

PHOENIX CITY COUNCIL FORMAL AGENDA



Mayor Greg Stanton

Vice Mayor
District 3
Bill Gates

District 1
Thelda Williams

District 2
Jim Waring

District 4
Laura Pastor

District 5
Daniel Valenzuela

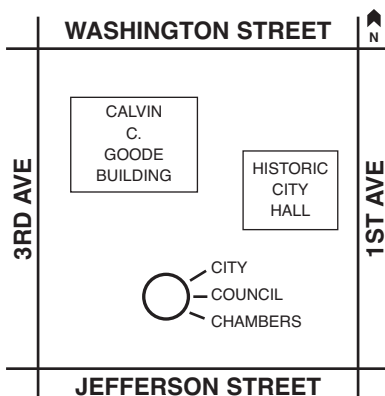
District 6
Sal DiCiccio

District 7
Michael Nowakowski

District 8
Kate Gallego

*Online agendas and
results available at
www.phoenix.gov*

City Council Chambers
200 W. Jefferson St.
Phoenix, AZ 85003



WELCOME!

You are now participating in the process of representative government. We welcome your interest and hope you and your friends will often attend Phoenix City Council meetings. Democracy cannot endure without an informed electorate. Phoenix utilizes a Council-Manager form of local government. Policy is set by the Mayor and Council who are elected by the people, and carried out by the City Manager, who is appointed by the Council. The Council decides what is to be done and the City Manager, operating through the entire City staff, does it. This separation of policy-making and policy administration is considered the most economical and efficient form of city government.

FORMAL CITY COUNCIL MEETINGS

The Council acts on ordinances, resolutions and formal actions on an agenda at "formal" meetings on Wednesday at 3:00 p.m. "Formal" Meetings are generally held bi-weekly, but the schedule is subject to change. Please call the City Clerk Department at 602-262-6811 or visit <http://phoenix.gov/citygovernment> to confirm the date and time of the next formal meeting. Although this agenda is subject to change, all changes will be available 24 hours prior to the meeting.

The "formal" meeting may appear to proceed extremely fast, with important decisions reached after very little discussion. Actually, Council members receive the agenda the Thursday prior to the meeting. They have the opportunity to study every item on the agenda over the weekend and ask questions of City staff members. If no additional facts are presented at the "formal" meeting, they often act on matters, particularly routine ones, without further discussion.

HOW CITIZENS CAN PARTICIPATE

Citizens may appear before the City Council or a Council Subcommittee to express their views on any published agenda item. In addition, a Citizen Comment Session is held 15 minutes prior to and immediately following the formal City Council meetings which begin at 3:00 p.m.

If you have an individual concern involving the City, you are encouraged to contact your District Council member at 602-262-7029 or the City Manager's Office at 602-262-4449. To reach the Mayor's office, call 602-262-7111. We will do everything possible to be responsive to your individual requests.

REGISTERED LOBBYISTS

Individuals paid to lobby on behalf of persons or organizations other than themselves shall register with the City Clerk prior to lobbying or within five business days thereafter and must re-register annually. If you have any questions about registration or whether or not you must register, please contact the City Clerk's Office at 602-256-3186.

An assistive listening system is available in the Council Chambers for individuals with hearing loss. Headset units are available at the entrance table in the Chambers. In addition, the City Clerk's office will provide sign language interpreting services. Please call (voice) 602-256-3186 or (TTY) 602-534-2737 as early as possible to coordinate needed arrangements.

Si necesita asistencia o traducción en español, favor de llamar lo mas pronto posible a la oficina de la Secretaría Municipal de Phoenix al 602-256-3186.

City of Phoenix Council members and district boundaries



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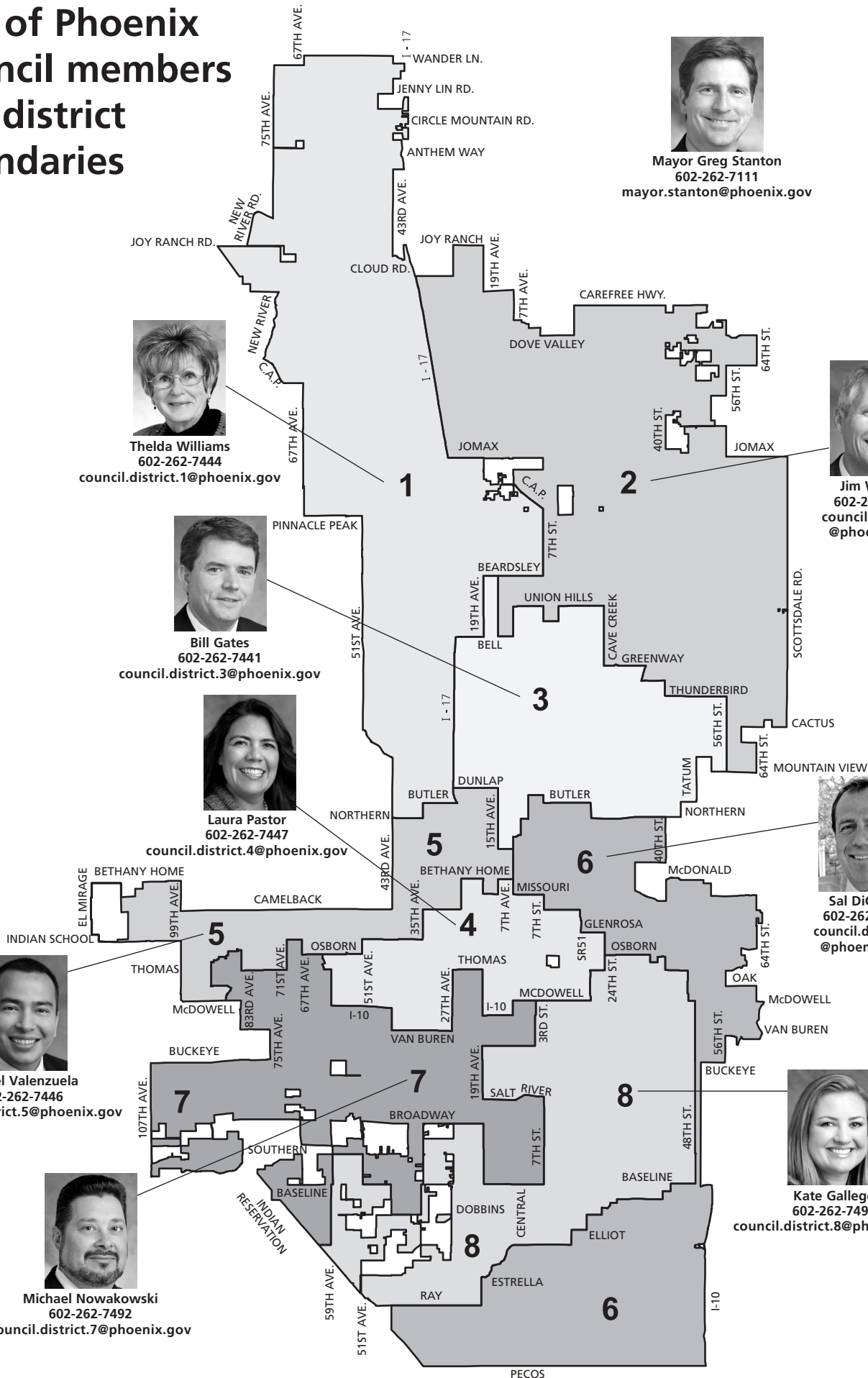
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**WEDNESDAY, FEBRUARY 19, 2014, 3:00 P.M.
COUNCIL CHAMBERS, 200 WEST JEFFERSON
PHOENIX, ARIZONA 85003**

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AGENDA FOR FORMAL MEETING

PHOENIX CITY COUNCIL WEDNESDAY, FEBRUARY 19, 2014, 3:00 P.M. COUNCIL CHAMBERS, 200 WEST JEFFERSON PHOENIX, ARIZONA 85003

INVOCATION

The invocation to be given by Sister Pinea, Evangelical Sisterhood of Mary.

PLEDGE

The Pledge of Allegiance to the Flag to be led by Councilwoman Laura Pastor.

ROLL CALL

BOARDS AND COMMISSIONS

Mayor's appointments to Boards and Commissions.

City Council Members' appointments to Boards and Commissions.

The names of persons being recommended for appointment and the Board, Commission, or Committee to which their appointments are being recommended are available in the City Clerk's Office, 15th Floor, Phoenix City Hall, 200 West Washington Street, not less than 24 hours prior to the meeting.

ITEM 1

CITYWIDE

SUSPENSION OF THE RULES - SELECTION OF VICE MAYOR

Request to suspend the rules and change the order of business to permit the City Council to select one of its members to serve a one-year term as Vice Mayor, pursuant to Phoenix City Charter IV, Section 3.

Suspension of the rules and changing the order of business of the Formal City Council meeting is required by Rule 7(b) of the Rules of Council Proceedings.

This item is submitted by Ms. Spencer and the Council Office.

LIQUOR LICENSE APPLICATIONS

ITEM 2

DISTRICT 1

**LIQUOR LICENSE APPLICATION - SPECIAL
EVENT - ST. JAMES ROMAN CATHOLIC PARISH
GLENDALE**

The following is an application for a Special Event liquor license for temporary sale of all liquors. There are no departmental objections and no protests.

Series Definition

SE - Special Event License for temporary sale of all liquors

<u>District</u>	<u>Applicant Name and Address</u>	<u>Event Information</u>
1	Jude de Mello St. James Roman Catholic Parish Glendale 23233 North 32nd Drive (Festival)	- <u>Event Location:</u> 19640 North 35th Avenue - <u>Day/Date/Time:</u> Friday, February 28, 2014 5:00 p.m. to 11:00 p.m. - <u>Total Expected Attendance:</u> 1,000 <u>Day/Date/Time:</u> Saturday, March 1, 2014 12 noon to 11:00 p.m. - <u>Total Expected Attendance:</u> 1,500 <u>Day/Date/Time:</u> Sunday, March 2, 2014 12 noon to 7:00 p.m. - <u>Total Expected Attendance:</u> 1,000

Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Ms. Takata and the City Clerk Department.

ITEM 3

DISTRICT 2

**LIQUOR LICENSE APPLICATION - DANNY'S
CHEVRON FOOD MART**

Request for a Series 10, Off Sale-Beer and Wine, liquor license in an area zoned C-2. Arizona State Application 10073410.

Applicant: Danielle Jabalera, Agent
Danny's Chevron Food Mart
16610 North Scottsdale Road

This request is for an acquisition of control of a Series 10 liquor license for a convenience store that sells gas. This location is currently licensed for liquor sales. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Saturday, March 8, 2014.

Consideration may be given only to the applicant's personal qualifications and not to the location.

1. Department of Liquor Licenses and Control Public Access Data - This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.
2. Police Calls for Service - This information is not provided due to the multiple ownership interests of the applicant.

3. Public Opinion - No petitions or protests have been received.
4. Applicant's Statement - The applicant submitted the following statement in support of this application. Spelling, grammar, and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire:

I have the capability, reliability, and qualifications to hold a liquor license because: "This location has held a liquor license with no compliance actions."

5. Staff Recommendation - Staff recommends approval of this application.

If denied, the applicant will not continue operations without a liquor license and the previous owner will resume ownership.

This item is submitted by Ms. Takata and the City Clerk Department.

ITEM 4	DISTRICT 2	LIQUOR LICENSE APPLICATION - LA BOCCA WINE BAR & URBAN KITCHEN
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Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-2. Arizona State Application 12079743.

Applicant: Julian Wright, Agent
La Bocca Wine Bar & Urban Kitchen
5415 East High Street, #127

This request is for a new Series 12 liquor license for a restaurant. This location was previously licensed for liquor sales as Skinny Italian Kitchen and is currently operating with an interim permit. The operation plan filed with the application shows that the restaurant area seats 66 and the bar area seats 47. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application was Sunday, February 16, 2014.

Consideration should be given only to the applicant's personal qualifications. In regard to the location, pursuant to Arizona Revised Statutes 4-203(A), there is a presumption that the public convenience and the best interest of the community were established at the time the location was previously licensed.

1. Department of Liquor Licenses and Control Public Access Data - This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.
2. Police Calls for Service - This information is not provided due to the multiple ownership interests of the applicant.
3. Public Opinion - No petitions or protests have been received.
4. 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 owned 11 restaurants and bars for over 13 years, over three states. I have a reasonably good idea what I'm doing at this point."
5. Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Ms. Takata and the City Clerk Department.

ITEM 5	DISTRICT 2	LIQUOR LICENSE APPLICATION - MODERN GROVE
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Request for a Series 7, On Sale-Beer and Wine, liquor license in an area zoned C-1. Arizona State Application 07070700.

