposal (RFP) 19-SW-007 was issued on June 7, 2018 seeking one or more entities to lease land at the RIC and provide mixed plastics diversion service and redirect materials currently in the municipal waste and recycling streams and divert them for waste-to-product or waste-to-liquid fuel technologies. The RFP was conducted in accordance with Administrative Regulation 3.10. There were three offers received by the Procurement Division on July 18, 2018.

An evaluation committee consisting of five members including City staff from the Public Works and Community and Economic Development departments, and subject matter experts in entrepreneurship, sustainable engineering and the plastics industry evaluated the offers. The offers were evaluated based on the following criteria: Business Plan (300 points), Financial Return and Benefits to the City (300 points), Proposed Technology (250 points), and Qualifications and Experience (150 points). The evaluation committee determined that two firms were within a competitive range and both firms were invited to participate in an interview. After interviews were concluded, the evaluation committee reached a consensus and is recommending an award to Renew Phoenix as the highest scored, responsive and responsible offeror. The offers and their final scores are as follows:

Renew Phoenix: 839 points
PolyFuel LLC: 773 points

Renew Phoenix will lease approximately 30,000 square feet on the RIC. The estimated lease rate is $0.28 to $0.40 per square foot per year.

Rent during the initial lease term will be between $8,400 to $12,000 per year, plus applicable taxes, which is within the range of market rents as determined by the Finance Department Real Estate Division. Rent at the beginning of each renewal option period will be at the then-prevailing market rate, plus applicable taxes.

Contract Term

The initial anticipated term of this agreement is 10 years, beginning upon Council approval. Provisions to this contract may include up to two 10-year renewal options, which will be exercised by staff in the best interests and sole discretion of the City.

Financial Impact

Total revenue from the land lease is estimated to generate between $8,400 to $12,000 per year for an estimated total of $252,000 to $360,000 over the anticipated life of the contract, including extensions.

Concurrence/Previous Council Action

This item was recommended at the Water, Wastewater, Infrastructure and Sustainability Subcommittee meeting on March 6, 2019, by a vote of 3-0.

Location

27th Avenue Transfer Station, 3060 S. 27th Ave.
Council District: 7

This item was adopted.

69 Production Well and Related Equipment - Contract Extension (Ordinance S-45506)

Request to authorize the City Manager, or his designee, to ratify contracts 137971 with The Pump Company, 137972 with Layne Christensen, and 137973 with Weber Waters Resources, LLC to extend the term on a month-to-month basis for up to four months to June 30, 2019. No additional funding is required for these contract extensions.

Summary

These contracts are vital for on-going operations for service and repair of City-owned production wells and purchase of accessory equipment. City wells must comply with federal, state, and local regulations regarding

groundwater monitoring, drinking water, and air quality. The wells are used for daily operations throughout the City and provide water to be processed for drinking, fire control, water and dust control, and compost and construction activities.

Financial Impact

The production well contracts were approved with an aggregate total of $1.4 million. No additional funding is required for these contract extensions.

Concurrence/Previous Council Action

Production well contracts for The Pump Company, Layne Christensen, and Weber Waters Resources, LLC were approved by City Council on March 19, 2014.

This item was adopted.

70 One-time Purchase of Live Floor Transfer Trailer (Ordinance S-45510)

Request to authorize the City Manager, or his designee, to enter into a contract with East Texas Mack Sales, LLC dba B&C Body Company, for purchase of a Live Floor Transfer Trailer via cooperative agreement TR11-18 for the Public Works Department's 27th Ave. Transfer Station. Expenditures will not exceed $105,000 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 for the one-time purchase of an aluminum live floor transfer trailer for the 27th Ave. Transfer Station. The new unit will replace an existing unit that has exceeded the seven year life cycle. This unit will be used to transfer green waste to the 27th Ave. Compost Facility to support the City's diversion goal of 40 percent by 2020. The trailer is also used to haul other materials from diversion from the landfill including tires.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a determination memo for alternative competition to use cooperative agreement TR11-18, Trailers-Equipment,

Cargo & Specialty, awarded by the Houston-Galveston Area Council on Nov. 1, 2018.

Contract Term
This contract will begin upon Council approval, for the one-time purchase of a live floor transfer trailer.

Financial Impact
Expenditures shall not exceed $105,000 over the life of the contract. Funds are available in the Public Works Department's budget.

Location
The 27th Ave. Transfer Station is located at 3060 S. 27th Ave.
Council District: 7

This item was adopted.

71 One-time Purchase of Runway Rubber Removal and Airfield Paint Removal Machine (Ordinance S-45511)

Request to authorize the City Manager, or his designee, to enter into a contract with Cyclone Technology, LLC, for purchase of one Cyclone 4006 AC runway rubber removal and airfield paint removal machine. Expenditures shall not exceed $538,871 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The Public Works Department will purchase a Cyclone 4006 AC machine on behalf of the Aviation Department. Currently, Aviation has one rubber removal machine that is at the end of its projected life cycle. This unit uses high water pressure to remove rubber debris from the runway caused by repeated takeoffs and landings from tires. Additionally, the system cleans the runway center lines and restores reflectiveness while reducing paint cost. Aviation will be trading in the old unit to use as a credit toward the new purchase.

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a determination memo citing sole source. The Cyclone 4006 AC is a highly specialized piece of equipment designed

specifically for rubber and paint removal on runways, taxiways, and gates at airports such as Phoenix Sky Harbor International, Goodyear, and Deer Valley Airports.

Contract Term
This contract will begin upon Council approval, for the one-time purchase of a Cyclone 4006 AC.

Financial Impact
Expenditures shall not exceed $538,871 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.
Phoenix Deer Valley Airport, 702 W. Deer Valley Road
Phoenix Goodyear Airport, 1658 S. Litchfield Road, Goodyear
Council Districts: 1, 8 and Out of City

This item was adopted.

72 One-time Purchase of SealMaster Machines (Ordinance S-45512)

Request to authorize the City Manager, or his designee, to enter into a contract with Musgrove Enterprises, LLC dba SealMaster Arizona for purchase of one SP 300 Dual Squeegee Machine and one Seal Coat Spray Tank Trailer to maintain City streets and parking lots. This contract will have an estimated expenditure of $76,632. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The Public Works Department seeks to purchase one SP 300 Dual Squeegee Machine and one Seal Coat Spray Tank Trailer on behalf of the Street Transportation Department. These machines will be used to seal coat asphalt roads and City-owned parking lots to increase the surface life of the pavement in these areas. The Seal Coat Spray Trailer will allow Street Maintenance to work in confined areas and provide patch work to meet customer requests as required.

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition

was waived as the result of a determination memo for alternative competition to use contract SM10-18, Street Maintenance Equipment, awarded by the Houston-Galveston Area Council on Oct. 1, 2018.

Contract Term

This contract will begin on or about April 10, 2019, for the one-time purchase of a SP 300 Dual Squeegee Machine and Seal Coat Spray Tank Trailer.

Financial Impact

Expenditures shall not exceed $76,632 over the life of the contract. Funds are available in the Street Transportation Department's budget.

This item was adopted.

73 Vehicle Glass Supply, Install, Repair and Tinting - Contract Recommendation (Ordinance S-45518)

Request to authorize the City Manager, or his designee, to enter into contracts with Auto Glass Direct, LLC., Select Glass, Inc., Real Cool Window Tinting & Glass, LLC., and Safelite Fulfillment, Inc., to provide vehicle glass supply, installation, repair and tinting services on an as-needed basis with an estimated total expenditure of $1,340,000, over the five-year term of the contracts. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department maintains a diverse fleet of over 6,500 vehicles. This contract will be used for supply, repair, replacement, and tinting of City-owned vehicles to ensure vehicles are not being operated with broken or damaged glass. Repair and replacement of vehicle glass is essential to the safe operation of City vehicles. This contract will provide vehicle glass coverage at all Fleet Maintenance Service Centers. The Aviation Department will also use this contract for repair, replacement and tinting of fleet vehicles.

Procurement Information

Invitation for Bid 19-FSD-048 was conducted in accordance with Administrative Regulation 3.10. The Public Works Department received five bids. There were two groups to be awarded and all groups had successful bids. The bids included in Attachment A are being

recommended for award based on the lowest bid.

Attachment A shows the bid summary of offers submitted for all groups.

Contract Term
These contracts will begin on or about April 15, 2019, with an initial one-year term, and four one-year options to extend, for a total aggregate term of five years.

Financial Impact
These contracts will have an estimated total annual expenditure of $268,000, with an aggregate value not to exceed $1,340,000 over the life of the contracts. Funds are available in the Public Works and Aviation departments' budgets.

This item was adopted.

74 Reciprocal Agreement with Waste Management for Disposal of Solid Waste Material (Ordinance S-45526)

Request to authorize the City Manager, or his designee, to enter into a Reciprocal Agreement with Waste Management to manage solid waste materials delivered for processing or disposal at City facilities. This agreement will be conducted as a true balanced reciprocal agreement on a ton-for-ton basis with no monetary exchange required.

Summary
The City of Phoenix and Waste Management mutually agree it is beneficial and good business for each party to use the transfer station owned by the other on a reciprocal basis to support operations. This agreement creates business efficiencies for managing refuse collection and disposal with vehicle routing that reduces excessive travel time and distances, reduces air pollution, and maximizes fuel economy.

Contract Term
The initial term of the agreement will be for one year with an option for four one-year extensions.

Financial Impact
This agreement will be conducted as a ton-for-ton exchange with no monetary value. In the event of an emergency that requires either party to

exceed the agreed-upon amount of tonnage, the exceeding party will be compensated by paying the disposal associated gate rate or price per ton.

This item was adopted.

75 Water Services Department Small Valve Replacement Program - Job Order Contracting Services - 4108JOC168 - WS85500400 (Ordinance S-45495)

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

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

Summary

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

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

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

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

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

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

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

Funding is available in the Water Services Department’s Capital Improvement Program budget. The Budget and Research Department will review and approve funding availability prior to issuance of any job

order agreement. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

This item was continued to the April 17, 2019 City Council Formal Meeting.

76 Water Services Department Small Valve Replacement Program - Engineering Services - WS85500400 (Ordinance S-45496)

Request to authorize the City Manager, or his designee, to enter into an agreement with Brown and Caldwell, Inc. to provide Engineering Services that include construction administration and inspection (CA&I) services for the Water Services Department's Valve Replacement Job Order Contract program. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $5 million.

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

Summary

The purpose of the program is to provide replacement of water distribution valves. Locations of work will be in the City of Phoenix and may include nearby areas on the City of Phoenix water system that are not within the City of Phoenix city limits.

Brown and Caldwell, Inc.’s services include, but are not limited to: general project administration, construction inspections and special valve inspections; resident engineering services during construction; daily interaction with contractors to clarify job requirements; administration of contractor’s contract; decision-making regarding technical project issues; review and approval of water pipe and water valve materials and shop

drawings; working in confined spaces, vaults or shored excavations; monitoring of job progress; review and certification of progress payments and job orders; preparation of record drawings; public information and public relations services; and coordination with other City Departments, governmental agencies and operations staff.

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

Selected Firm
Rank 1: Brown and Caldwell, Inc.

Additional Proposers
Rank 2: Tristar Engineering & Management, Inc.
Rank 3: Stanley Consultants, Inc.
Rank 4: Dibble & Associates Consulting Engineers, Inc.
Rank 5: Ritoch-Powell & Associates Consulting Engineers, Inc.

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

Financial Impact
The agreement value for Brown and Caldwell, Inc. will not exceed $5 million, including all subconsultant and reimbursable costs.

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

rendered agreement services, which may extend past the agreement termination.

This item was adopted.

77 Remote Facilities General Construction - Job Order Contracting Services - 4108JOC173 (Ordinance S-45500)

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

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

Summary

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

Procurement Information

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

Selected Firm
Rank 1: Felix Construction Company

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

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

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

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

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

This item was continued to the April 17, 2019 City Council Formal Meeting.

79 Transmission Main Inspection and Assessment Program - Job Order Contracting Services - 4108JOC174 (Ordinance S-45508)

Request to authorize the City Manager, or his designee, to enter into separate master agreements with two contractors to provide Transmission Main Inspection and Assessment Program Job Order Contracting (JOC) services for the Water Services Department. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $5 million for each master agreement.

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

Summary

The JOC contractors' services will be used on an as-needed basis to provide Transmission Main Inspection and Assessment Program services for tasks associated with shutdown and startup of large-diameter water mains. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

Procurement Information

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

Selected Firms

Rank 1: Achen-Gardner Construction, LLC

Rank 2: Professional Piping Systems LLC, DBA WaCo Contracting

Additional Proposer
Rank 3: Garney Companies, Inc.

Contract Term
The term of each master agreement is for up to five years, or up to $5 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact
The master agreement values for each of the JOC contractors will not exceed $5 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed $10 million.

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

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

This item was adopted.

80 Salt River Project Land Use License with City of Phoenix for Private Residential Subdivision Development Project - Laveen Gardens (Ordinance S-45520)

Request to authorize the City Manager, or his designee, to enter into a land use license with Salt River Project (SRP) for a private residential subdivision development project, Laveen Gardens, located on the west side of 27th Avenue, north of Vineyard Road. There is no financial impact to the City of Phoenix.

Summary

The land use license is necessary to facilitate the development of the property located on the west side of 27th Avenue north of Vineyard Road. The license will allow for the construction of right-of-way improvements including: pavement, curb, gutter, sidewalk and landscaping along 27th Avenue and will be consistent with and shall not interfere with U.S. Bureau of Reclamation fee property.

Indemnification

The SRP license agreement includes authorization pursuant to Phoenix City Code section 42-20 to indemnify, release and hold harmless SRP for: (A) acts 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.

Contract Term

The term of the license shall be for 25 years beginning in April 2019 and ending Jan. 31, 2044. The license may be renewed upon written agreement by the parties.

Financial Impact

There is no financial impact for this license.

Location

West side of 27th Avenue, north of Vineyard Road
Council District: 8

This item was adopted.

81 Transportation Funding for Transportation Projects in Fiscal Year 2020 (Ordinance S-45533)

Request to authorize the City Manager, or his designee, to apply for, accept and if awarded, enter into agreements for disbursement of up to

$595,017 in transit funding through a grant application to the Maricopa Association of Governments (MAG) under the Achieving Transit Accessibility Now (ATAN) program. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary

The Maricopa Association of Governments (MAG) is soliciting applications for the ATAN Program-Round 5. The MAG Regional Council made available $850,025 of transit funds within the MAG Region to improve accessibility at transit stops, with a limitation that no single agency be awarded more than 70 percent of the total available funding. The ATAN grant funds are also limited to a maximum of $40,000 per location. Applications from local jurisdictions are evaluated on a rolling application cycle every six months. This is the fifth application cycle. The Street Transportation Department plans to request up to the maximum amount allowed ($595,017) in ATAN funds as part of a comprehensive grant application. The City would contribute the required minimum 20 percent match, or $10,000, for each project, as well as any additional funds needed to fully fund awarded projects.

This funding opportunity would leverage local dollars and increase the number of City transportation projects that enhance the community. The program funding has its own competitive review and ranking process that will happen under the MAG purview. In preparing the grant application, staff will refine the grant submittal, cost and scope to be competitive with local and regional submittals.

Financial Impact

ATAN requires local jurisdictions to contribute a minimum 20 percent funding match toward eligible project costs. The project match will be funded through Arizona Highway User Revenue (AHUR) and Transportation 2050 (T2050) funds. If awarded the full amount of ATAN funds under this opportunity, it would free up to $595,017 of AHUR and/or T2050 funds to be reprogrammed for other Street Transportation projects.

Concurrence/Previous Council Action

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

This item was adopted.

82 Transmission Main Improvements - Construction Manager at Risk Construction Services - WS85507003 (Ordinance S-45498)

Request to authorize the City Manager, or his designee, to enter into an agreement with Achen-Gardner Construction, LLC (Achen-Gardner) to provide Construction Manager at Risk (CMAR) Construction Services for the Scenario 16B Transmission Main Improvements project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $9,950,000.

Summary

The purpose of this project is to rehabilitate one mile of 60-inch pre-stressed concrete cylinder pipe transmission main as part of the Transmission Main Inspection and Assessment Program. The main extends south along 36th Street from Roeser Road to Vineyard Road. The program evaluated relocation versus rehabilitation alternatives including applicable pipe rehabilitation technologies and alternative routes for relocation of the main.

Achen-Gardner's initial services will include preparation of a Guaranteed Maximum Price (GMP) proposal for the Construction Services provided under the agreement and participating with the City in a process to establish a Small Business Enterprise (SBE) goal for the project. Achen-Gardner will be responsible for construction means and methods related to the project and fulfilling the SBE program requirements. Achen-Gardner will be required to solicit bids from prequalified subcontractors and to perform the work using the City’s subcontractor selection process. Achen-Gardner may also compete to self-perform limited amounts of work.

Achen-Gardner's services include, but are not limited to: construction of the selected alternative per final plans and specifications, bond and insure the construction, address all federal, state and local permitting requirements, arrange for procurement of materials and equipment, schedule and manage site operations, deal with owner issues, maintain a safe work site for all project participants, and provide quality controls.

Procurement Information
The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes. Scoring and selection were made in conjunction with the CMAR Preconstruction Services selection process.

Contract Term
The term of the agreement is 433 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for Achen-Gardner will not exceed $9,950,000, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action
The City Council approved:
Design Services Agreement 147481 (Ordinance S-44594) on May 16, 2018.
Preconstruction Services Agreement 147482 (Ordinance S-44568) on May 16, 2018.

Location
The main extends south along 36th Street from Roeser Road to Vineyard Road.
Council District: 8

This item was adopted.

84 Intergovernmental Agreement with New Magma Irrigation & Drainage District for Groundwater Savings (Ordinance S-45517)

Request to authorize the City Manager, or his designee, to execute an Intergovernmental Agreement between the City of Phoenix (Phoenix) and the New Magma Irrigation & Drainage District (NMIDD) to store portions of Phoenix's annual allocation of Colorado River water. This arrangement allows NMIDD to save groundwater and Phoenix to earn Long-Term Storage Credits; there is no cost to Phoenix and NMIDD will pay Phoenix up to $200,000 under the Agreement. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary

Each year Phoenix stores a portion of its Colorado River allocation in underground storage facilities and groundwater savings facilities in order to earn long-term storage credits that can be recovered in the future when Phoenix supplies are reduced by shortage. NMIDD is located within the Phoenix Active Management Area and provides irrigation water to farms and other users within its service area. The district has been permitted as a Groundwater Savings Facility (GSF) by the Arizona Department of Water Resources and can accept Colorado River water deliveries from third-parties, such as Phoenix, to deliver to NMIDD customers. NMIDD's use of Colorado River water saves groundwater from being pumped; Phoenix receives a long-term storage credit for the groundwater thus saved. At a later time, Phoenix can recover its long-term storage credits using its own wells or any other well in the Phoenix Active Management Area.