Applicant: Navayogasingam Thuraisingam, Agent
 Modern Grove
 15530 North Tatum Boulevard, Suite 160

This request is for an ownership and location transfer of a Series 7 liquor license from Surprise for a restaurant/bar. This location was not previously licensed for liquor sales and does not have an interim permit. This business will have outdoor dining and outdoor alcohol sales. This location requires a Use Permit for this type of activity. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Thursday, March 6, 2014.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - The ownership of this business also has an interest in the following liquor licenses:

Ziegler's New York Pizza Dept
 3800 East Sky Harbor Boulevard, #F51
 Phoenix, Arizona

Modern Grove
 (Series 7 and Series 12)
 1020 South Milton Road, Suite 102
 Flagstaff, Arizona

Copper Plate An American Grill
 6033 South Sossaman Road
 Mesa, Arizona

The Public Access Database indicates that the above licenses have not had any administrative sanctions levied against the ownership by the Department.

2. Police Calls for Service - The Department reports the following number of aggregate calls for police service in the last 12 months at establishments located in the City of Phoenix in which the applicant has an ownership interest:

Ziegler's New York Pizza Dept
 3800 East Sky Harbor Boulevard, #F51
 769 calls

3. Public Opinion - No petitions or protests have been received.

4. 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:

A. I have the capability, reliability, and qualifications to hold a liquor license because: "We currently operate 4 locations. With liquor licenses and have served the consumer well, without any violations to the rule governing our licenses."

B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "We will be able to serve alcohol to our patrons to enjoy with their family during their visit to our establishment."

5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Liquor Store	9	4	2
Beer & Wine Store	10	3	2
Restaurant	12	6	1

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	2.38	2.25
Property Crimes	45.04	33.22	37.12

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	38
Total Violations	105	78

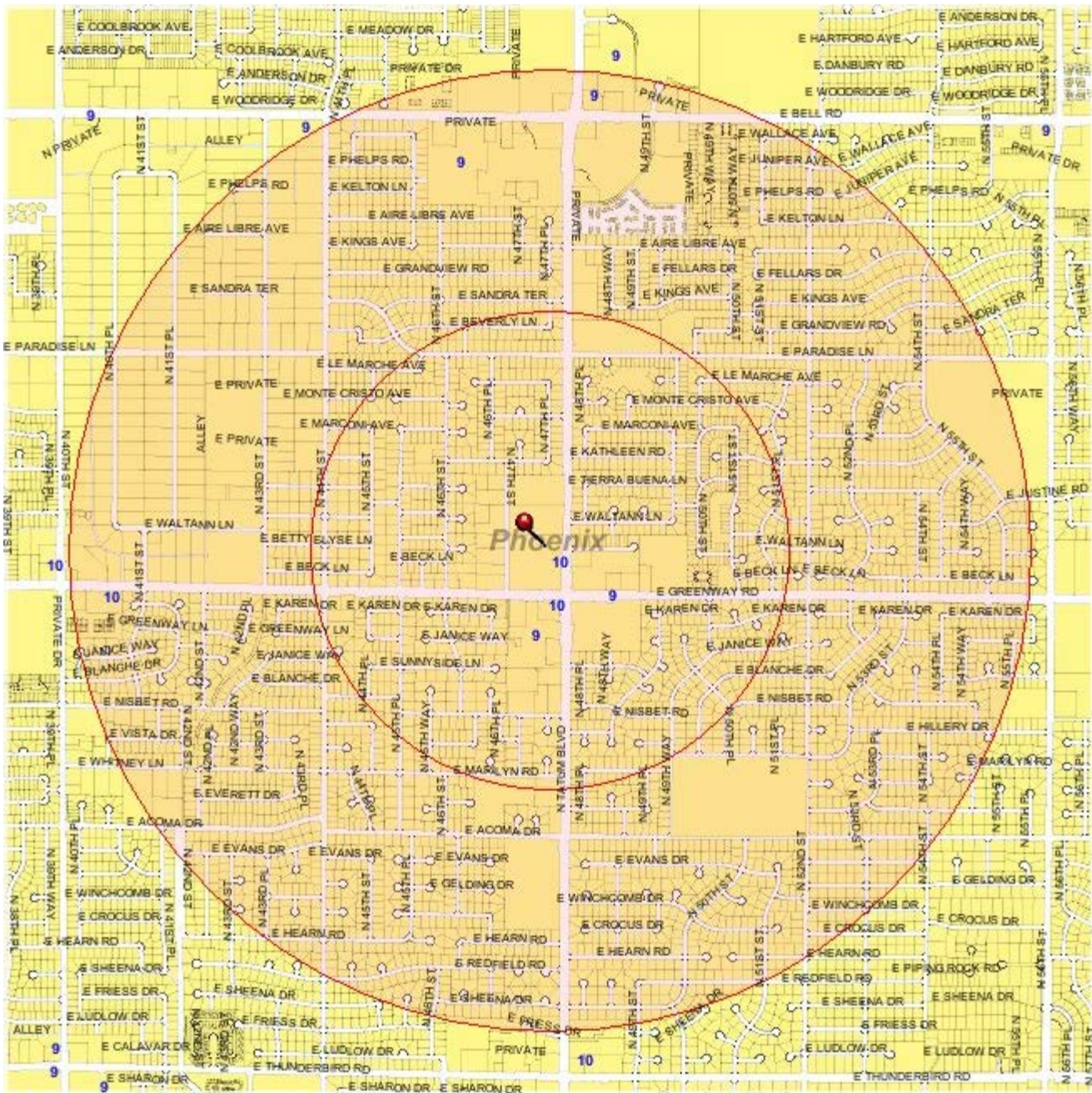
Census 2010 Data 1/2 Mile				
Block Group	2010 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1032111	1273	95%	6%	9%
1032112	1945	90%	10%	2%
1032123	1092	97%	13%	7%
1032151	1421	86%	0%	2%
1032152	1418	91%	18%	4%
1032162	1982	84%	0%	4%
1032163	1647	68%	5%	2%
Average		61%	13%	19%

6. 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.

A map indicating liquor licenses within a one-mile radius accompanies this item on the following page.

This item is submitted by Ms. Takata and the City Clerk Department.

District 2 Navayogasingam Thuraisingam, Agent
 Modern Grove
 15530 North Tatum Boulevard, Suite 160



ITEM 6

DISTRICT 3

**LIQUOR LICENSE APPLICATION - SPECIAL
EVENT - STARDUST
NON-PROFIT BUILDING SUPPLIES, INC.**

The following is an application for a Special Event liquor license for temporary sale of all liquors. There are no departmental objections and no protests.

Series Definition

SE - Special Event License for temporary sale of all liquors

District

Applicant Name and Address

Event Information

3

Karen Jayne
Stardust Non-Profit Building Supplies, Inc.
114 West Adams Street, #1003

Event Location:
3901 East Thunderbird Road

(Wine Tasting/Silent Auction)

Day/Date/Time:
Thursday, April 24, 2014

This request is for a new Series 12 liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. The operation plan filed with the application shows that the restaurant area seats 28 and the bar area seats 4. This business will have outdoor dining and outdoor alcohol sales. This location requires a Use Permit for this type of activity. This business is currently being remodeled with plans to open in March 2014. This location is within 2,000 feet of a light rail station.

The sixty-day limit for processing this application is Thursday, February 20, 2014.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - The ownership of this business also has an interest in the following liquor license:

Portland's
105 West Portland Street
Phoenix, Arizona

The Public Access Database indicates that the above license has not had any administrative sanctions levied against the ownership by the Department.

2. Police Calls for Service - The Department reports the following number of aggregate calls for police service in the last 12 months at the establishment located in the City of Phoenix in which the applicant has an ownership interest:

Portland's
105 West Portland Street
0 calls

3. Public Opinion - No petitions or protests have been received.

4. 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:

- A. I have the capability, reliability, and qualifications to hold a liquor license because: "I have a current liquor license at another location that is in good standing. I have never had any incidents or problems at the current location."
- B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "I am expanding my business with another location and I will be employing people. Also this location will be serving a neighborhood that is in need of a winebar/alehouse that they can walk to."

5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Government	5	4	0
Bar	6	7	3
Beer & Wine Bar	7	3	1
Liquor Store	9	4	0
Beer & Wine Store	10	7	3
Hotel	11	2	1
Restaurant	12	30	8
Club	14	1	1

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	10.85	9.62
Property Crimes	45.04	71.57	66.87

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	38
Total Violations	105	68

Census 2010 Data 1/2 Mile			

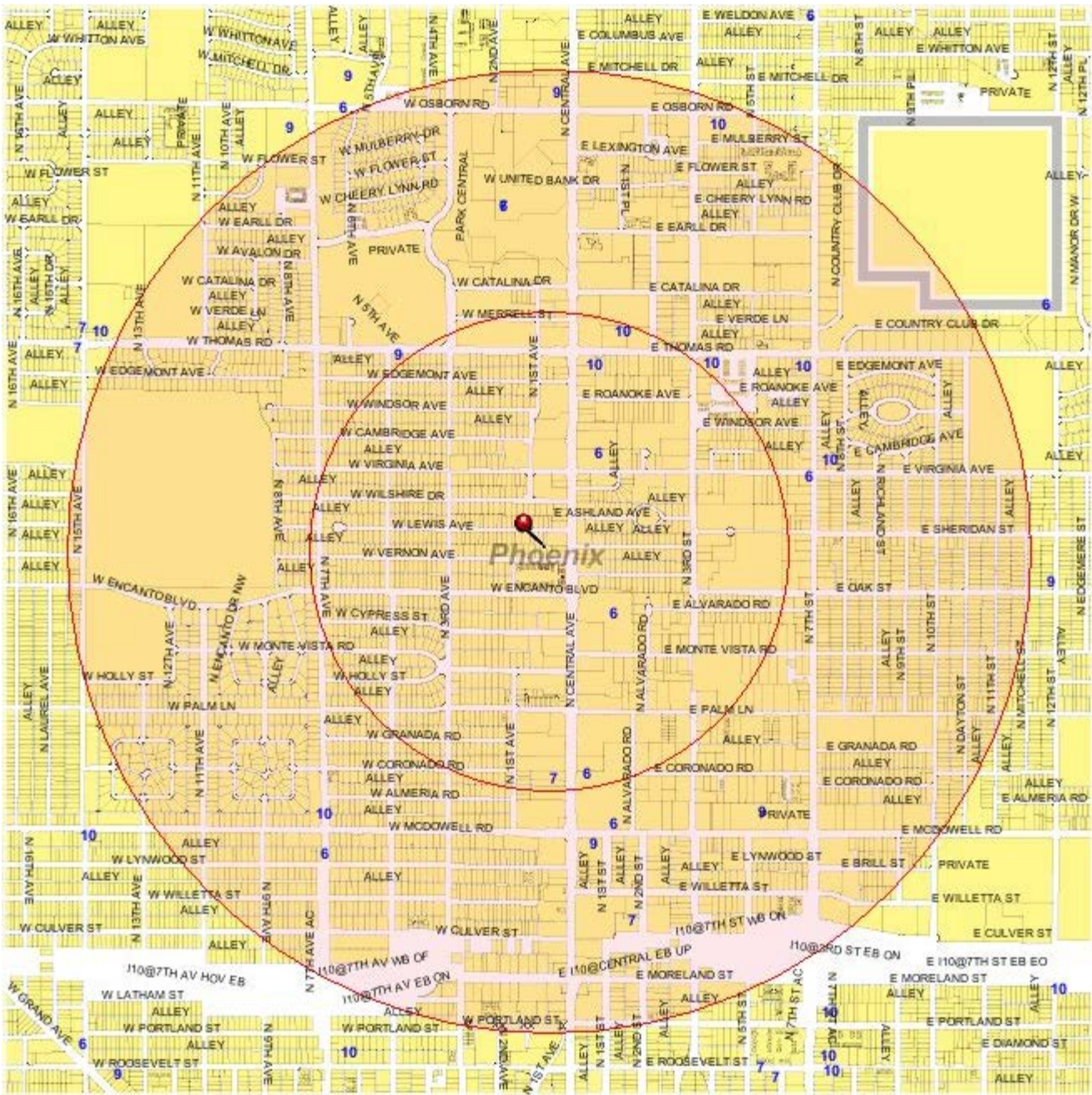
Block Group	2010 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1105013	824	16%	17%	40%
1105022	1216	28%	19%	23%
1118001	742	44%	28%	5%
1118002	1030	67%	9%	17%
1118003	996	65%	15%	4%
1118004	671	62%	6%	6%
1119001	678	96%	8%	4%
1119002	899	68%	5%	9%
Average		61%	13%	19%

6. 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 prior to beginning operations.

A map indicating liquor licenses within a one-mile radius accompanies this item on the following page.

This item is submitted by Ms. Takata and the City Clerk Department.

District 4
Michelle Bethge, Agent
Oven & Vine
14 West Vernon Avenue



ITEM 9

DISTRICT 4

LIQUOR LICENSE APPLICATION - SOUTHERN RAIL

Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-2. Arizona State Application 12079762.