While the amount of water stored is variable and will be determined on an annual basis by the Director of the Water Services Department (WSD), the maximum amount of Phoenix water to be delivered to NMIDD is 10,000 acre-feet/year. NMIDD will pay Phoenix $20/acre-foot for the water sent to the district. Separately, Phoenix pays for its Colorado River allocation pursuant to its subcontract with the Central Arizona Water Conservation District and the United States Bureau of Reclamation.

Contract Term

The term is for three years effective April 1, 2019, and ending March 31, 2022, with an option to extend for an additional three years, which may be

exercised by the City Manager or his designee.

Financial Impact

The financial impact of this Agreement is a maximum of up to $200,000 to be received each year, based upon $20/acre-foot and 10,000 acre-feet/year maximum. Any funds received by the City from NMIDD will be credited to the Aquifer Storage Fund in WSD's Capital Improvement Program.

This item was adopted.

85 Modification of Stipulation Request for Ratification of Jan. 16, 2019 Planning Hearing Officer Action - Z-96-06-7

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Jan. 16, 2019. This ratification requires formal action only.

Summary

Application: PHO-1-18--Z-96-06-7
Existing Zoning: S-1 (Approved R-3A, C-2)
Acreage: 82.34
Applicant: Terry Klinger - Rexco LLC
Owner: Terry Klinger - Rexco LLC
Representative: Alan Beaudoin - Norris Design

Proposal:

Modification of Stipulation 1 regarding general conformance to the site plan date stamped Aug. 15, 2006.
Deletion of Stipulation 2 regarding submission of elevations for PHO review.
Deletion of Stipulation 3 regarding a 50-foot landscape setback along the eastern property line.
Modification of Stipulation 9 regarding location of transit pad.
Deletion of Stipulation 10 regarding transit pad, 2 bus bay and dedication of right-of-way.
Deletion of Stipulation 11 regarding transit pad, 2 bus bay and dedication of right-of-way.
Modification of Stipulation 13 regarding size of right-of way.
Modification of Stipulation 18 regarding maximum dwelling units per acre.

Modification of Stipulation 19 regarding open space on specific parcels.
Deletion of Stipulation 20 regarding conceptual lighting, signage and landscaping plan for PHO review.
Technical corrections to Stipulations 8, 12, 14 and 15.

Location
General Location: Southwest corner 59th Avenue and Southern Avenue.
Council District: 7
Parcel Address: N/A

Concurrence
Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee heard this case on Jan. 14, 2019 and recommended approval with a modification and an additional stipulation by a 8-1 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer took this case under advisement on Jan. 16, 2019. On Feb. 8, 2019 the Planning Hearing Officer took this case out from under advisement and recommended denial as filed and approval with modifications and additional stipulations.

This item was approved.

86 Modification of Stipulation Request for Ratification of Jan. 16, 2019 Planning Hearing Officer Action - Z-142-06-7

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Jan. 16, 2019. This ratification requires formal action only.

Summary
Application: PHO-1-18--Z-142-06-7
Existing Zoning: S-1 (Approved C-2 HGT/WVR)
Acreage: 7.56
Applicant: Terry Klinger - Rexco LLC
Owner: Terry Klinger - Rexco LLC
Representative: Alan Beaudoin - Norris Design

Proposal:
Modification of Stipulation 1 regarding general conformance to the site

plan date stamped Oct. 16, 2006.
Deletion of Stipulation 2 regarding general conformance to elevations dated Oct. 16, 2006.
Deletion of Stipulation 3 regarding site plan approval concerning South Mountain Freeway interchange completion.
Deletion of Stipulation 4 regarding conceptual lighting, signage and landscape plans.
Deletion of Stipulation 5 regarding walls and fences.
Deletion of Stipulation 6 regarding minimum of 75 percent of roof surface materials be Energy Star compliant.
Deletion of Stipulation 7 regarding that all landscaped areas adjacent to office buildings contain large fast growing shade trees.
Technical correction to Stipulation 8.

Location
General Location: Southwest corner of 59th Avenue and Southern Avenue.
Council District: 7
Parcel Address: N/A

Concurrence
Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee heard this case on Jan. 14, 2019 and recommended approval by a 9-0 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer took this case under advisement on Jan. 16, 2019. On Feb. 8, 2019 the Planning Hearing Officer took this case out from under advisement and recommended denial as filed and approval with modifications and additional stipulations.

This item was approved.

87 Final Plat - Sky Crossing - Parcel 10 - 180106 - West of Black Mountain Parkway and North of Deer Valley Drive

Plat: 180106
Project: 16-1029
Name of Plat: Sky Crossing - Parcel 10
Owner(s): Cave Buttes Development Partners, LLC
Engineer(s): Hilgart-Wilson

Request: A 100 Lot Single Family Residential Subdivision Plat
Reviewed by Staff: March 8, 2019
Final Plat requires Formal Action Only

Summary

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

Location

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

This item was approved.

88 Final Plat - Park Central Amended - 190001 - North of Catalina Drive and West of Central Avenue

Plat: 190001
Project: 18-3411
Name of Plat: Park Central Amended
Owner(s): HPPC, LLC
Engineer(s): Wood, Patel & Associates, Inc.
Request: A 6 Lot Commercial Plat
Reviewed by Staff: March 19, 2019
Final Plat requires Formal Action Only

Summary

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

Location

Generally located north of Catalina Drive and west of Central Avenue.
Council District: 4

This item was approved.

89 Final Plat - The Corner at Bethany Home & 19th - 180124 - Northeast corner of Bethany Home Road and 19th Avenue

Plat: 180124
Project: 18-2664
Name of Plat: The Corner at Bethany Home & 19th
Owner(s): 19th & Bethany, LLC
Engineer(s): LSRS Land Surveying
Request: A 3 Lot Commercial Plat
Reviewed by Staff: March 7, 2019
Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the northeast corner of Bethany Home Road and 19th Avenue.
Council District: 5

This item was approved.

90 Final Plat - Re-plat of Goldman Ranch Lots 1-6, 80-84 - 180015 - South of Liberty Lane and North of State Route 202, West and East of 27th Place

Plat: 180015
Project: 17-772
Name of Plat: Re-plat of Goldman Ranch Lots 1-6, 80-84
Home Owners Primary Contact: James Martin, Metro Property Services
Owners: Brenda & Jeff McQuaid; Robert Jorgenson Living Trust; Maritza Fuentes & Adam Munoz; Kim & James Martin; Luis & Cynthia Albaracin; Diane & Raymond Bukowski; Amy & Guy Brown; Keri Cody; Marsh Phaedrae; Tracy & John Gomes; and Douglas Silver

Engineer(s): Metro/Land Consultants, LLC
Request: An 11-Lot Residential Plat
Reviewed by Staff: Feb. 27, 2019
Final Plat requires Formal Action Only

Summary

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

Location
Generally located south of Liberty Lane and North of State Route 202, West and East of 27th Place.
Council District: 6

This item was approved.

91 Final Plat - 28th Street Residences - 180143 - Southwest Corner of 28th Street and Oak Street

Plat: 180143
Project: 17-2049
Name of Plat: 28th Street Residences
Owner(s): Artisan Builders, LLC
Engineer(s): Arizona Surveyors, Inc.
Request: A 1 Lot Commercial Plat
Reviewed by Staff: March 5, 2019
Final Plat requires Formal Action Only

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

Location
Generally located at the southwest corner of 28th Street and Oak Street.
Council District: 8

This item was approved.

92 Abandonment of Right-of-Way - V180069A - Southeast Corner of Cinnabar Avenue and 10th Avenue (Resolution 21728)

Abandonment: V180069A
Project: 17-1360
Applicant: Kenton Drury
Request: To abandon the alley running east and west, between 9th

Avenue and 10th Avenue, in the block bordered by Ironwood Drive to the south, and Cinnabar Avenue to the north. The alley is approximately 281 feet in length and 20 feet in width.
Date of Hearing: Jan. 8, 2019

Location
Southeast corner of Cinnabar Avenue and 10th Avenue
Council District: 3

Financial Impact
A fee was also collected as part of this abandonment in the amount of $1,038.60.

This item was adopted.

93 Abandonment of Right-of-Way - V180070A - Southwest Corner of Ironwood Drive and 9th Avenue (Resolution 21729)

Abandonment: V180070A
Project: 17-1360
Applicant: Kenton Drury
Request: To abandon the 20-foot alley running north to south and east to west, bounded by Ironwood Drive and 9th Avenue and Mountain View Road.
Date of Hearing: Jan. 8, 2019

Location
Southwest corner of Ironwood Drive and 9th Avenue
Council District: 3

Financial Impact
A fee was also collected as part of this abandonment in the amount of $1,379.

This item was adopted.

94 Abandonment of Right-of-Way - V180048A - 915 E. Missouri Ave. (Resolution 21727)

Abandonment: V180048A
Project: 17-1693
Applicant: RFK Taekwood, Limited Liability Company
Request: To abandon the 8 foot wide alleyway directly east and south of parcel addressed 915 E. Missouri Ave. and the 10-foot right-of-way along

the entire North parcel; along Missouri Avenue.
Date of Hearing: Aug. 28, 2018

Location
915 E. Missouri Ave.
Council District: 6

Financial Impact
A fee was also collected as part of this abandonment in the amount of $893.50.

This item was adopted.

95 Abandonment of Easement - V180054A - 6300 N. Central Ave. (Resolution 21725)

Abandonment: V180054A
Project: 99-426
Applicant(s): All Saints' Episcopal Day School
Request: To abandon 20-foot public utility easement on parcel 161-26-092. The East 425.66 feet of the public utility easement over Lot 1 of the final plat for "All Saints' Episcopal Church and Day School," recorded as book 1192, page 41, of the Maricopa County Recorder.
Date of Decision: Dec. 6, 2018

Location
6300 N. Central Ave.
Council District: 6

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

This item was adopted.

96 Abandonment of Easement - V180055A - 1809 W. Southern Ave. (Resolution 21726)

Abandonment: V180055A

Project: 04-1624
Applicant: SimonCRE Torreon V, LLC.
Request: To abandon existing drainage easement that is located at 1809 W. Southern Ave., described in Book 131, Page 23 in Maricopa County Records, shown on lot 4.
Date of Decision: Oct. 16, 2018

Location
1809 W. Southern Ave.
Council District: 7

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

This item was adopted.

97 Abandonment of Easement - V180077A - 100 N. 61st Ave. (Resolution 21730)

Abandonment: V180077A
Project: 16-2490
Applicant(s): Blake Kelley - Prologis
Request: To abandon portions of drainage easements on parcel identified as APN 104-05-008N, per Final Plat for "West Washington DC 1 Land."
Date of Decision/Hearing: Feb. 11, 2019

Location
100 N. 61st Ave.
Council District: 7

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

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

This item was adopted.

99 Amend City Code - Ordinance Adoption - Rezoning Application Z-22-16-2 - Approximately 365 Feet East of the Southeast Corner of 25th Place and Rose Garden Lane (Ordinance G-6575)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-22-16-2 and rezone the site from RE-35 (Approved RE-35 SP) and RE-35 SP to PUD for an equine therapeutic riding center.

Summary
Current Zoning: RE-35 (Approved RE-35 SP) and RE-35 SP
Proposed Zoning: PUD
Acreage: 5.02
Proposed Use: Equine therapeutic riding center

Owner: Horses Help, Inc.
Applicant: Gregg Goodman
Representative: Gregg Goodman

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Paradise Valley Village Planning Committee heard this case on Feb. 4, 2019 and recommended approval, per the staff recommendation by a 14-0 vote.
PC Action: The Planning Commission heard this case on March 7, 2019 and recommended approval, per the Paradise Valley Village Planning Committee recommendation with an additional stipulation by a 7-0 vote.

Location
Approximately 365 feet east of the southeast corner of 25th Place and Rose Garden Lane.
Council District: 2
Parcel Addresses: 2601 and 2615 E. Rose Garden Lane

This item was adopted.

100 Amend City Code - Ordinance Adoption - Rezoning Application

Z-78-18-2 - Approximately 100 Feet North of the Northwest Corner of 7th Avenue and Anderson Drive (Ordinance G-6576)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-78-18-2 and rezone the site from R1-8 to R-2 for multifamily (townhomes).

Summary
Current Zoning: R1-8
Proposed Zoning: R-2
Acreage: 0.95
Proposed Use: Multifamily (townhomes)

Owner: MAI Developers, LLC
Applicant: MAI Developers, LLC
Representative: Kenyon Architectural Studio

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Deer Valley Village Planning Committee heard this case on Feb. 21, 2019 and recommended approval, per the staff recommendation with an additional stipulation by an 8-0 vote.
PC Action: The Planning Commission heard this case on March 7, 2019 and recommended approval, per the Deer Valley Village Planning Committee with an additional stipulation by a 7-0 vote.

Location
Approximately 100 feet north of the northwest corner of 7th Avenue and Anderson Drive.
Council District: 2
Parcel Addresses: 17400 N. 7th Ave.

This item was adopted.

101 **Amend City Code - Ordinance Adoption - Rezoning Application Z-87-18-4 - Southeast Corner of Central Avenue and Indianola Avenue (Ordinance G-6579)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-87-18-4 and rezone the site from C-2 TOD-1 and C-3 TOD-1 to WU

Code T5:6 MT to allow multifamily residential.

Summary

Current Zoning: C-3 TOD-1 and C-2 TOD-1
Proposed Zoning: WU Code T5:6 MT
Acreage: 3.70
Proposed Use: Multifamily residential

Owner: MAC Property, LTD
Applicant: Jason Morris - Withey Morris, PLC
Representative: Jason Morris - Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Encanto Village Planning Committee heard this case on Feb. 4, 2019 and recommended approval, per the staff recommendation with an additional stipulation by an 8-1 vote.
PC Action: The Planning Commission heard this case on March 7, 2019 and recommended approval, per the Encanto Village Planning Committee recommendation and the staff memo dated March 7, 2019 by a 7-0 vote.

Location

Southeast corner of Central Avenue and Indianola Avenue.
Council District: 4
Parcel Address: 5, 7, 9, 11, 15, 17, and 18 E. Indianola Ave.; and 3815, 3825, and 3833 N. Central Ave.

This item was withdrawn.

102 Amend City Code - Ordinance Adoption - Rezoning Application Z-88-18-8 - Approximately 120 Feet East of the Northeast Corner of 11th Street and Washington Street (Ordinance G-6572)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-88-18-8 and rezone the site from C-1 HP TOD-1 to WU Code T5:2 EG HP for a restaurant/bar use.

Summary

Current Zoning: C-1 HP TOD-1
Proposed Zoning: WU Code T5:2 EG HP
Acreage: 0.42

Proposed Use: Restaurant/bar

Owner: Laara Van Loben Sels
Applicant: Jennifer Herbert
Representative: Jennifer Herbert

Staff Recommendation: Approval, subject to stipulations.
VPC Action: Central City Village Planning Committee heard this case on Feb. 11, 2019 and recommended approval, per the staff recommendation by a 13-3 vote.
PC Action: Planning Commission heard this case on March 7, 2019 and recommended approval, per the Central City Village Planning Committee with an additional stipulation by a 7-0 vote.

Location
Approximately 120 feet east of the northeast corner of 11th Street and Washington Street.
Council District: 8
Parcel Addresses: 1110 E. Washington St.

This item was adopted.

107 Public Hearing - PCD Major Amendment - Rezoning Application Z-66-C-96-1 - Northwest Corner of 41st Drive and Fortune Drive

Request to hold a public hearing and approve Rezoning Application Z-66-C-96-1 to allow a height waiver for up to 40 feet in height for a hotel in the existing PCD at the northwest corner of 41st Drive and Fortune Drive. This item requires formal action.

Summary
Current Zoning: C-2 or CP/GCP PCD (1.48 acres) and C-2 PCD (1.59 acres)
Proposed Zoning: C-2 HGT/WVR PCD
Acreage: 3.07
Proposed Use: Height waiver for up to 40 feet in height

Owner: Tim Rutjes
Applicant: Nathan Anderson, LJA
Representative: Nathan Anderson, LJA

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Rio Vista Village Planning Committee heard this case on Feb. 12, 2019 and recommended approval, per the staff recommendation by a 4-1 vote.
PC Action: The Planning Commission heard this case on March 7, 2019 and recommended approval, per the Rio Vista Village Planning Committee recommendation with an additional stipulation by a 7-0 vote.

Location
Northwest corner of 41st Drive and Fortune Drive.
Council District: 1
Parcel Address: 4114 and 4121 W. Fortune Drive

This item was continued to the April 17, 2019 City Council Formal Meeting.

31 Public Comment on the Proposed MOU Between the City of Phoenix and LIUNA, Local 777 (Unit 1)

Request for City Council to receive public comment on the terms of the proposed Memorandum of Understanding (MOU) with the Laborers' International Union of North America (LIUNA), Local 777 (Unit 1). Section 2-218 (G) of the Meet and Confer Ordinance provides that a proposed Memorandum of Understanding (MOU) be filed with the City Clerk following its ratification by the employee organization and, "At the earliest practicable date thereafter the City Council of the City of Phoenix shall provide on its agenda an opportunity for public comment on the terms of the memorandum of understanding prior to the Council acting thereon."

Discussion
Human Resources Director Lori Bays stated the purpose of this item was for Council to have an opportunity to hear public comment on the proposed contract between LIUNA Local 777 and the City. She introduced Deputy Human Resources Director David Matthews who was the chief negotiator with LIUNA. She pointed out staff had been in negotiations since early January and through a collaborative approach reached an agreement with LIUNA Local 777. She advised the Council's packets included the Memorandum of Understanding with the new language identified in bold font.

Mayor Gallego thanked staff for their work on this and congratulated them on coming to an agreement. She announced Jennifer Grondahl submitted a comment card to speak and congratulated Ms. Grondahl on her work on this agreement to make sure City employees had fair compensation.