Applicant: Thomas Stephens, Agent
 Southern Rail
 300 West Camelback Road, Suite 2

This request is for a new Series 12 liquor license for a restaurant. This location was previously licensed for liquor sales as Beef Eaters Restaurant until March 2005 and does not have an interim permit. The operation plan filed with the application shows that the restaurant area seats 210 and the bar area seats 40. This business is currently being remodeled with plans to open in April 2014. This location is within 2,000 feet of a light rail station.

The sixty-day limit for processing this application was Monday, February 17, 2014.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - The ownership of this business also has an interest in the following liquor license:

Beckett's Table
 3717 East Indian School Road
 Phoenix, Arizona

The Public Access Database indicates that the above license has not had any administrative sanctions levied against the ownership by the Department.

2. Police Calls for Service - The Department reports the following number of aggregate calls for police service in the last 12 months at establishments located in the City of Phoenix in which the applicant has an ownership interest:

Beckett's Table
 3717 East Indian School Road
 5 calls

3. Public Opinion - No petitions or protests have been received.

4. 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:

A. I have the capability, reliability, and qualifications to hold a liquor license because: "I currently hold a #12 liquor license with Beckett's Table located at 3717 E. Indian School Rd. in Phoenix."

B. 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 creating an adaptive re-use location for the community. Revitalization of the previously blighted stretch of the metro valley light rail Beef Eaters location is our goal. We will be enhancing the surrounding neighborhoods and providing a destination with our partners, changing hands bookstore & venue projects."

5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Bar	6	15	3
Beer & Wine Bar	7	7	4
Liquor Store	9	4	2
Beer & Wine Store	10	7	3
Hotel	11	1	1
Restaurant	12	20	7

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	13.31	10.62
Property Crimes	45.04	130.4	79.5

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	59
Total Violations	105	87

Census 2010 Data 1/2 Mile				
Block Group	2010 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1074002	1009	62%	7%	16%
1074005	661	0%	30%	77%
1075001	758	80%	2%	3%
1075002	1458	74%	7%	15%
1075003	1599	46%	15%	14%
1088021	1456	23%	32%	31%

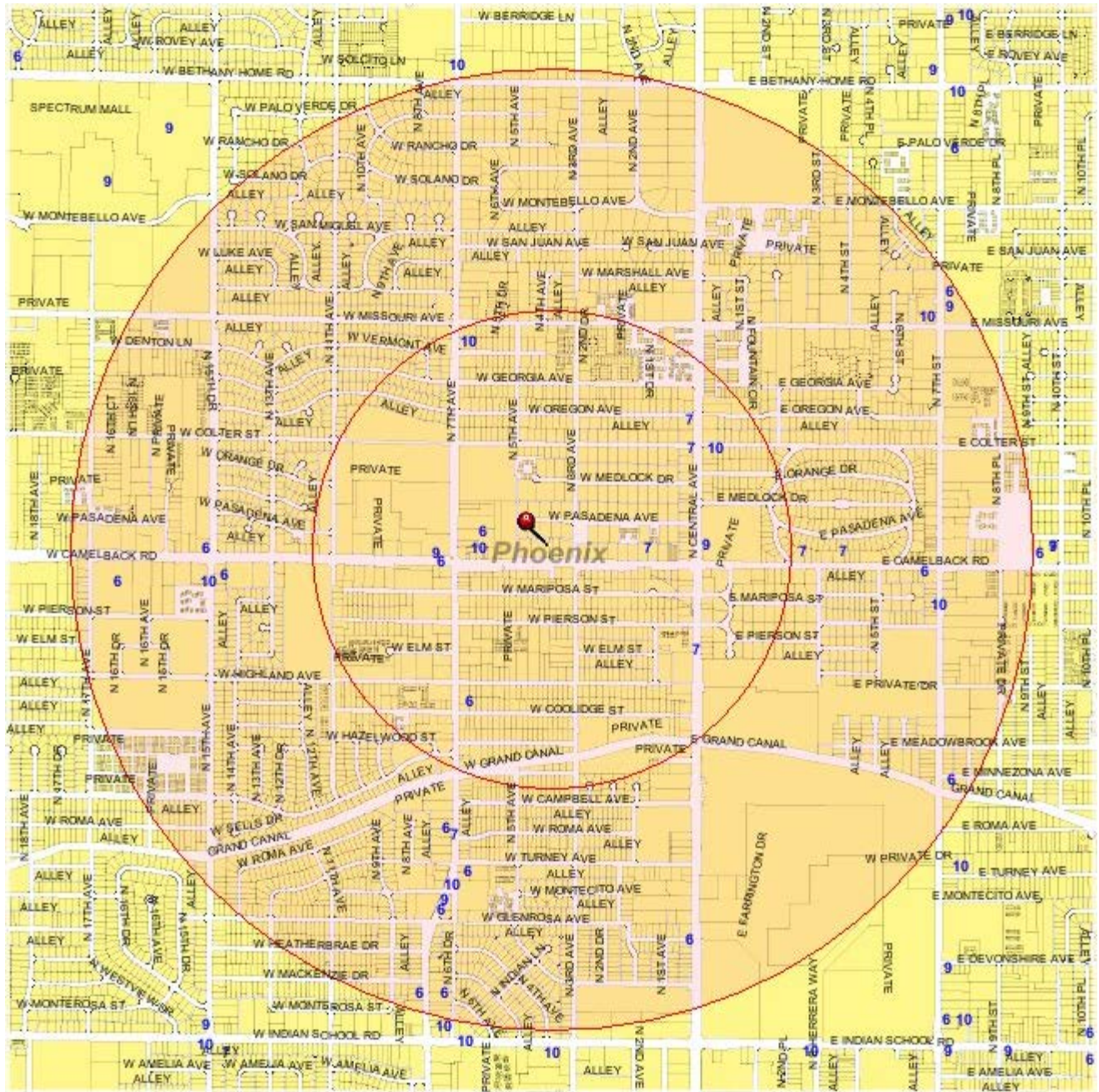
1088022	435	43%	41%	19%
1089023	1072	28%	3%	47%
1089024	1278	46%	9%	21%
1171001	2126	10%	15%	10%
1171002	703	57%	27%	12%
Average		61%	13%	19%

6. Staff Recommendation - Staff recommends approval of this application.

A map indicating liquor licenses within a one-mile radius accompanies this item on the following page.

This item is submitted by Ms. Takata and the City Clerk Department.

District 4 Thomas Stephens, Agent
Southern Rail
300 West Camelback Road, Suite 2



ITEM 10**DISTRICT 6****LIQUOR LICENSE APPLICATION - SPECIAL
EVENT - ALL SPORTS FOUNDATION, INC.**

The following is an application for a Special Event liquor license for temporary sale of all liquors. There are no departmental objections and no protests.

Series Definition

SE - Special Event License for temporary sale of all liquors

<u>District</u>	<u>Applicant Name and Address</u>	<u>Event Information</u>
6	Marla Zimmerman All Sports Foundation, Inc. 525 West Southern Avenue, Suite 102 (Golf Tournament/Live and Silent Auctions)	- <u>Event Location:</u> 2400 East Missouri Avenue - <u>Day/Date/Time:</u> Sunday, April 27, 2014 3:00 p.m. to 8:00 p.m. - <u>Total Expected Attendance:</u> 200 <u>Day/Date/Time:</u> Monday, April 28, 2014 8:30 a.m. to 6:00 p.m. - <u>Total Expected Attendance:</u> 350

Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Ms. Takata and the City Clerk Department.

ITEM 11**DISTRICT 6****LIQUOR LICENSE APPLICATION - SPECIAL
EVENT - ARIZONA LAW ENFORCEMENT
EMERALD SOCIETY FOUNDATION, INC.**

The following is an application for a Special Event liquor license for temporary sale of all liquors. There are no departmental objections and no protests.

Series Definition

SE - Special Event License for temporary sale of all liquors

<u>District</u>	<u>Applicant Name and Address</u>	<u>Event Information</u>
6	Charles Wennerlund Arizona Law Enforcement Emerald Society Foundation, Inc. 1809 East Manzanita Drive (Cultural Celebration)	- <u>Event Location:</u> 906 East Camelback Road - <u>Day/Date/Time:</u> Monday, March 17, 2014 6:00 a.m. to 2:00 a.m. - <u>Total Expected Attendance:</u> 1,000

Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Ms. Takata and the City Clerk Department.

ITEM 12**DISTRICT 6****LIQUOR LICENSE APPLICATION - SPECIAL
EVENT - MADISON TRADITIONAL ACADEMY**

The following is an application for a Special Event liquor license for temporary sale of all liquors. There are no departmental objections and no protests.

Series Definition

SE - Special Event License for temporary sale of all liquors

<u>District</u>	<u>Applicant Name and Address</u>	<u>Event Information</u>
6	Mark Hiland Madison Traditional Academy Guild, Inc. 8603 North 17th Place (Cornhole Tournament)	- <u>Event Location:</u> 7324 North 1st Street - <u>Day/Date/Time:</u> Saturday, February 22, 2014 12 noon to 8:00 p.m. - <u>Total Expected Attendance:</u> 100

Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Ms. Takata and the City Clerk Department.

ITEM 13

DISTRICT 6

LIQUOR LICENSE APPLICATION - VILLA ITALIA

Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-1. Arizona State Application 12079766.

Applicant: Peter Pizzurro, Agent
Villa Italia
1219 East Glendale Avenue, Suites 12-14

This request is for a new Series 12 liquor license for a restaurant. This location was previously licensed for liquor sales as Spinato's Pizza and is currently operating with an interim permit. The operation plan filed with the application shows that the restaurant area seats 45 and there is no bar area. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Friday, February 21, 2014.

Consideration should be given only to the applicant's personal qualifications. In regard to the location, pursuant to Arizona Revised Statutes 4-203(A), there is a presumption that the public convenience and the best interest of the community were established at the time the location was previously licensed.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. Applicant's Statement - The applicant submitted the following statement in support of this application. Spelling, grammar, and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire:

I have the capability, reliability, and qualifications to hold a liquor license because: "I have been in the restaurant business for 30 years and have owned and operated 20 restaurants in the state of Arizona with alcohol served at all of those premises. I have been a responsible and reliable restaurateur in the state while holding a valid liquor license. I have never had any problems or issues in the past with respect to any of my previous licenses."

5. Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Ms. Takata and the City Clerk Department.

ITEM 14

DISTRICT 6

LIQUOR LICENSE APPLICATION - OVER EASY

Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-1. Arizona State Application 12079775.

Applicant: Lauren Merrett, Agent
Over Easy
4730 East Indian School Road, #123

This request is for a new Series 12 liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. The operation plan filed with the application shows that the restaurant area seats 60 and there is no bar area. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Thursday, March 6, 2014.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.
2. Police Calls for Service - This information is not provided due to the multiple ownership interests of the applicant.
3. Public Opinion - No petitions or protests have been received.
4. 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:
 - A. I have the capability, reliability, and qualifications to hold a liquor license because: "I have been owner for in Phx for 8 years. I meet all the requirments set forth in Title 4 for capability and qualifications."
 - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Patrons have requested the availability of alcoholic beverages at this establishment. There are no other on-sale licenses in this strip mall. The public convenience is met by providing the service my customers have requested."