Jennifer Grondahl stated she worked for LIUNA Local 777 which represented the employees in Unit 1. She thanked the Council for passing the item related to full-time City employees making $15 an hour as that would change people's lives. She remarked this was the most collaborative contract as they sat at the table and brainstormed ideas and talked about procedures and policies and how they are applied and misapplied in the field. She indicated they came to agreement on how things would work because they talked it out at the table. She said they came up with some innovative ideas and could not wait to see them applied in the field. She noted this was the first contract since the recession where employees had solid pay increases. She asked that Council vote yes for this item and thanked everyone for their time.

Mayor Gallego declared the public hearing open. She stated this was an exciting day as this contract as well as Item 30 reflected well on the City as employees would be making $15 an hour for full-time work and be able to support their families.

Councilwoman Pastor congratulated LIUNA for coming to an agreement. She pointed out there were several important pieces but one was moving up pay to $15 which was a livable wage.

Councilwoman Stark congratulated the hard working staff and expressed she was happy to see everyone would be getting paid at least $15 an hour. She also thanked Unit 1 for stepping up to the plate.

Councilwoman Guevara stated it was great to see Phoenix lead by example. She conveyed in order to deliver the best for residents the City needed to attract the best employees and this would continue to help the City do so.

Councilman Nowakowski remarked the $15 living wage for the 153

full-time workers would make a big difference for their families. He thanked the employees, especially Unit 1, for stepping up and making sacrifices during the budget cuts to continue providing services to the community.

Mayor Gallego also thanked the Human Resources Department on this matter. Seeing no further comments, she declared the public hearing closed.

Public comment was heard.

32 Approving the MOU Between the City of Phoenix and LIUNA, Local 777 (Unit 1) (Resolution 21733)

The City of Phoenix has met and conferred with Laborers' International Union of North America (LIUNA), Local 777 (Unit 1) in accordance with the terms of Section 2-218 of the City Code, and a Memorandum of Understanding (MOU) has been approved by the organization's membership. A copy of the proposed MOU has been filed with the City Clerk and an opportunity for public comment has been requested as an agenda item preceding this resolution.

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

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

33 Designation of Voting Centers for the May 21, 2019 Runoff Election - Emergency Clause (Ordinance S-45537)

Request the City Council to designate voting centers for the City of Phoenix Runoff Election to be held on May 21, 2019, and establish the days and hours for voting.

Summary

All proposed 11 sites in and around Districts 5 and 8 are the most commonly used locations by voters in these districts and were utilized in the March 12, 2019 Special Election. The voting centers will be open for

the usual days and hours from 10 a.m. to 4 p.m. on Saturday, May 18; 9 a.m. to 6 p.m. on Monday, May 20; and 6 a.m. to 7 p.m. on Election Day, Tuesday, May 21. Registered voters in Districts 5 and 8 can go to any of the proposed voting center locations to cast their ballot.

Public Outreach
Households with one or more registered voters will receive a Sample Ballot Pamphlet (SBP) in mid April containing a list and map showing the voting center locations and the days and hours the voting centers will be open. The SBP also will contain general information about the election. Information also will be available online at phoenix.gov/elections. All election information is provided in English and Spanish.

An interactive voting center locator will be available at phoenix.gov/elections. The locator will allow a voter to enter an address or use their current location on a mobile device to identify the nearest voting centers. The application also will indicate the level of voting activity at each location so voters can identify sites that are less busy.

Location
A map of the proposed voting center locations is attached (**Attachment A**).

Emergency Clause
The emergency clause is necessary to meet legal requirements related to the printing of the Sample Ballot Pamphlet.

Procedural Discussion
Following the vote, Vice Mayor Waring announced his intent was to vote no on this item.

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

Yes:	7 -	Councilman DiCiccio, Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark and Mayor Gallego
No:	1 -	Vice Mayor Waring

Absent: 1 - Councilwoman Williams

35 **Multi-City Subregional Operating Group User Charge Rates (Ordinance G-6573)**

Request City Council approval to amend Phoenix City Code for the Multi-City Subregional Operating Group (SROG) User Charges.

Summary

This request amends the Phoenix City Code Chapter 28, Article V, Section 28-39 (a) 4, implementing changes to the sewer user charges to the Multi-City Subregional Operating Group (SROG) members effective July 1, 2019 (**Attachment A**).

The City of Phoenix participates with the cities of Glendale, Mesa, Scottsdale, and Tempe in Intergovernmental Agreement 22699 (IGA), for construction, operation and maintenance of the jointly-used 91st Avenue Wastewater Treatment Plant (WWTP). As lead agency, the City of Phoenix is responsible for the planning, budgeting, construction, operation and maintenance of the plant, and for billing member cities. The other members pay for costs of operation and maintenance based on anticipated use of the facility measured by sewage flows and strengths. These costs are recovered from the other members through user charges implemented annually on July 1 of each fiscal year.

The charges, to be effective July 1, 2019, are used as a basis to fairly allocate costs to the member cities for use of the 91st Avenue WWTP for Fiscal Year 2019-20. The Fiscal Year 2019-20 estimated costs shown below were included in this year's wastewater financial planning process.

The following SROG user charges and allocation of estimated costs were approved by the SROG Committee on Feb. 13, 2019 (**Attachment B**).

SROG Member	User Charge per 1,000 Gallon	Allocation of FY 2018-19 Estimated Costs

City of Glendale	$1.21469	$3,502,561
City of Mesa	1.10740	8,084,036
City of Scottsdale	1.32204	4,342,895
City of Tempe	0.80848	5,665,848
Subtotal		**$21,595,340**
City of Phoenix	0.96702	29,472,330
Total		**$51,067,670**

Concurrence/Previous Council Action

This item was previously approved by City Council on April 18, 2018 (Ordinance G-6446).

The City Clerk read the title of the ordinance for this item.

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

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

No: 0

Absent: 1 - Councilwoman Williams

42 Deferred Compensation Plan, Defined Contribution Plan, and Post Employment Health Plan Vendor Recommendation - Hyas Group (Ordinance S-45536)

Request to authorize the City Manager, or his designee, to enter into a contract with Hyas Group to provide investment consulting services for the City of Phoenix Deferred Compensation Plan (the "457 Plan"), 401(a) Defined Contribution Plan (the "401(a) Plan"), and Post Employment Health Plan ("PEHP"). Authorization is also requested for the City Controller to disburse funds throughout the life of the contract, as necessary. The expenditure will not exceed $600,000 over the life of the contract, including potential extensions. Funding for services related to the City's 457 and 401(a) Plans is in the DCP budget; and funding for

services related to the City's PEHP is in the City's General Fund account.

Summary

The City issued a Request for Proposals (RFP) on June 25, 2018, seeking proposals for Investment Consulting Services for the City's 457 Deferred Compensation Plan, 401(a) Defined Contribution Plan and Post Employment Health Plan. Five firms submitted responses to the RFP.

Procurement Information

Evaluations of the five proposals were conducted by an RFP selection committee composed of members of the City's Deferred Compensation Plan (DCP) Board, PEHP Board, a member of Phoenix Fire Fighters Local 493 and City staff. Proposal scores (out of 1,000 points) were as follows:

Hyas: 960
Innovest: 930
SageView: 810
Segal Marco: 745
RVK: 740

Interviews were conducted with two finalists: Innovest Portfolio Solutions and Hyas Group. The committee's recommendation was submitted to the DCP Board and the PEHP Board during the combined meeting of both Boards held on Jan. 10, 2019, and both Boards approved, unanimously, the selection of Hyas Group as the investment consultant to the 457 Plan, 401(a) Plan and PEHP for the following reasons:

Ability to provide the full scope of services.
Experience successfully serving the City's Deferred Compensation Plans.
Dedicated senior leaders who work directly with the City.
Strong local public sector presence and experience.
Understanding integration of Deferred Compensation Plans with pension plans and other employee and retiree benefits.
Offered Overall Satisfaction guarantee with monetary consequences.
Experience negotiation with recordkeepers.

Contract Term

The term of the agreement will be three years, starting March 1, 2019 through Feb. 28, 2022. Provisions of the contract will include an option to extend the term for up to two years, in one-year increments, which may be exercised by the City Manager, or his designee.

Financial Impact

The expenditure will not exceed $600,000 over the life of the contract, including potential extensions. Funding for services related to the City's 457 and 401(a) Plans is in the DCP budget; and funding for services related to the City's PEHP is in the City's General Fund account.

Discussion

Councilwoman Pastor said she understood this item was just the vendor who worked with the policy groups regarding the compensation plan and everything else that went along with it.

Human Resources Director Lori Bays replied this contract was for the Hyas Group which was the consultant that worked with the deferred compensation and post employment health plan board to advise on investment decisions. She pointed out the City had been working with this contractor for several years, noting this request was for a new three year contract.

Councilwoman Pastor stated it was brought to her attention the contract term should start April 3 instead of March 1 and moved the item with that change.

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

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

52 Phoenix Sky Harbor International Airport Terminal 3 North Bridge Artist Fabrication and Installation Contract (Ordinance S-45522)

Request to authorize the City Manager, or his designee, to enter into a contract with artist James Carpenter Design Associates (JCDA), or his City-approved designee, for an amount not to exceed $1,600,000, to fabricate and install a work of public art integrated into the Terminal 3's North Concourse Bridge at Phoenix Sky Harbor International Airport. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Fiscal Year 2018-23 Public Art Project Plan includes a project with JCDA to produce an artwork for the North Concourse Bridge as part of the Terminal 3 Modernization. Mr. Carpenter was recommended through a competitive process to design the work in February 2015. City Council approved a design contract for JCDA on May 4, 2016. Since then, JCDA has worked closely with the Terminal 3 Modernization Project team to fully integrate design and construction documents into plans for improving the passenger bridge. The floor-to-ceiling artwork will be a window wall, running the 194-foot length and occupying the west side of the bridge. It will be built with approximately 760 hexagonal aluminum cells arranged in steel framework holding 41 laminated semi-translucent glass panels and 77 lighting fixtures. The installation will highlight the beauty of the Desert Southwest light and landscape, while diffusing the brightness and reducing the heat of the afternoon sun inside the bridge corridor.

Financial Impact

The Phoenix Sky Harbor Terminal 3 Modernization North Concourse Bridge Public Art Project is one of 31 projects in the Fiscal Year 2018-23 Public Art Project Plan that City Council approved on June 28, 2018. The Art Plan includes $2,024,703 for this project. The proposed $1,600,000 contract would include all costs related to the artist's fabrication and installation of the artwork and lighting, and his coordination with the PSHIA Terminal 3 construction team. The remaining project funds will be used for City project administration. Funds for this project come from the Aviation Department Capital Improvement Program Percent-for-Art Budget.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission reviewed and recommended

this item for approval on March 19, 2019.

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

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

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

54 Margaret T. Hance Park Phase I Improvements - Construction Manager at Risk Preconstruction Services - PA75200553 (Ordinance S-45494)

Request to authorize the City Manager, or his designee, to enter into an agreement with Haydon Building Corp. to provide Construction Manager at Risk (CMAR) Preconstruction Services for the Margaret T. Hance Park Phase I Improvements project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $150,000.

Summary
The purpose of this project is to transform the identity of Margaret T. Hance Park and activate the Central Plaza with day and night programming featuring visual landmarks, shade elements, gardens, an interactive water feature, a cafe, and public restrooms. Phase I improvements have been identified at a conceptual level and include the park land roughly one block East and West of Central Avenue. Improvements include, but are not limited to: parking improvements, recladding of Central Avenue Bridge, modifications to Central Avenue bridge abutments, recladding of ADOT vents, terraces and tree plantings with improved stair and ramp connections from Central Avenue, park offices and storage, restrooms, shade canal gardens, and shade

structures and lighting.

Haydon Building Corp. will begin in an agency support role for CMAR Preconstruction Services. Haydon Building Corp. will assume the risk of delivering the project through a Guaranteed Maximum Price (GMP) agreement.

Haydon Building Corp.'s services include, but are not limited to: review of design plans and specifications, providing detailed construction cost estimating and identification of market conditions; project planning and scheduling; construction phasing and scheduling to minimize interruption to City operations; providing alternate systems evaluation and constructability studies; advising the City on potential efficiencies in project delivery; performing and initiating long-lead studies and procurements; assisting in permitting processes; and protecting the owner's sensitivity to quality, safety and environmental factors. A Small Business Enterprise goal will be established for this project upon substantial completion of Preconstruction Services and prior to the start of construction.

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

Selected Firm
Rank 1: Haydon Building Corp.

Additional Proposers
Rank 2: Okland Construction Company, Inc.
Rank 3: Hunter Contracting Co.

Contract Term
The term of the agreement is 790 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the

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

Financial Impact

The agreement value for Haydon Building Corp. will not exceed $150,000, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action

The Parks, Arts, Education and Equality Subcommittee recommended approval of the Design Services Agreement 145602, at its May 24, 2017 meeting, by a vote of 3 to 0.

The City Council approved:
Design Services Agreement 145602 (Ordinance S-43648) on July 6, 2017; and
Amendment 1 to Design Services Agreement 145602 (Ordinance S-44819) on June 20, 2018.

Location

Margaret T. Hance Park, 67 W. Culver St.
Council District: 7

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

Yes:	7 -	Councilman DiCiccio, Councilwoman Guevara, Councilwoman Mendoza, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark and Mayor Gallego
No:	1 -	Vice Mayor Waring

Absent: 1 - Councilwoman Williams

57 **Issuance of Education Facility Revenue Bonds (Leman Academy of Excellence - Oro Valley Project), Series 2019 (Resolution 21731)**

Request City Council approval for the issuance of Education Facility Revenue Bonds (Leman Academy of Excellence - Oro Valley Project), Series 2019, to be issued in one or more tax-exempt and/or taxable series in an aggregate principal amount not to exceed $12,400,000.

Summary

Request City Council adoption of a resolution granting approval of the proceedings under which The Industrial Development Authority of the City of Phoenix, Ariz., (the "Phoenix IDA") has previously resolved to issue up to $12,400,000 of Education Facility Revenue Bonds (the "The Revenue Bonds") for use by Leman Academy of Excellence, Inc. (the "Borrower"), an Arizona nonprofit corporation, to

a) finance construction, improvement, and equipping of a building to be used as charter school facilities in Oro Valley, Arizona, and
b) pay certain costs related to the issuance of the Revenue Bonds.

Concurrence/Previous Council Action

The Phoenix IDA Board has previously resolved to issue the Revenue Bonds at its meeting held on March 20, 2019.

Location

The Project will be located at 12255 N. La Canada Drive in Oro Valley, Ariz.

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

Discussion

Leonard Clark spoke in opposition as he believed in school choice and parental choice. He did not agree with handing out $13 million in tax-free municipal dollars to these two corporate charter schools. He urged the Council to vote no on this item in support of public education.

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

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

59 Intergovernmental Agreement with Department of Homeland Security, U.S. Customs and Border Protection

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Department of Homeland Security, the U.S. Customs and Border Protection, for the purpose of continued shared use of communications facilities and services on South Mountain. This agreement is at no cost to the City.

Summary

In order to ensure adequate regional radio communications for public safety and other organizations, the City enters into Intergovernmental Agreements (IGA) with regional partners to allow for the shared use of communications facilities. In 1999, the City of Phoenix entered into an IGA allowing the Department of Homeland Security, the U.S. Customs and Border Protection (CPB) to occupy space on the communications tower and related facilities on South Mountain. This request is to enter into a new agreement to continue the existing shared use of the facilities.

Contract Term

The contract term will be 10 years, with an option to extend for one additional 10-year period.

Financial Impact

This agreement is at no cost to the City.

Discussion

Leonard Clark stated he was neutral on this item. He understood this was about communications, but he did not know the federal government had a homeland security listening station.

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

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

No: 0

Absent: 1 - Councilwoman Williams

67 Purchase of Light and Medium Duty Vehicles - Contract Recommendation (Ordinance S-45497)

Request to authorize the City Manager, or his designee, to enter into separate contracts with Courtesy Chevrolet, RWC International, LTD, Sanderson Ford, Inc., San Tan Auto Partners, doing business as San Tan Ford, and PFVT Motors, LLC, doing business as Peoria Ford, for purchase of light and medium duty vehicles. This contract will have an estimated expenditure of $75,000,000 over the life of the agreement. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department is responsible for purchasing light and medium duty vehicles on behalf of all City departments. Every year, Public Works prepares a list of City equipment due for replacement based on age or miles, or a combination thereof. This contract will allow Public Works to purchase replacement vehicles that have exceeded the useful life and add new vehicles to the fleet as needed for operations. The vehicles that will be purchased will include, but are not limited to: sedans, sport utility vehicles, trucks, vans, patrol-rated police cruisers and medium duty vehicles that are essential to City services. These vehicles will be used by various City departments including Police, Fire, Water Services, and Street Transportation.

Procurement Information

Invitation for Bid (IFB) 19-FSD-045 was conducted in accordance with Administrative Regulation 3.10. The Public Works Department, Procurement Section, received seven bids, with five being

recommended for award based on base model pricing of vehicles. Due to the extensive lists provided by the bidders for possible vehicle purchases, the following recommended vendors are divided by manufacturer.

Chevrolet:
Courtesy Chevrolet

Ford:
Sanderson Ford, Inc.
San Tan Ford
Peoria Ford

International:
RWC International, LTD

Contract Term
This contract will begin on or about April 1, 2019, with an initial one-year term and four option years in increments of up to one year for a total contract term of five years.

Financial Impact
This contract will have an initial estimated expenditure of $5,000,000, with a total estimated aggregate amount of $75,000,000 over the life of the contract. Funds are available in various departments' budgets.

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

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

78 West Anthem Water and Wastewater Infrastructure Improvements - Engineering Services - WS85500416 (WS90500276) (Ordinance

S-45502)

Request to authorize the City Manager, or his designee, to enter into an agreement with Entellus, Inc. to provide Engineering Services that include construction administration and inspection (CA&I) services for the West Anthem Water and Wastewater Infrastructure Improvements project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and the City Controller to disburse all funds related to this item. The fee for services will not exceed $199,122.

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

Summary

The purpose of this project is to provide water and sewer service to the West Anthem area, which will require the Water Services Department to construct significant new infrastructure including a 24-inch to 36-inch water transmission main, 18-inch to 21-inch gravity sewer lines, a lift station, three high density polyethylene force mains, and upgrades to the existing Booster Pump Station (BPS) 8CP-B1.