5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Microbrewery	3	1	1
Bar	6	3	1
Beer & Wine Bar	7	2	0
Liquor Store	9	3	2
Beer & Wine Store	10	3	2
Restaurant	12	11	6

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	3.33	3.37
Property Crimes	45.04	38.71	42.87

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	49
Total Violations	105	89

Census 2010 Data 1/2 Mile

Block Group	2010 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1080001	1436	93%	3%	12%
1081001	1849	78%	1%	7%
1082002	1178	45%	8%	8%
1082003	1225	76%	13%	17%
1110002	1105	63%	8%	19%
1110004	707	59%	25%	0%
1110005	698	88%	19%	5%
1111003	2317	84%	11%	8%
Average		61%	13%	19%

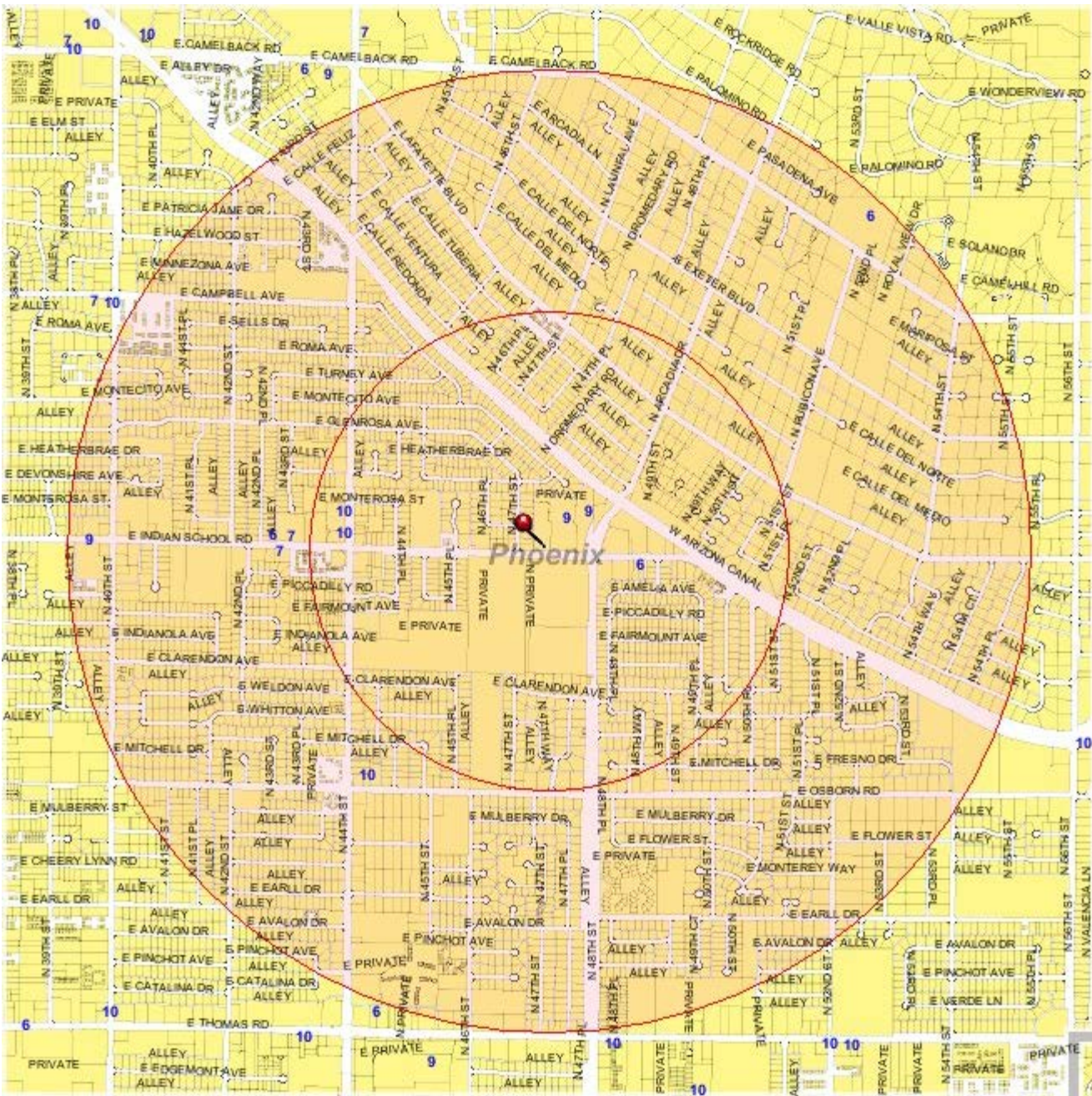
6. Staff Recommendation - Staff recommends approval of this application, noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

A map indicating liquor licenses within a one-mile radius accompanies this item on the following page.

This item is submitted by Ms. Takata and the City Clerk Department.

District 6

Lauren Merrett, Agent
 Over Easy
 4730 East Indian School Road, #123



ITEM 15

DISTRICT 7

**LIQUOR LICENSE APPLICATION - SPECIAL
EVENT - ALL SPORTS FOUNDATION, INC.**

The following is an application for a Special Event liquor license for temporary sale of all liquors. There are no departmental objections and no protests.

Series Definition

SE - Special Event License for temporary sale of all liquors

<u>District</u>	<u>Applicant Name and Address</u>	<u>Event Information</u>
7	Marla Zimmerman All Sports Foundation, Inc. 525 West Southern Avenue, Suite 102 (Cornhole Tournament)	<u>Event Location:</u> 1 East Washington Street <u>Day/Date/Time:</u> Saturday, March 22, 2014 10:30 a.m. to 10:00 p.m.

-
Total Expected Attendance: 750

Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Ms. Takata and the City Clerk Department.

ITEM 16 **DISTRICT 7** **LIQUOR LICENSE APPLICATION - SPECIAL
EVENT - 100 CLUB
OF ARIZONA**

The following is an application for a Special Event liquor license for temporary sale of all liquors. There are no departmental objections and no protests.

Series Definition

SE - Special Event License for temporary sale of all liquors

<u>District</u>	<u>Applicant Name and Address</u>	<u>Event Information</u>
7	Ashley Slechta 100 Club of Arizona 5033 North 19th Avenue, #123 (Silent Auction)	- <u>Event Location:</u> 203 West Adams Street - <u>Day/Date/Time:</u> Friday, March 7, 2014 4:30 p.m. to 6:00 p.m. - <u>Total Expected Attendance:</u> 1,300

Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Ms. Takata and the City Clerk Department.

ITEM 17 **DISTRICT 7** **LIQUOR LICENSE APPLICATION -
JAMROCK CAFE & GRILL**

Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-3 HP. Arizona State Application 12079773.

Applicant: Orrin Shaw, Agent
 Jamrock Cafe & Grill
 1714 West Van Buren Street

This request is for a new Series 12 liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. The operation plan filed with the application shows that the restaurant area seats 138 and the bar area seats 9. This business will have outdoor alcohol sales. This location requires a Use Permit for this type of activity. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Monday, March 3, 2014.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. 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:

- A. I have the capability, reliability, and qualifications to hold a liquor license because: "I am a licensed registered professional engineer employed with the State of Arizona for the past 10 years. I have diligently over the past 5 years renovated the property (Historic) located at 1714 W. Van Buren St. I acquired all the required permits and certifications to bring the property to modern codes + safety standards complying with all laws and regulations. I have taken approved DLLC training for management and acquired the information needed to comply with the law. I will ensure that my employees are trained and monitored for compliance with the law."
- B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "To serve the public and the community as full service restaurant and to meet their expectations for an up scale Caribbean cuisine and dining. Jam Rock Café & Grill needs to sell alcoholic beverages. Presently the businesses agencies and residents have very limited full service restaurants in the area of 1714 W. Van Buren St. This restaurant has great potential to bring diversity, culture, entertainment an revenue to the area. It will encourage continued re-development and investment in the Downtown Historic Districts."

5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Microbrewery	3	1	0
Bar	6	2	0
Beer & Wine Bar	7	1	0
Liquor Store	9	3	0
Beer & Wine Store	10	8	3
Restaurant	12	3	2
Club	14	2	0

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	13.16	19.57
Property Crimes	45.04	54.5	58.14

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	103
Total Violations	105	203

Census 2010 Data 1/2 Mile				
Block Group	2010 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1129003	1372	4%	18%	40%
1129004	1325	47%	24%	52%
1143011	1389	22%	15%	57%
1144021	759	35%	18%	56%
1144022	1301	41%	20%	44%
1168001	1178	33%	22%	40%
Average		61%	13%	19%

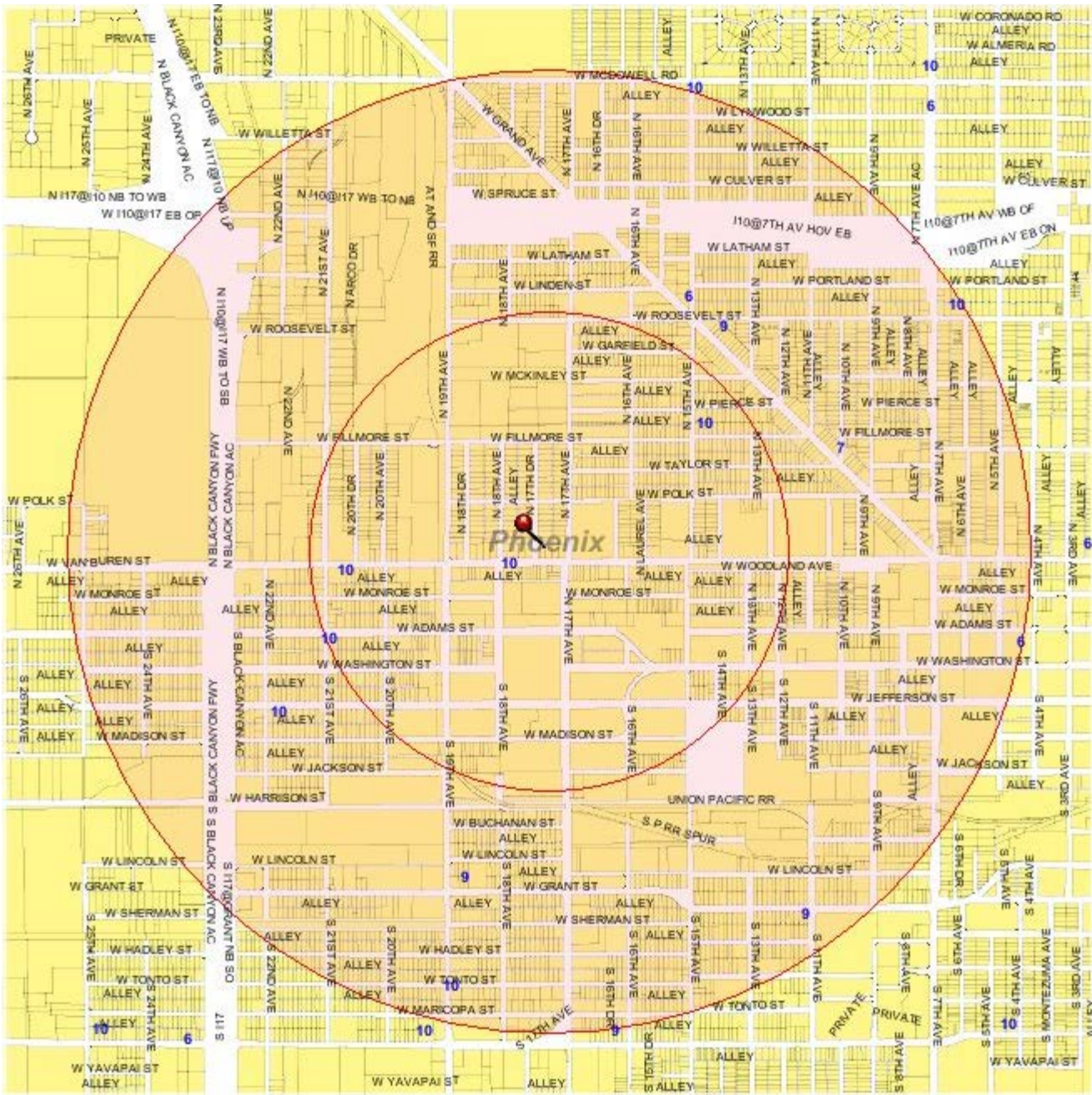
6. Staff Recommendation - Staff recommends approval of this application, noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

A map indicating liquor licenses within a one-mile radius accompanies this item on the following page.

This item is submitted by Ms. Takata and the City Clerk Department.

District 7

Orrin Shaw, Agent
Jamrock Cafe & Grill
1714 West Van Buren Street



ITEM 18

DISTRICT 8

**LIQUOR LICENSE APPLICATION - SPECIAL
EVENT - CHILDREN'S
MUSEUM OF PHOENIX**

The following is an application for a Special Event liquor license for temporary sale of all liquors. There are no departmental objections and no protests.

Series Definition

SE - Special Event License for temporary sale of all liquors

<u>District</u>	<u>Applicant Name and Address</u>	<u>Event Information</u>
8	Carl Jimenez Children's Museum of Phoenix 215 North 7th Street (Dinner/Dance/Live Auction)	<u>Event Location:</u> 215 North 7th Street <u>Day/Date/Time:</u> Saturday, April 5, 2014

5:30 p.m. to 12:30 a.m.

-

Total Expected Attendance: 800

Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Ms. Takata and the City Clerk Department.

OLD BUSINESS

ITEM 19

DISTRICT 2

LIQUOR LICENSE APPLICATION - MCFADDEN'S RESTAURANT & SALOON

(Continued from December 4, 2013, and January 15, 2014) - Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C 2. Arizona State Application 12079678.

Applicant: Randy Nations, Agent
McFadden's Restaurant & Saloon
21001 North Tatum Boulevard, #6

This request is for a new Series 12 liquor license for a restaurant. This location was previously licensed for liquor sales as TGI Friday's #1144 until March 2013 and is currently operating with an interim permit. The operation plan filed with the application shows that the restaurant area seats 364 and the bar area seats 66. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application was Thursday, December 5, 2013.

Consideration may be given only to the applicant's personal qualifications and not to the location.

1. Department of Liquor Licenses and Control Public Access Data - The ownership of this business also has an interest in the following liquor license(s):

McFadden's Restaurant & Saloon
9425 West Coyotes Boulevard, Building H
Glendale, Arizona

Calico Jack's
6770 North Sunrise Boulevard, #G109
Glendale, Arizona

McFadden's Restaurant & Saloon

In April 2010, a violation letter was issued for selling liquor to an intoxicated or disorderly person and for allowing an intoxicated person to remain on the premises in excess of 30 minutes.

In September 2010, a fine of \$15,000 was paid for repeated acts of violence and for failing to maintain the capability, qualification, and reliability to hold a liquor license.