This contract will cover CA&I services for the upgrades to Booster Pump Station (BPS) 8CP-B1 located on the southwest corner of 45th Avenue and Opportunity Way. Work for the BPS upgrades includes disconnecting the BPS from the current EPCOR suction line and establishing the City of Phoenix suction line connection, improving efficiency by replacing the five existing pumps, installing a new pressure reducing valve (PRV) to meet fire flow demand, and installing a new direct connection from the EPCOR suction line for emergency back-up.

Separate contracts will be executed for CA&I services for the water main

and gravity sewer improvements between Sheriffs Pistol Range Road and Opportunity Way; and for the lift station, force mains, and south part of the gravity sewer line from Carefree Highway to just north of Sheriffs Pistol Range Road.

Entellus, Inc.'s services include, but are not limited to: project administration and engineering services during construction, review of shop drawings and test results, issuing interpretations and clarifications, on-site inspections, record drawings, system training, processing contractor progress payments, recording and tracking warranty requests during the 12-month warranty period, and other special services as requested.

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes (A.R.S.). Scoring and selection were made in conjunction with the Design Services selection process.

Contract Term

The term of the agreement is 605 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The agreement value for Entellus, Inc. will not exceed $199,122, including all subconsultants and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved:
Design Services Agreement 140650 (Ordinance S-41868) on June 17, 2015; and
CA&I Services Agreement 149086 (Ordinance S-45166) on Dec. 5, 2018.

Location
Southwest corner of 45th Avenue and Opportunity Way
Council District: 1

Discussion
Leonard Clark expressed concern about the water rate increase. He said he knew there was a plan for future water infrastructure in North Phoenix and wanted to make sure the increase was not being done so developers could build more houses.

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

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

83 Development Agreement between City of Phoenix and Granite Creek Farms LLC, for the Lift Station North of the Northwest Corner of Black Canyon Freeway and the Central Arizona Project Canal (Ordinance S-45503)

Request authorization for the City Manager or his designee to enter into a Development Agreement between the City of Phoenix and Granite Creek Farms LLC (“Developer”) to allow the Developer to design and construct a lift station and pay a one-time payment in the amount of $300,000 to the City of Phoenix to take over operation and maintenance of the lift station upon its construction. Further request authorization for the City Manager or his designee to accept ownership of the lift station/site by recording a special warranty deed upon the lift station’s construction. And also request authority for the City Treasurer to accept all funds related to this

item.

Summary

The Developer owns approximately 189 acres of property north of the northwest corner of Black Canyon Freeway and the Central Arizona Project Canal. The Developer is developing the Property for single-family residential uses. To facilitate this development, regional improvements to public infrastructure are necessary. Such improvements include a public sewer wastewater lift station. To support wastewater flow from the development, Developer will engage-at its sole cost and expense-any consultants, engineers, contractors, suppliers, and other professionals necessary to complete the Lift Station's design and construction. The Lift Station must meet all applicable Phoenix requirements in all material respects. Upon completion of the Lift Station's construction, Developer will promptly pay $300,000 to Phoenix to satisfy in full the Developer's Lift Station maintenance and operation obligation. At that time, Developer will also convey the Lift Station/Site by special warranty deed-with full legal description-to Phoenix (for recording with the Official Records of Maricopa County, Arizona, by Phoenix).

The City of Phoenix will issue a written acceptance of the Lift Station/Site after Developer has (1) met all applicable Phoenix requirements for the Lift Station in all material respects; (2) submitted the payment, special warranty deed (with legal description), environmental site assessment reports (including documentation of remediation, if necessary), project documents, record drawings, and warranty letter to Phoenix; and (3) made a written request to Phoenix for acceptance of the Lift Station/Site. Upon Phoenix's written acceptance of the Lift Station/Site, Phoenix will record the special warranty deed and the Lift Station/Site will become Phoenix's property in fee simple. Outside of Developer's warranty responsibilities, Phoenix will thereafter maintain and operate the Lift Station at its own cost and expense in accordance with its own policies and procedures.

Financial Impact

The Developer will pay the City a one-time payment of $300,000.

Location

North of the northwest corner of Black Canyon Freeway and the Central

Arizona Project Canal.
Council District: 1

Discussion
Vice Mayor Waring asked if this was a simple sale of property.

Water Services Director Kathryn Sorensen replied this item dealt with a lift station being constructed that was smaller than one million gallons per day. She conveyed the City did not normally accept lift stations of this size so staff asked for a contribution of $300,000 up front which would cover the operations and maintenance of the lift station for a period of time as a condition of accepting the lift station from the developer.

Leonard Clark said he remained neutral on this item since he was concerned about the $300,000. He wanted to make sure the City was getting the full value given the water shortages.

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

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

98 PCD Major Amendment - Rezoning Application Z-275-Y-80-6 - Northwest Corner of 32nd Street and Amber Ridge Way

Request to approve Rezoning Application Z-275-Y-80-6 to allow C-2 commercial uses in the existing PCD at the northwest corner of 32nd Street and Amber Ridge Way. This item requires formal action.

Summary
Current Zoning: C-1 PCD
Proposed Zoning: C-2 PCD
Acreage: 2.90
Proposed Use: Commercial uses

Owner: Pecos Vacant Land, LLC, et al.

Applicant: Kathy Sponsel - Studio Elevate, PLLC
Representative: MPB Realty Services

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Ahwatukee Foothills Village Planning Committee heard this case on Feb. 25, 2019 and recommended approval, per the staff recommendation by a 12-0 vote.
PC Action: The Planning Commission heard this case on March 7, 2019 and recommended approval, per the Ahwatukee Foothills Village Planning Committee recommendation with an additional stipulation by a 7-0 vote.

Location
Northwest corner of 32nd Street and Amber Ridge Way.
Council District: 6
Parcel Addresses: 3145, 3149, and 3173 E. Chandler Blvd.

Discussion
Jane McEwen stated she was opposed to this zoning change as it would be within 30 feet of her home. She added there was an entry/exit driveway to the mall area and on 32nd Street so traffic was a concern unless something was done to create a one-way situation. She remarked there was a suggestion that a high-end restaurant may occupy the space and she was concerned about late evening noise and other potential problems since she lived on the other side of the wall. She said she felt the business was adequate with the current zoning in place.

Kathy Sponsel, the applicant, said the business was located at the corner of a T-intersection on 32nd Street. She conveyed the new Loop 202 would have an exit off 32nd Street so this was an opportunity for the corner. She indicated this rezoning request included one parcel which was a strip mall and the other parcel had a free-standing building of about 5,000 square feet. She explained the free-standing building owner was preparing for ownership transition and the strip mall was only at 50 percent occupancy. She was trying to be creative, noting one of possibilities was moving the martial arts studio to the strip mall and attract more business to the free-standing building. She pointed out the other corner was zoned C-2 so she thought this was an appropriate request.

Councilman DiCiccio stated his motion was to approve this rezoning case, noting it passed the Village and Planning Commission unanimously. He conveyed there was no way to get around the concerns about the shared use and driveway. He added the center had problems in the past of filling its tenancy so this was a proper use of C-2. He remarked there was a good chance this place would end up with a high-end restaurant which the area needed. He pointed out this was a revitalization move and reiterated his motion was to approve.

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

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

No: 0

Absent: 1 - Councilwoman Williams

A motion was made by Councilman DiCiccio, seconded by Councilwoman Stark, that Items 103 and 104 be approved and adopt the related ordinance. The motion carried by the following vote:

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

No: 0

Absent: 1 - Councilwoman Williams

103 Amend City Code - Ordinance Adoption - Rezoning Application Z-84-18-6 - Approximately 370 Feet South and 330 Feet West of the Southwest Corner of 7th Street and Maryland Avenue (Ordinance G-6577)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-84-18-6 and rezone the site from R1-10 to C-2 for commercial uses. Companion case to Z-SP-9-18-6.

Summary

Current Zoning: R1-10
Proposed Zoning: C-2
Acreage: 0.54
Proposed Use: Commercial uses

Owner: Uptown 7th, LLC
Applicant: Geoffrey Jacobs - Aspirant Development
Representative: Carolyn Oberholtzer - Bergin, Frakes, Smalley & Oberholtzer, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Alhambra Village Planning Committee heard this case on Feb. 26, 2019, and recommended approval, per the staff recommendation with a modification by a 9-0 vote.
PC Action: The Planning Commission heard this case on March 7, 2019, and recommended approval per the Alhambra Village Planning Committee recommendation with an additional stipulation by a 6-0 vote.

Location

Approximately 370 feet south and 330 feet west of the southwest corner of 7th Street and Maryland Avenue.
Council District: 6
Parcel Addresses: N/A

Discussion

Mayor Gallego noted comment cards were submitted for the record in favor of this item by Michael Ripp and Janis Harris.

Councilman DiCiccio thanked the neighborhood and developer for working together, noting this had been a two-year process so it was time for something to happen. He expressed this was an example of what it takes to get things done when people cooperate.

Anne Ender wished to reiterate Councilman DiCiccio's comments. She thanked Carolyn Oberholtzer and Geoffrey Jacobs for their patience and for listening to the neighbors because collaboration created good development.