In January 2011, a fine of \$1,500 was paid for repeated acts of violence.

In August 2012, a fine of \$3,000 was paid for accepting unauthorized forms of I.D. and for selling, giving, or furnishing an underage person with alcohol.

In March 2013, a fine of \$500 was paid for having the front entrance locked.

In March 2013, a fine of \$1,000 was paid for an employee consuming alcohol while on duty.

In July 2013, a consent agreement was signed for repeated acts of violence.

-
Calico Jack's

In June 2011, a fine of \$3,000 was paid for repeated acts of violence.

In August 2011, a fine of \$1,000 was paid for failure to follow the identification procedure prescribed by statutes.

In November 2011, a fine of \$4,000 was paid for repeated acts of violence.

In January 2013, a fine of \$5,000 was paid for allowing an underage person to remain on the premises without a parent.

2. Police Calls for Service - Not applicable since the applicant does not hold an interest in any other liquor license in the City of Phoenix.

3. Public Opinion - No petitions or protests have been received.
4. Applicant's Statement - The applicant submitted the following statement in support of this application. Spelling, grammar, and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire:

I have the capability, reliability, and qualifications to hold a liquor license because: "We train all of our employees in responsible liquor service and they go through regular audits to ensure they comply."

5. Staff Recommendation - Staff recommends disapproval of this application based on a Police Department recommendation for disapproval.

The Police Department disapproval is based on concerns with the applicant's capability, reliability, and qualifications to hold and control a liquor license. The applicant owns two other liquor licensed locations in Arizona, both of which have had an extensive history of liquor license violations. Additionally, the Police Department feels that this location is being operated as a bar and, therefore, does not meet the criteria for the issuance of a Series 12 (Restaurant) license.

This item is submitted by Ms. Takata and the City Clerk Department.

ITEM 20

DISTRICT 4

LIQUOR LICENSE APPLICATION - BADA BING GENTLEMEN'S CLUB

(Continued from January 29 and February 5, 2014) - Request for a Series 6, On Sale-All Liquor, liquor license in an area zoned C-2. Arizona State Application 06070721.

Applicant: Greg Casteel, Agent
Bada Bing Gentlemen's Club
1702 East McDowell Road

This request is for an ownership and location transfer of a Series 6 liquor license from Chandler for a topless bar. This location was not previously licensed for liquor sales and does not have an interim permit. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application was Monday, February 3, 2014.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. 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:
 - A. I have the capability, reliability, and qualifications to hold a liquor license because: "I have operated this adult-oriented business for some time and I familiar with its operation. We will have employees trained in the liquor laws and we comply with those laws."
 - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "It will raise the age of patrons from 18 to 21 which will be beneficial to the community's best interest."

5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Bar	6	5	3
Beer & Wine Bar	7	2	1
Liquor Store	9	5	1
Beer & Wine Store	10	15	5
Restaurant	12	14	7

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	20.23	19.37
Property Crimes	45.04	77	77.87

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	159
Total Violations	105	357

Census 2000 Data 1/2 Mile				
Block Group	2000 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1116012	1776	69%	5%	15%
1116023	1144	22%	6%	40%
1116024	1270	45%	2%	20%
1116025	1564	58%	3%	31%
1117001	1283	71%	5%	16%
1117002	1757	75%	6%	22%
1132031	1153	45%	8%	30%
1132033	852	38%	8%	38%
1133001	927	61%	7%	24%
1133004	1384	20%	5%	51%
Average		63%	6%	15%

6. Staff Recommendation - Staff recommends disapproval of this application based on a Police Department and a Street Transportation Department recommendation for disapproval.

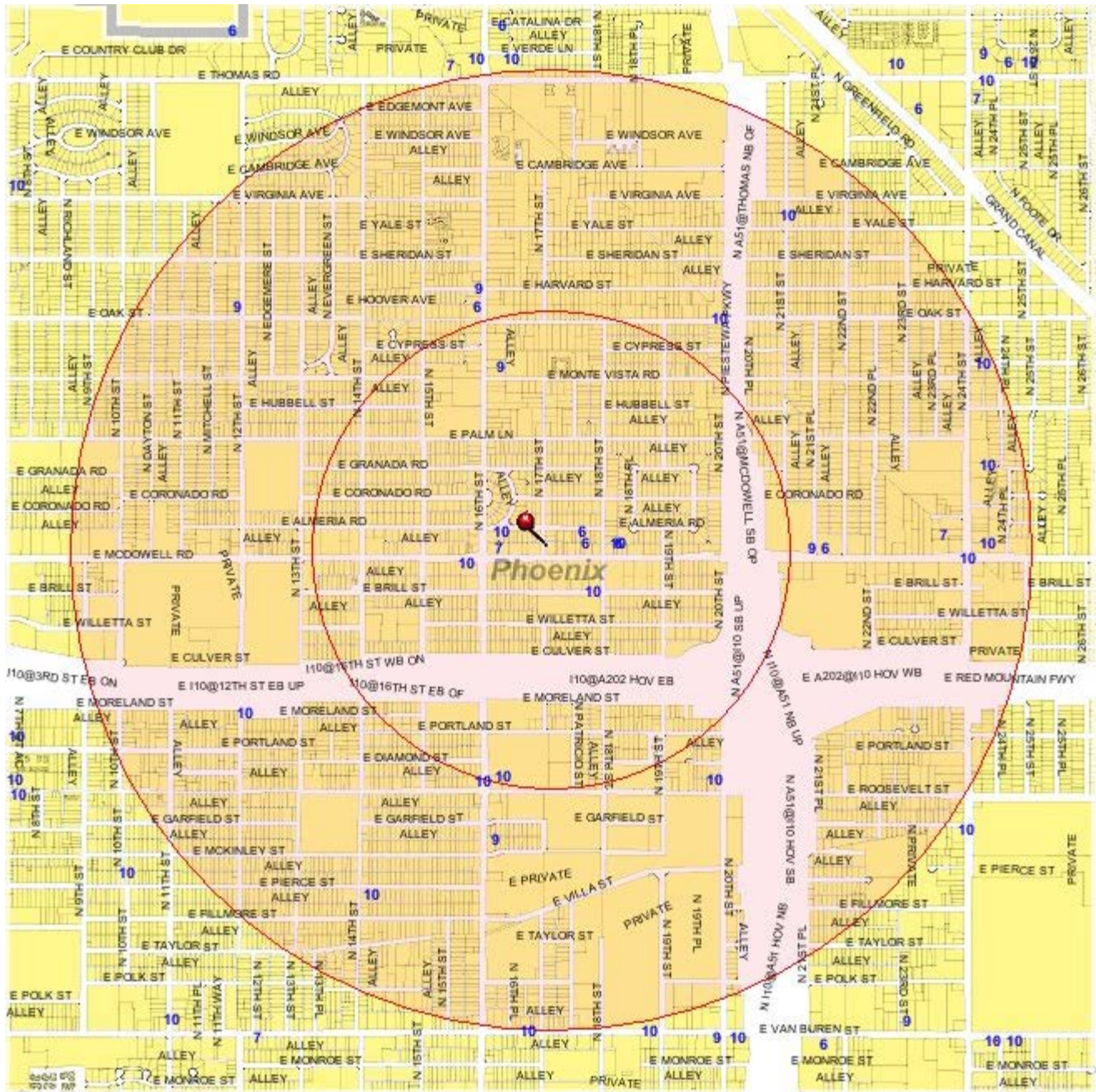
The Police Department disapproval is based on concerns with the applicant's criminal history and failure to fully disclose ownership in other businesses, as required during the liquor license application process. The applicant has not demonstrated the capability, reliability, and qualifications required to hold and control a liquor license.

The Street Transportation Department disapproval is pursuant to Arizona Revised Statutes, Section 4-207, that restricts liquor licensing near churches and schools. The proposed liquor license location is within 300 feet of a church.

A map indicating liquor licenses within a one-mile radius accompanies this item on the following page.

This item is submitted by Mr. Meyer and the City Clerk Department.

District 4
 Greg Casteel, Agent
 Bada Bing Gentlemen's Club
 1702 East McDowell Road



ORDINANCES AND RESOLUTIONS

ITEM 21

DISTRICTS 7 AND 8

**ORDINANCE G-5894 -
AMEND CITY CODE - CHAPTER 10A -
CONVENTION CENTERS AND THEATERS**

Request to authorize amendments to Phoenix City Code Chapter 10A, Convention Centers and Theaters.

The purpose of these amendments is to update the code governing rates and operations of the Phoenix Convention Center, Executive Conference Center, Theatrical Venues, and Parking Facilities managed by the Phoenix Convention Center Department (PCCD) to provide increased competitiveness.

The amended ordinance will provide rates for booking future business through 2026. The recommended rates were posted to the City's website on October 30, 2013, to allow a minimum of 60 days for public comment; none were received.

Additionally, the amended ordinance will allow greater sales flexibility and speed to-market with competitive client proposals while establishing new opportunities for generating revenues in market-driven, business-friendly ways.

The text of the amended ordinance is contained in a backup report.

Financial Impact

No negative financial impact is expected from this action. The ability to establish competitive rates and offer incentives that increase the usage of the facility will allow the department to increase its revenues.

The proposed amendments to Chapter 10A, Convention Centers and Theaters, of the Phoenix City Code were recommended for City Council approval by the Downtown, Aviation, and Redevelopment Subcommittee on February 5, 2014.

This item is also recommended by Mr. Blue and the Phoenix Convention Center Department.

ITEM 22

DISTRICT 5

**ORDINANCE G-5895 -
MODIFICATION OF STIPULATIONS
FOR REZONING
APPLICATION Z-SP-13-08-5 ADOPTED BY
ORDINANCE G-5230**

Request to amend the stipulations applicable to Rezoning Application Z-SP-13-08-5 previously approved by Ordinance G-5230 for the R1-6 SP (Single-Family Residence Special Permit) zoning district located approximately 1,200 feet south of the southeast corner of 103rd Avenue and Camelback Road. This request will allow a new wireless communication facility disguised as a faux palm tree.

This item is recommended by Mr. Naimark and the Planning and Development Department.

ITEM 23

DISTRICT 8

**ORDINANCE S-40495 -
ACQUISITION OF ONE OCCUPIED RESIDENTIAL
PROPERTY FOR THE COMMUNITY NOISE
REDUCTION PROGRAM**

(Continued from January 15 and 29, 2014) - Request to authorize the City Manager, or his designee, to perform all acts necessary to acquire fee title to, and possession of, the occupied residential real property listed below for the Aviation Department's Community Noise Reduction Program. Further request authorization for the City Manager, or his designee, to negotiate and execute short-term, temporary occupancy agreements to give the occupants of the property sufficient time to relocate, as such agreements may be necessary to, and in furtherance of, this ordinance.

The following property owner has voluntarily asked the City to purchase her property, which is located in Phoenix, Arizona, and identified by a Maricopa County Assessor Parcel Number (APN):

<u>Owner</u>	<u>Address</u>	<u>Appraisal</u>	<u>WBS Element</u>
Dora Ramirez, an unmarried woman	1098 East Durango Street APN: 115-46-029A	\$64,000	AV01050231

Further request authorization for the City Controller to disburse funds necessary to purchase the property at the City's appraised value, plus usual and customary closing costs, and to accept and disburse funds necessary for the short-term, temporary occupancy agreements.

Funding is available in the Aviation Department's Capital Improvement Program from Airport Improvement Program grants and from Passenger Facility Charge revenue.

Citizen Notification

Aviation's Community Noise Reduction Program is in its final phases. As part of the sunset plan, residents, property owners, and area businesses received outreach about the deadline dates for the program. Many property owners, who have voluntarily relocated through the Voluntary Acquisition and Relocation Services (VARS) Program, have experienced successful moves, report an improvement in their quality of life, and are utilizing the benefits provided through the VARS Program.

This item is recommended by Mr. Naimark and the Aviation Department.

ITEM 24 **DISTRICT 8** **ORDINANCE S-40528 -
ACQUISITION OF ONE OCCUPIED RESIDENTIAL
PROPERTY FOR THE COMMUNITY NOISE
REDUCTION PROGRAM**

(Continued from January 29, 2014) - Request to authorize the City Manager, or his designee, to perform all acts necessary to acquire fee title to, and possession of, the occupied residential real property listed below for the Aviation Department's Community Noise Reduction Program. Further request authorization for the City Manager, or his designee, to negotiate and execute short-term, temporary occupancy agreements to give the occupants of the property sufficient time to relocate, as such agreements may be necessary to, and in furtherance of, this ordinance.

The following property owner has voluntarily asked the City to purchase her property, which is located in Phoenix, Arizona, and identified by a Maricopa County Assessor Parcel Number (APN):

<u>Owner</u>	<u>Address</u>	<u>Appraisal</u>	<u>WBS Element</u>
Pomposa S. Valdez, a widow	1417 South 9th Street APN: 115-44-080A	\$47,000	AV01040079

Further request authorization for the City Controller to disburse funds necessary to purchase the property at the City's appraised value, plus usual and customary closing costs, and to accept and disburse funds necessary for the short-term, temporary occupancy agreements.