Mayor Gallego thanked Ms. Ender for her leadership in the North Central neighborhood and congratulated Councilman DiCiccio on a successful case.

This item was adopted.

104 Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-9-18-6 - Approximately 370 Feet South of the Southwest Corner of 7th Street and Maryland Avenue (Ordinance G-6578)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-9-18-6 and rezone the site from R1-10 (pending C-2) and C-2 to C-2 SP for a self-service storage development. This file is a companion case to Z-84-18-6.

Summary

Current Zoning: R1-10 (pending C-2) and C-2
Proposed Zoning: C-2 SP
Acreage: 2.07
Proposed Use: Self-service storage facility

Owner: Uptown 7th, LLC
Applicant: Geoffrey Jacobs - Aspirant Development
Representative: Carolyn Oberholtzer - Bergin, Frakes, Smalley & Oberholtzer, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Alhambra Village Planning Committee heard this case on Feb. 26, 2019 and recommended approval, per the staff recommendation by a 9-0 vote.
PC Action: The Planning Commission heard this case on March 7, 2019, and recommended approval, per the Alhambra Village Planning Committee recommendation with a modification and two additional stipulations by a 6-0 vote.

Location

Approximately 370 feet south of the southwest corner of 7th Street and Maryland Avenue.
Council District: 6
Parcel Addresses: 6316 N. 7th St.

Note: Refer to Item 103 for discussion.

This item was adopted.

105 Public Hearing and Resolution Adoption - General Plan Amendment GPA-DV-2-18-1 (Companion Case Z-82-18-1) - Approximately 477 Feet South of the Southeast Corner of 23rd Avenue and Alameda Road (Resolution 21734)

Request to hold a public hearing on a General Plan Amendment for the following item to consider the Planning Commission's recommendation and the related resolution if approved. This file is a companion case to Z-82-18-1.

Summary

Application: GPA-DV-2-18-1
Current Designation: Industrial
Proposed Designation: Residential 15+ dwelling units per acre
Acreage: 16.78
Proposed Use: Multifamily residential

Owner: Walter Cale - Roy's Deer Valley Nursery, LLC
Applicant: Erin Conway - Continental Fund 481
Representative: Stephen C. Earl - Earl, Curley & Lagarde, PC

Staff Recommendation: Approval.
VPC Action: The Deer Valley Village Planning Committee heard this case on Jan. 17, 2019 and recommended denial by a 3-2 vote.
PC Action: The Planning Commission heard this case on March 7, 2019 and recommended approval, per the staff recommendation by a 6-1 vote.

Location

Approximately 477 feet south of the southeast corner of 23rd Avenue and Alameda Road.
Council District: 1
Parcel Addresses: N/A

Discussion

A motion was made and seconded to approve this item.

Mayor Gallego declared the public hearing open. She confirmed Stephen Earl, the applicant's representative, submitted a comment card but did

not wish to speak. Noting there was no one present to speak, she declared the public hearing closed.

Note: Councilwoman Stark clarified her motion for this item during Citizen Comments.

The hearing was held. A motion was made by Councilwoman Stark, seconded by Councilwoman Pastor, that this item be approved per Planning Commission's recommendation and to adopt the related resolution. The motion carried by the following vote:

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

106 Public Hearing - Amend City Code and Ordinance Adoption - Rezoning Application Z-82-18-1 - Approximately 477 Feet South of the Southeast Corner of 23rd Avenue and Alameda Road (Ordinance G-6574)

Request to hold a public hearing on the rezoning application for the following item and consider adoption of the Planning Commission's recommendation and the related Ordinance if approved. Request is to rezone the site from A-1 DVAO to R-3A DVAO to allow multifamily residential. This is a companion case to GPA-DV-2-18-1.

Summary
Current Zoning: A-1 DVAO
Proposed Zoning: R-3A DVAO
Acreage: 16.78
Proposed Use: Multifamily Residential

Owner: Walter Cale - Roy's Deer Valley Nursery, LLC
Applicant: Erin Conway - Continental Fund 481
Representative: Stephen C. Earl - Earl, Curley & Lagarde, PC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Deer Valley Village Planning Committee heard this case

on Jan. 17, 2019, and recommended denial by a 3-2 vote.
PC Action: The Planning Commission heard this case on March 7, 2019, and recommended approval per the Addendum A Staff Report with a modification and additional stipulation by a 6-1 vote.

Location
Approximately 477 feet south of the southeast corner of 23rd Avenue and Alameda Road.
Council District: 1
Parcel Addresses: N/A

Discussion
A motion was made and seconded to approve this item with modification to Stipulation 5 as follows: That a minimum of 15 percent of the gross project area shall be retained as open space, as approved by the Planning and Development Department.

Mayor Gallego declared the public hearing open. She confirmed Stephen Earl, the applicant's representative, submitted a comment card but did not wish to speak. Noting there was no one present to speak, she declared the public hearing closed.

The hearing was held. A motion was made by Councilwoman Stark, seconded by Councilwoman Pastor, that this item be approved per Planning Commission's recommendation and to adopt the related ordinance with a modification to Stipulation 5. The motion carried by the following vote:

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

108 ADD-ON - Amend the Rules of Council Proceedings (Ordinance G-6580)

Request to amend the Rules of Council Proceedings in response to the memo dated March 29, 2019, from Mayor Kate Gallego and Councilwoman Debra Stark, per Rule 2(b) (**Attachment A**).

Summary

As described in the memo, it is recommended to amend the Rules of Council Proceedings as follows:

Eliminate Rule 3(b).

Amend Rule 8 to read "Citizen Comments will be heard for up to 30 minutes (unless extended by the Chair) before adjournment or recess of the formal meeting provided a quorum of the Council is present. Additional time for Citizen Comments may be allowed at the discretion of the presiding officer. Any member of the public may address the Council to comment on issues of interest or concern to them. Citizen Comments will be televised as part of the formal meeting. Members of the public will be given a maximum of three minutes each to address the Council. In compliance with the Arizona Open Meeting Law, the City Council cannot discuss or take formal action on any matter raised during Citizen Comments."

Discussion

A motion was made and seconded for this item.

The City Clerk read the title of the ordinance for this item.

Note: Councilwoman Pastor left the meeting.

Marcus Pittman, with Apologia Church, spoke in opposition as this amendment would silence them and make it harder for people with jobs and kids to come and speak to the Council.

Councilman DiCiccio stated this was an administrative move because there were other individuals who came to meetings to conduct business and had to wait on public comments. He suggested if the public knew it was going to be awhile for public comment that they come later. He conveyed Council had talked about moving public comment to the end so it would be continuous and more orderly which was his reason for supporting the motion.

Mayor Gallego added this action would bring Phoenix more in line with other cities in Arizona.

A motion was made by Councilwoman Stark, seconded by

Councilwoman Pastor, that this item be adopted. The motion carried by the following vote:

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

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

CITIZEN COMMENTS

Dr. James White expressed innocent children were being killed in gruesome ways within the borders of the City. He asked that Council make Phoenix a sanctuary city for pre-born children.

Rusty Thomas remarked divine law trumped human law. He urged Council to establish justice and end abortion in Phoenix.

Note: Councilwoman Guevara left the meeting.

Pastor Jeff Durbin, head of End Abortion Now, expressed concern about the unjustified killing of human beings in the womb.

Zach Conover urged that Council make Phoenix a sanctuary city to protect unborn children.

Councilwoman Stark clarified for the record her motion on Item 105 was to approve per the Planning Commission and to adopt the related resolution.

Mayor Gallego confirmed the record would reflect the corrected motion.

Nathan Heitzinger expressed concern for the lives of pre-born children. He requested Council enforce the law to end abortion.

Joanne Scott Woods submitted two citizen petitions. She said the first petition

requests for addition of a dedication statement to the Phoenix Police Department critical incident transparency protocol. She stated the second petition requests for law enforcement transparency through body-worn camera footage of officer articulation of 10 citizen rights during the arrest process. She conveyed training related to these rights could prevent unlawful arrest and imprisonment, protect officers and prohibit claims and lawsuits against the City.

Elizabeth Venable submitted a petition for Council to clarify for the homeless where and how they may camp. She conveyed based on a current ruling it was inappropriate for law enforcement to move someone who was legally sleeping or camping without offering them shelter. She also asked that Council instruct officers to stop seizing and destroying the property of homeless individuals. She requested these things be conducted through municipal policy.

Mark Cordova remarked he was a homeless person seeking shelter, employment and education on how to stay sober. He said he hoped Council would do something to help make their lives better.

Casey Moore expressed concern regarding issues with the Neighborhood Services Department's lack of communication and knowledge of code and policies. He stated he was issued a civil citation for a code violation about two months ago after making a valid appeal and request for an administrative hearing. He conveyed his case proceeded to court which ruled in his favor. He said he thought the Council and residents should be aware of this type of operation within the City and expressed it needed to stop.

Mayor Gallego announced staff was available to follow-up with Mr. Moore.

Leonard Clark expressed concern about the City's antiquated system in relation to political action committees. He wanted technology to be available on the phone and not just the computer. He also requested a current list of registered lobbyists with the City as he did not know if that was available on the website. Finally, he said Council needed to do something about the homeless, especially people who needed mental health treatment.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 3:52 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 3rd day of April, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 6th day of November, 2019.

CITY CLERK