Funding is available in the Aviation Department's Capital Improvement Program, from Airport Improvement Program grants, and from Passenger Facility Charge revenue.

Citizen Notification

Aviation's Community Noise Reduction Program is in its final phases. As part of the sunset plan, residents, property owners, and area businesses received outreach about the deadline dates for the program. Many property owners, who have voluntarily relocated through the Voluntary Acquisition and Relocation Services (VARS) Program, have experienced successful moves, report an improvement in their quality of life, and are utilizing the benefits provided through the VARS Program.

This item is recommended by Mr. Murphy and the Aviation Department.

ITEM 25 **CITYWIDE** **ORDINANCE S-40568 -
PAYMENT ORDINANCE**

Request to authorize the City Controller to disburse funds in an aggregate amount not to exceed \$3,611,806.97 for the purpose of paying vendors, contractors, claimants, and others; and providing additional payment authority under certain existing City contracts.

- \$ 10,298.74 a) To 3M Library Systems, for the purchase of reflective sheeting material utilized by the Sign Shop in the fabrication of street signs, by the Street Transportation Department.

102,182.00	b)	To Airports Council International (ACI), for annual assessment for Phoenix Sky Harbor International Airport. ACI is an organization of airports that focuses on issues in the aviation industry such as safety, operations, finance, environmental, concessions, contracting, finance, grant funding, federal regulatory issues, and operations issues related to the Federal Aviation Administration, Transportation Security Administration, and Department of Homeland Security, for the Aviation Department.
33,378.06	c)	To Arizona Envelope Company, for the purchase of water utility statement envelopes required for the monthly mailing of the City's service invoices, for the Water Services Department.
12,500.00	d)	To Arizona-Mexico Commission, a public-private organization chaired by the Arizona Governor, which facilitates economic development and communication with Mexico and Latin America, for the Fiscal Year 2013-2014 sponsorship renewal for the Aviation Department. The department partners with the AMC with the goal of increasing passenger and cargo traffic between the regions.
9,530.40	e)	To Better Direct, LLC, for the purchase of single-mode and multi-mode transceivers utilized for data communication between the network switch and fiber cables, required as part of the network infrastructure project, for the Aviation Department.
\$ 8,854.66	f)	To Copper State Supply, Inc., for the purchase of adapters and fire hose couplings, to replace existing equipment that has reached the end of its useful life, for the Fire Department.
10,163.96	g)	To Delta Bap, Inc., for the purchase of a mobile HVAC system utilized for shelter operations during emergency deployments, funded by the Urban Areas Security Initiative (UASI) sheltering grant, for the Fire Department.
15,000.00	h)	To Greater Southwest Valuation, Inc., dba Brekan Nava Group, to conduct a market study of rental rates for multi-family housing within the City of Phoenix jurisdiction boundaries, under Agreement 137668, through January 2, 2015, for the Housing Department.
11,349.84	i)	To Group Mobile International, LLC, for the purchase of power distribution units utilized to deliver power and redundant power to rack-mounted equipment within the Maricopa Regional 911 dispatch facility, for the Fire Department.
12,530.00	j)	To Helm Incorporated, to provide a one-year subscription for online technical training and automotive publications to be utilized by the Fleet Services Division, for the Public Works Department.
9,499.63	k)	To Inland Kenworth, Inc., for the purchase of replacement engine parts for a City fire pumper truck (unit 331221) which is inoperable at this time, for the Public Works Department.
44,619.60	l)	To Inolect, LLC, for the purchase of a Circuit Breaker Remote Racking System and related set up and training, to be used at the 24th Street Water Plant, for the Water Services Department.
16,295.00	m)	To Interstate Mechanical Corporation, to fabricate and install a metal security enclosure for the electronic reader board air conditioning equipment located at 2nd Street and Adams, for the Convention Center Department.

\$ 27,161.64	n)	To Interwest Safety Supply, Inc., for the purchase of reflective glass beads for airport runway and taxiway markings, as required by the Federal Aviation Administration, for the Aviation Department.
22,335.00	o)	To ITS Engineers & Constructors of Utah, Inc., for the purchase of an ALDIS Gridsmart video based vehicle detection system to be installed at the intersection of 19th Avenue and McDowell Road at Grand Avenue, for the Street Transportation Department.
16,288.00	p)	To JTB Supply Company, Inc., for the purchase of advisor guide accessible pedestrian stations to assist with crosswalk safety, for the Street Transportation Department.
100,000.00	q)	To Keith Knowlton in trust for Olivia Calabrese, to fund the settlement of a tort claim against an employee of the Police Department, 12-0843-001, for the Finance Department.
47,350.00	r)	To Misco, for the purchase of chlorine evaporator equipment, utilized in the chlorination process at the Union Hills Water Treatment Plant, for the Water Services Department.
9,508.74	s)	To Montroy Supply Company, for the purchase of translucent vinyl material utilized to replace existing airline listing signs located at Terminal 3 and 4 of Phoenix Sky Harbor International Airport, for the Aviation Department.
14,187.69	t)	To PCL Holdings, Inc., for the purchase of bicycle helmets, funded by the 2014 Governor's Office of Highway Safety (GOHS) grant in support of the School Safety Program for the Bike to School Day events during Spring 2014, for the Street Transportation Department.
10,500.00	u)	To Pen-Link, Ltd., for the payment of annual licensing fees for the Pen-Link server. The server is critical for all wire intercept investigations conducted by the Drug Enforcement Bureau, Technical Investigation Unit, and is funded by Court Awards funds, for the Police Department.
\$ 13,262.00	v)	To Pump Systems, Inc., for the purchase of water pump parts, to replace existing equipment that has reached the end of its useful life, critical to the return water system and operations of the Val Vista Water Treatment Plant, for the Water Services Department.
9,367.95	w)	To Remotec, Inc., for transportation and repair services of an explosive ordnance disposal (EOD) robot, utilized by the Bomb Squad to remotely render safe improvised explosive devices, for the Police Department.
49,189.10	x)	To Robotex, Inc., for the purchase of two extended reach manipulator arms, a robotic arm system with infrared camera utilized by the Special Assignments Unit providing enhanced visibility and recon abilities during SWAT Operations, funded by the 2013 Urban Areas Security Initiative (UASI) grant, for the Police Department.
10,153.00	y)	To Salt River Project, for payment authority to provide construction services to install a new electrical service required for Project WS85050026: 42nd Place Reservoir located at 7615 South 42nd Place, originally approved on January 15, 2014, for the Street Transportation Department.
24,000.00	z)	To Sightline, LC, Agreement 137681, to provide on site airfield marking training, for the Aviation Department.
33,070.00	aa)	To Ty Cushion Tire, LLC, for the purchase of tires and wheel assemblies

for City CAT loader unit 233115, for the Fleet Services Division of the Public Works Department.

This section requests continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions, and/or bids awarded:

\$ 40,000.00	ab)	To Adobe Energy Management Company, to exercise an option to extend Agreement P-09174-12/129181 awarded by IFB 10-177, through March 31, 2014, to continue to provide plumbing and roofer service for City-owned properties on an as needed basis, for the Housing Department.
\$ 500,000.00	ac)	To Air Energy Systems and Services, to exercise an option to extend Agreement P-09070-11/128235 awarded by IFB 10-030, through March 31, 2015, to continue to provide HVAC filter maintenance services, for the Aviation Department.
25,000.00	ad)	To Balar Holding Corporation, dba Balar Equipment Corporation, to exercise an option to extend Agreement P-09235-11/130155 awarded by IFB 11 074 through January 14, 2015, to continue to supply sewer rods, for the Water Services Department.
25,000.00	ae)	To Copper State Supply, Inc., to exercise an option to extend Agreement MW12-00066 awarded by RFQ 12-066, through January 31, 2015, to continue to supply poly wipe liquid sealant, for the Fire Department.
25,000.00	af)	To Cybergear, Inc., to provide badge print supplies on an as-needed basis, under Agreement MW13-00054 awarded by RFQ 13-054 through December 31, 2014, for the Aviation and Public Works Departments.
151,437.00	ag)	To D.L. Norton General Contracting, Inc., for Change Order 6, Contract 126339, Project AR00000011, for additional construction services required as part of the Phoenix Theatre New Black Box project, for the Street Transportation Department.
87,194.00	ah)	To Kelly Pipe Company, to exercise an option to extend Agreement P-09375-12/131091 awarded by IFB 11-115, through April 30, 2015, to continue to provide bypass spools and tailpieces, for the Water Services Department.
\$ 140,000.00	ai)	To Nilfisk-Advance Technologies, Inc., to exercise an option to extend Agreement P-09294-12/130583 awarded by RFA 11-002 through September 30, 2014, to continue to provide various parts and repairs of a runway rubber/paint remover and hard surface cleaners, for the Aviation Department.
10,000.00	aj)	To Office Max, Inc., to exercise an option to extend Agreement MW11-00052 awarded by RFQ 11-052, through January 31, 2015, to continue to provide supplies for the Navigator Office volunteers by the Aviation Department.
14,000.00	ak)	To Ozone Water Systems, Inc., to provide all labor necessary to the removal and installation of an ozone destruct unit with internal blower, Agreement P-09860-14/135849 awarded by IFB 13 150 through May 31, 2015, for the Parks and Recreation Department.
228,462.00	al)	To Polydyne, Inc., to exercise an option to extend Agreement P-08845-09/125387 awarded by IFB 09 062, through February 28, 2014, to continue to supply polymer for wastewater treatment, for the Water

Services Department.

14,500.00 am) To Rayne of Phoenix, to exercise an option to extend Agreement P-09308-12/130676 awarded by IFB 11 114, through March 31, 2015, to continue to provide water softener exchange rental and maintenance services, for the Water Services and Human Services Departments.

1,593,728.00 an) To San Diego Police Equipment Company, Inc., to exercise an option to extend Agreement P-08997-12 awarded by IFB 10-011, through November 30, 2014, to continue to provide ammunition for the Police Academy on an as-needed basis, for the Police Department.

This section requests payment authority, up to amounts indicated below, for the payment of relocation benefits and assistance in connection with the City project identified below or the Airport's Community Noise Reduction Program:

\$ 60,150.00 ao) To Joya, George M. and/or assignee(s), to provide displacement relocation assistance as part of the Community Noise Reduction Program, for the Aviation Department by the Finance Department.

14,760.96 ap) To Sun Valley Financial Services of Phoenix, LLC and/or assignee(s), to provide displacement relocation assistance as part of the Community Noise Reduction Program, for the Aviation Department by the Finance Department.

\$ 3,611,806.97

This item is recommended by Mr. Zuercher and the Finance Department.

ITEM 26

DISTRICT 8

**ORDINANCE S-40569 -
AGREEMENT WITH AMERICAN ASSOCIATION
OF AIRPORT EXECUTIVES**

Request to authorize the City Manager, or his designee, to enter into an agreement with American Association of Airport Executives (AAAE) to provide airport security, safety, and other specialized training and certification to the Aviation Department (Aviation). The agreement may contain other terms and conditions deemed necessary or appropriate by the City Manager or the Aviation Director.

Further request to authorize the City Controller to disburse the necessary funds in an amount not to exceed \$90,000 annually over the life of the agreement.

AAAE is a not-for-profit organization that is the largest professional organization for airport executives in the world, representing thousands of airport management personnel at public-use airports. AAAE training will provide Aviation employees the specialized instruction needed to perform their jobs in the highly technical field of aviation. It will help Aviation employees to become familiar with the airport work environment and specialize in aviation specific areas that will focus on up-to-date industry regulations and standards. Due to the proprietary nature of the training programs, this is a sole source procurement.

The term of the agreement will be for one year. The agreement will contain four, one-year renewal options to be exercised at the sole discretion of the Aviation Director.

Financial Impact

The total cost of this agreement will not exceed \$90,000 per year for a total of \$450,000 if all options are exercised.

This item is recommended by Mr. Murphy and the Aviation Department.

ITEM 27

DISTRICT 5

**ORDINANCE S-40570 -
CORE PROGRAM AGREEMENT WITH
CHICANOS POR LA CAUSA FOR WEST SIDE
REGIONAL OFFICE RENOVATION**

Request to authorize the City Manager, or his designee, to enter into a Commercial Outreach Renovation and Enhancement (CORE) Program agreement and other agreements as necessary (collectively, the "Agreements") with Chicanos Por La Causa, Inc. (CPLC), or its City-approved designee, and for the City Controller to disburse funds for exterior renovations to the CPLC West Side Regional Office at 6808 West Indian School Road.

The CORE Program was developed as part of the 2006 General Obligation Bond Program to provide financial and technical assistance to property owners rehabilitating existing commercial properties, and improving existing blighted and underutilized properties within the West Phoenix Revitalization Area (WPRA).

Under this agreement, CPLC will be reimbursed for up to fifty percent of approved eligible costs for exterior renovations approved by the City, including façade renovations, landscaping upgrades, parking lot enhancements, improved signage and lighting, infrastructure improvements, and associated costs. The reimbursement will not to exceed \$82,775.

CPLC estimates its expenditures to improve this site will exceed \$3,000,000, including \$300,000 for exterior improvements. CPLC is establishing this location as its West Side Regional Office, offering various behavioral health and human services to the community including a small business lending program, a health clinic, housing counseling, a community conference center, and other uses.

The Agreements with CPLC may contain such other terms and conditions as the City deems necessary or appropriate to complete the transaction.

Financial Impact

There will be no impact to the General Fund as a result of entering into these Agreements. The contract value shall not exceed \$82,775. Funds are available in the Community and Economic Development Department's Capital Improvement Program budget using 2006 General Obligation Bonds designated for economic development activities in the West Phoenix Revitalization Area.

This project was approved by the WPRA Community Advisory Board at its October 17, 2013 meeting.

This item is also recommended by Mr. Blue, Ms. Spencer, and the Community and Economic Development Department.

ITEM 28

DISTRICT 7

**ORDINANCE S-40571 -
REDEVELOPMENT AND PURCHASE
AGREEMENT WITH METROWEST
DEVELOPMENT, LLC**

Request to authorize the City Manager, or his designee, to enter into a Redevelopment and Purchase Agreement, easements, and other agreements as necessary with Metrowest Development, LLC, or its City-approved designee (Developer), and for the City Controller to accept and disburse funds for the redevelopment of three City-owned properties located at 814, 816, and 822 North Second Avenue as single-family, owner-occupied residences.

Staff solicited proposals for the private financing and rehabilitation of two parcels with historic structures and the development of a vacant lot within the Roosevelt Historic District. Developer was recommended by an evaluation panel which included representatives of the Roosevelt Action Association, downtown stakeholders, and City staff.

Under the proposed business terms, Developer will rehabilitate the three properties for use as single-family, owner-occupied residences. Developer will accept a covenant to protect the historic structures and their view sheds for 25 years, and a covenant requiring that all parcels be devoted only to owner occupied residential use for 10 years. Developer will enter into a Second Avenue Streetscape Right-of-Way Maintenance Agreement for each parcel.

Developer will pay the City \$82,047, \$96,616, and \$81,375 for parcels 822, 816, and 814, respectively (Purchase Price). If Parcels 816 and/or 822 sell for amounts in excess of the Developer's anticipated gross sales prices (\$386,465 for Parcel 816 and \$328,190 for Parcel 822), Developer will pay the City fifty percent of the excess sales proceeds.

The agreements may contain such other terms and conditions as the City deems necessary and appropriate.

Financial Impact

There will be no impact to the General Fund as a result of entering into these agreements.

This item was unanimously recommended by the Downtown, Aviation, and Redevelopment Subcommittee on February 5, 2014.

This item is also recommended by Mr. Blue, Ms. Takata, the Community and Economic Development Department, and the Neighborhood Services Department.

ITEM 29

OUT OF CITY

**ORDINANCE S-40572 -
FOREIGN-TRADE ZONE APPLICATION FOR
ISOLA USA, CORPORATION**

Request to authorize the City Manager, or his designee, to submit a Minor Boundary Modification application to the Foreign-Trade Zones (FTZ) Board of the U.S. Department of Commerce. Also, request authorization to enter into a Foreign-Trade Zone Operations Agreement and any other necessary documentation with Isola USA, Corporation, or City-approved nominee, and to enter into an Intergovernmental Agreement with the City of Chandler.

The City of Phoenix, as Grantee of Foreign-Trade Zone 75, has the right and authority to apply for foreign-trade zone site designations. Isola USA, Corporation designs, develops, manufactures, and markets laminate materials used to fabricate advanced multilayer printed circuit boards, which provide the physical platforms for the semiconductors, passive components, and connection circuitry that power and control virtually all modern electronic products. The company has requested a usage-driven designation for the property it owns at 165 South Price Road, Chandler, Arizona. The proposed usage-driven site consists of approximately 17 acres. Consistent with City of Phoenix policy, Isola does not intend to seek property tax reclassification for existing property within the City of Chandler pursuant to Arizona law (Arizona Revised Statutes 42 12006).

The City of Chandler has provided to the City of Phoenix a resolution indicating their support of Isola's FTZ application for the site in Chandler. With Council authorization, the City of Phoenix will enter into an Intergovernmental Agreement with the City of Chandler to evidence conditions of Chandler's support of the FTZ application and outline the cities' responsibilities to one another.

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

- Comply with U.S. Department of Commerce Foreign-Trade Zones Board standards;
- Maintain record keeping satisfactory to the U.S. Customs and Border Protection;
- Obtain business bonding and insurance satisfactory to the City and the U.S. Customs and Border Protection;
- Indemnify the City against claims arising from their FTZ operations; and
- Pay to the City all fees pursuant to the current zone fee schedule.

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

Financial Impact

The City will incur no costs associated with Isola's application.

This item is recommended by Mr. Blue and the Community and Economic Development Department.

ITEM 30

CITYWIDE

**ORDINANCE S-40573 -
IFB 14-019 - COURIER AND DELIVERY
SERVICES FOR AUTOMOTIVE EQUIPMENT AND
PARTS - REQUIREMENTS CONTRACT**

Request to authorize the City Manager, or his designee, to enter into an agreement with Alliance Towing for the pick-up and delivery of equipment parts between vehicle maintenance service centers, on an as-needed basis during a one-year contract period beginning on or about February 6, 2014 and ending February 5, 2015. Authorization is also requested for the City Controller to disburse funds for the life of the contract in an amount not to exceed \$375,000.

Solicitation IFB 14-019 was conducted in accordance with Administrative Regulation 3.10. Four bids were received and opened on December 20, 2013. One bid was deemed non-responsive. Following is a tabulation of the responsive bids received:

<u>Bidders</u>	<u>Unit Price</u>
Alliance Towing	\$61.00*
Mercury Delivery Service	\$71.90
BC Logistics, LLC	\$86.60

The solicitation used cooperative purchasing language authorizing the resulting contracts to be open to members of the Strategic Alliance for Volume Expenditures (SAVE) for use at its discretion.

It is recommended by the Deputy Finance Director that the bid of Alliance Towing, as asterisked, be accepted as the responsive and responsible bidder.

-
Option to Extend

Provisions of the agreement include an option to extend the contract up to four additional years, in one-year increments, which will be exercised if considered in the City's best interest to do so.

Financial Impact

The aggregate contract value for all option years will not exceed \$375,000, with an estimated annual expenditure of \$75,000. Funds are available in the Public Works Department's budget.

-
This item is also recommended by Mr. Naimark and the Public Works Director.

ITEM 31

CITYWIDE

**ORDINANCE S-40574 -
IFB 14-087 - LANDFILL SERVICES -
REQUIREMENTS CONTRACT**

Request to authorize the City Manager, or his designee, to enter into agreements with Allied Waste Industries (Arizona), Inc.; Salt River Landfill; Salt River Materials Group, dba SRSR; and Vulcan Materials Company, on an as-needed basis during a one-year period beginning on the date of City's acceptance of the offers. Authorization is also requested for the City Controller to disburse funds over the life of the contract in an amount not to exceed \$4,700,000.

Solicitation IFB 14-087 was conducted in accordance with Administrative Regulation 3.10. Four bids were received and opened on December 13, 2013.

The materials to be disposed of include excavation spoil (mud and ABC), asphalt paving material, concrete materials, mixed asphalt paving and spoil materials, and water treatment plant sludge. Following is a tabulation of the bids received:

	Allied Waste Industries (Arizona), Inc.	Salt River Landfill	Salt River Materials Group, dba SRSR	Vulcan Materials Company
Excavation spoil, concrete, and mixed asphalt and spoil	\$24.00/CY	No Bid	\$3.60 - \$25/CY*	\$6.00/CY*
Clean Asphalt	\$22.00/CY	No Bid	\$3.60 - \$25/CY*	\$6.00/CY*
Clean Concrete	\$22.00/CY	No Bid	\$3.60 - \$25/CY*	\$7.00/CY*
Clean Dirt	\$22.00/CY	No Charge*	No Bid	\$1.00/CY*
Water treatment sludge	\$24.00/ton*	\$28.78/ton*	No Bid	No Bid

It is recommended by the Deputy Finance Director that the bids of Allied Waste Industries (Arizona), Inc.; Salt River Landfill; Salt River Materials Group, dba SRSR; and Vulcan Materials Company, as asterisked, be accepted as the lowest responsive and responsible bidders. Multiple awards are recommended to meet the City's needs considering the geographic locations of the landfills.

Financial Impact

The aggregate contract value for all options shall not exceed \$4,700,000, with an estimated annual expenditure of \$940,000. Funds are available in departments' Operating budgets.

Option to Extend

Provisions of the agreement include an option to extend the contract up to four additional years, in one-year increments, which will be exercised if considered in the City's best interest to do so.

This item is also recommended by Mr. Zuercher.

ITEM 32 **CITYWIDE** **ORDINANCE S-40575 -
IFB 14-089 - WATER UTILITY BILLING
ENVELOPES - REQUIREMENTS CONTRACT**

Request to authorize the City Manager, or his designee, to enter into a contract with Response Envelope, Inc. to provide water utility billing and customer return envelopes. The initial contract term shall be for one year beginning on or about February 1, 2014 and ending January 31, 2015. Authorization is also requested for the City Controller to disburse funds over the life of the contract in an amount not to exceed \$755,000.

Solicitation IFB 14-089 was conducted in accordance with Administrative Regulation 3.10. Eight offers were opened on December 20, 2013. Offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and their responsibility to provide the required goods and/or services. Following is a tabulation of the lowest bids received:

<u>Bidder</u>	<u>Total Bid Price</u>
Response Envelope, Inc.	\$119,994*
Accurate Forms & Supplies	\$120,109
Cenveo	\$126,293

It is recommended by the Deputy Finance Director that the bid submitted by Response Envelope, Inc., as asterisked, be accepted as the lowest responsive and responsible bidder.

Option to Extend

Provisions of the agreement include an option to extend the contract up to four additional years, in one-year increments, which will be exercised by staff if considered in the City's best interest to do so.

Financial Impact

The aggregate contract value for all option years will not exceed \$755,000, with an estimated annual expenditure of \$151,000. Funds are available in the Water Services Department's budget.

This item is also recommended by Mr. Naimark and the Deputy Water Services Director.

ITEM 33 **DISTRICT 7** **ORDINANCE S-40576 -
IFB 14-090 - DIMMER RACK REPLACEMENT
FOR
PHOENIX SYMPHONY HALL**

Request to authorize the City Manager, or his designee, to enter into a contract with Clearwing Productions to purchase theatrical dimmer racks for Symphony Hall. Authorization is also requested for the City Controller to disburse funds for the life of the contract in an amount not to exceed \$405,963, which includes the bid price of \$374,850, plus tax of \$31,113.

Solicitation IFB 14-090 was conducted in accordance with Administrative Regulation 3.10. One bid was reported received by the Procurement Division on January 3, 2014, for the purchase of dimmer racks. The theatrical dimmer racks provide power for special theatrical stage, acoustical shell and auditorium lights used for theatrical state, meeting and exhibition presentations, and dimmable house lights for the auditorium at Symphony Hall. Following is tabulation of the only responsive and responsible bid received:

<u>Bidder</u>	<u>Bid Price</u>
Clearwing Productions	\$374,850

The Procurement Division has reviewed the bid and has determined the price to be fair and reasonable based on current market prices.

It is recommended by the Deputy Finance Director that the bid submitted by Clearwing Productions be accepted as the lowest responsive and responsible bidder.

Financial Impact

The contract value shall not exceed \$405,963, including tax. Funds are available in the Phoenix Convention Center Department's Operating budget.

This item is recommended by Mr. Blue and the Phoenix Convention Center Director.

ITEM 34 **CITYWIDE** **ORDINANCE S-40577 -
IFB 14-093 - HIGH PERFORMANCE RIDER
SWEEPER - REQUIREMENTS CONTRACT**

Request to authorize the City Manager, or his designee, to enter into an agreement with Tennant Sales and Service Company for the purchase of a high performance rider sweeper at a cost of \$161,555.69. The contract period would begin on or about March 1, 2014 and end February 28, 2015, with the option to extend the contract up to four additional years, in one-year increments. The contract extensions would only be exercised on an as-needed basis, and would allow for the purchase of up to five high performance rider sweepers over a five year period. Authorization is also requested for the City Controller to disburse funds for the life of the contract in an amount not to exceed \$905,000.

Solicitation IFB 14-093 was conducted in accordance with Administrative Regulation 3.10. One bid was received and opened on January 3, 2014. Following is a tabulation of the responsive and responsible bid received:

<u>Description</u>	<u>Bidder</u>	<u>Bid Price</u>
High Performance Rider Sweeper	Tennant Sales and Service Company	\$161,555.69

It is recommended by the Deputy Finance Director that the bid submitted by Tennant Sales and Service Company be accepted as the lowest responsive and responsible bidder. The bid is deemed fair and reasonable based on the market and previous contract pricing.

The solicitation used cooperative purchasing language authorizing the resulting contracts to be open to members of the Strategic Alliance for Volume Expenditures (SAVE) for use at their discretion.

Option to Extend

Provisions of the agreement include an option to extend the contract up to four additional years, in one-year increments, which will be exercised if considered in the City's best interest to do so.

Financial Impact

The aggregate contract value for all option years will not exceed \$905,000, with an annual expenditure of \$181,000, to account for taxes and shipping cost not included in the bid price. Funds are available in the Public Works Department's budget.

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This item is also recommended by Mr. Naimark and the Public Works Director.

ITEM 35 **DISTRICT 8** **ORDINANCE S-40578 -
IFB 14-094 -
REPLACEMENT OF EXISTING ARCHITECTURAL
LIGHTING CONTROL**

Request to authorize the City Manager, or his designee, to enter into a contract with Clearwing Productions to purchase an architectural lighting control system for the Phoenix Convention Center South Building. Authorization is also requested for the City Controller to disburse funds for the life of the contract in an amount not to exceed \$117,993, which includes the bid price of \$108,950 plus tax of \$9,043.

Solicitation IFB 14-094 was conducted in accordance with Administrative Regulation 3.10. Two bids were reported received by

the Procurement Division on January 3, 2014, for the purchase of an architectural lighting control system. The architectural lighting control system provides dimmable lighting in exhibit halls, meeting room incandescent and fluorescent lighting control, and South Ballroom auditorium work light control in the Phoenix Convention Center South Building. Following is tabulation of the lowest responsive and responsible bids received:

<u>Bidder</u>	<u>Bid Price</u>
Clearwing Productions	\$108,950*
Barbizon	\$175,850

It is recommended by the Deputy Finance Director that the bid submitted by Clearwing Productions, as asterisked, be accepted as the lowest responsive and responsible bidder.

Financial Impact

The contract value shall not exceed \$117,993, including tax. Funds are available in the Phoenix Convention Center Department's Operating budget.

This item is also recommended by Mr. Blue and the Phoenix Convention Center Director.

ITEM 36 **CITYWIDE** **ORDINANCE S-40579 -
IFB 14-096 - REPLACEMENT AND
INSTALLATION OF ALUMINUM AND
FIBERGLASS GRATING**

Request to authorize the City Manager, or his designee, to enter into a contract with All-Kote Lining, Inc. Authorization is also requested for the City Controller to disburse funds over the life of the contract in an amount not to exceed \$60,511.

Solicitation IFB 14-096 was conducted in accordance with Administrative Regulation 3.10. Report of one bid received by the Procurement Division on December 20, 2013, to provide replacement and installation of aluminum and fiberglass grating in various areas at the Val Vista Water Treatment Plant. Following is a tabulation of the only responsive and responsible offer received:

<u>Bidder</u>	<u>Bid Price</u>
All-Kote Lining, Inc.	\$55,010

The Procurement Division has reviewed the offer and has determined the price to be fair and reasonable based on previous contract pricing and current market prices.

It is recommended by the Deputy Finance Director that the bid submitted by All Kote Lining, Inc. be accepted as the lowest responsive and responsible bidder.

Financial Impact

The contract value shall not exceed \$60,511. Funds are available in the Water Services Department's Project WS85400002-1.

This item is also recommended by Mr. Naimark and the Deputy Water Services Director.

ITEM 37 **CITYWIDE** **ORDINANCE S-40580 -
RFA 14-015 - ARSENIC ADSORPTION MEDIA -
REQUIREMENTS CONTRACT**

Request to authorize the City Manager, or his designee, to enter into an agreement with Siemens Water Technologies LLC, Inc. to provide arsenic adsorption media on a month-to-month basis for up to six months, beginning on or about January 29, 2014 and ending July 29, 2014. Authorization is also requested for the City Controller to disburse funds over the life of the contract in an amount not to exceed \$99,000.

The Finance Department issued solicitation IFB 13-129 on February 28, 2013. As all bids in response to this solicitation were ultimately deemed non responsive, staff cancelled the solicitation. The Water Services Department completed a pilot study in fall 2013 which provided information for new types of media that will meet the minimum requirements for arsenic adsorption. This information will be used for a new bid (scope) process. Establishment of an interim contract with Siemens is necessary to ensure that arsenic adsorption media for removing arsenic from groundwater and for treating water at the City well sites is not

interrupted, until the new bid process can be completed.

Financial Impact

The aggregate contract value shall not exceed \$99,000, with an estimated monthly expenditure of \$16,500. Funds are available in the Water Services Department's Operating budget.

This item is recommended by Mr. Naimark, the Deputy Finance Director, and the Water Services Director.

ITEM 38

CITYWIDE

**ORDINANCE S-40581 -
RFA 14-037 - TRAPEZE SOFTWARE
MAINTENANCE AGREEMENT**

Request to authorize the City Manager, or his designee, to enter into an agreement with Trapeze for the purchase of a software maintenance agreement for the Public Transit Department. Authorization is also requested for the City Controller to disburse funds over the duration of the contract in an aggregate amount not to exceed \$373,000.

The Public Transit Department currently uses Trapeze PASS and PASS-MON software for the scheduling and coordination of Dial-A-Ride trips. Trapeze is the developer of the software and only Trapeze is able to provide the ongoing maintenance and support of the software.

This agreement will be effective March 1, 2014, with the initial term of one year through February 28, 2015, with four, one-year extension options for a total of five years. The options will be exercised by staff if considered in the City's best interest to do so.

Financial Impact

The total, aggregate amount shall not exceed \$373,000, with the following estimated five-year cost allocation: Year 1 (2014) \$68,200; Year 2 (2015) \$71,258; Year 3 (2016) \$74,455; Year 4 (2017) \$77,796; and Year 5 (2018) \$81,291. Funds are available in the Public Transit Department's budget utilizing Transit 2000 funds.

This item is recommended by Mr. Naimark and the Interim Public Transit Director.

ITEM 39

CITYWIDE

**ORDINANCE S-40582 -
MARICOPA COUNTY SERIAL 12137 S - LOOP
DETECTOR INSTALLATION SERVICES -
REQUIREMENTS CONTRACT**

Request to authorize the City Manager, or his designee, to make purchases against the Maricopa County contract with CPC Construction, Inc. for traffic signal loop installation services on an as-needed basis. Authorization is also requested for the City Controller to disburse funds over the life of the contract in an amount not to exceed \$400,000.

The loop detector installation services is required by Street Transportation Department Traffic Signal Section to allow for resources to replace damaged loops due to major street projects like the Light Rail Northwest Extension, Grand Avenue Improvements, overlay projects, and restoration projects.

The Maricopa County contract was awarded November 8, 2012 and will end on November 30, 2015, with options for one-year extensions through November 30, 2018. Authorization is also requested for current award period and any optional extensions that the Maricopa County may approve.

Under the Intergovernmental Agreement with Maricopa County, the City of Phoenix will use its agreement when it is beneficial for the City to do so.

Financial Impact

The contract value shall not exceed \$400,000. Funds are available in the Street Transportation Department's budget.

This item is also recommended by Mr. Naimark and the Street Transportation Director.

ITEM 40

CITYWIDE

**ORDINANCE S-40583 -
STATE OF NEVADA RFP1907 - WSCA WIRELESS
COMMUNICATION SERVICES, ACCESSORIES,
AND EQUIPMENT**

Request to authorize the City Manager, or his designee, to make purchases with AT&T; Sprint Solutions; T-Mobile USA, Inc.; and Verizon Wireless, using the contracts established by the Western States Contracting Alliance (WSCA) through a competitive bidding process. The State of Arizona Department of Administration has entered into a cooperative agreement with the lead agency, the State of Nevada, and has entered into a participating addendum with each contractor for wireless communication services, accessories, and equipment. Authorization is also requested for the City Controller to disburse funds over the duration of the contract in an aggregate amount not to exceed \$17,419,290.

The contracts were awarded on October 16, 2012 and end November 1, 2016. Provisions of the agreement include an option to extend the contract up to two additional years, in one-year increments, which will be exercised if considered in the City's best interest to do so.

Under the Intergovernmental Agreement with the State of Arizona, the City of Phoenix may use its agreements when it is beneficial for the City to do so. Following is an outline of the contracts:

<u>Contractor</u>	<u>State of Arizona Contract</u>	<u>Estimated Annual Expenditures</u>
AT&T Mobility	ADSPO13-032444	\$ 349,340
Sprint Solutions Inc.	ADSPO13-034209	\$ 489,440
T-Mobile USA, Inc.	ADSPO13-034339	\$ 8,746
Verizon Wireless	ADSPO13-034099	\$2,819,693
Total		<u>\$3,667,219</u>

Financial Impact

The total aggregate amount shall not exceed \$17,419,290, with an estimated annual amount of \$3,667,219. Funds are available in various departments' budgets.

This request is made by the Deputy Finance Director and the Acting Chief Information Officer.

This item is also recommended by Mr. Murphy.

ITEM 41 DISTRICT 1 ORDINANCE S-40584 - AMEND ORDINANCE S-40347 TO AUTHORIZE ACQUISITION OF ONE ADDITIONAL PARCEL

Request to amend Ordinance S-40347 adopted November 6, 2013, to include the acquisition of fee title or lesser interest in all, or portion of, one additional parcel.

Ordinance S-40347 authorized the City Manager, or his designee, to acquire fee title or lesser interest in all, or portions of, three improved parcels located along 35th Avenue and Dunlap Avenue for the Dunlap; 31st Avenue to 43rd Avenue Improvement project. Due to a change in the project design, one additional parcel is needed for construction of the project.

All other provisions of Ordinance S-40347 will remain the same.

This bears the recommendation of the Street Transportation Director and the Deputy Finance Director.

This item is also recommended by Mr. Naimark.

ITEM 42 DISTRICT 2 ORDINANCE S-40585 - ACCEPTANCE OF EASEMENTS FOR PUBLIC USE FOR THE UPPER EAST FORK CAVE CREEK PROJECT

Request to authorize the City Manager, or his designee, to accept easements for an equestrian trail and a sewer line for the Upper East Fork Cave Creek project pursuant to IGA FCD -90018 (Contract 57245), as amended. This easement is located in a drainage easement east of 26th Street between Union Hills Drive and Beardsley Road.

Further request the City Council grant an exception pursuant to Phoenix City Code §42-20 to authorize inclusion of indemnification and assumption of liability provisions in the documents pertaining to this transaction that otherwise would be prohibited by Phoenix City Code §42-18, which is a necessary condition to the County granting the City the real property owned/controlled by the Flood Control District of Maricopa County.

This bears the recommendation of the Street Transportation Director and the Deputy Finance Director, with concurrence from the Acting Parks and Recreation Director and the Water Services Department.

This item is also recommended by Mr. Naimark.

ITEM 43

DISTRICT 6

**ORDINANCE S-40586 -
GRANT OF A PUBLIC UTILITY EASEMENT FOR
A CITY PROJECT - 5855 NORTH ECHO CANYON
PARKWAY**

Request authorization to grant a public utility easement, for consideration of one dollar, for the installation of a new service to a City facility on City property in the Arizona Public Service (APS) service area, and further ordering the ordinance recorded. This easement is needed to provide utilities and other services to the Echo Canyon Trailhead located at 5855 North Echo Canyon Parkway.

This public utility easement will be for the area described in the legal description to be sent directly to the Law Department ("Easement Premises") and will be granted to all public service corporations and telecommunication corporations providing utility service to the property located at 5855 North Echo Canyon Parkway, (collectively "Grantee") in perpetuity, so long as the Grantee uses the Easement premises for the purposes herein specified, subject to the following terms and conditions:

- A. Grantee is hereby granted the right to construct, reconstruct, replace, repair, operate, and maintain utility facilities together with appurtenant fixtures for use in connection therewith for the transmission and distribution of utility and communication facilities (collectively "Grantee Facilities") to, through, across, and beyond Grantor's property within the Easement Premises. Subject to the notice requirements provided in Paragraph "I", Grantee shall at all times have the right of full and free ingress and egress to and along the Easement Premises for the purposes herein specified. Grantee acknowledges and accepts that Grantee shall share the Easement Premises with other Grantees and shall use such Easement Premises with other Grantees in accordance with and consistent with industry standards and customs for such shared use. Grantor agrees to coordinate the location of Grantee's Facilities within the Easement Premises and to pay costs for relocation of Grantee's Facilities as provided in Paragraph "F".

- B. Grantor shall not locate, erect or construct, or permit to be located or erected or constructed, any building or other structure or drill any well within the limits of the Easement Premises. However, Grantor reserves all other rights, interests, and uses of the Easement Premises that are not inconsistent with Grantee's easement rights herein conveyed and which do not interfere with or endanger any of the Grantee Facilities. Notwithstanding the foregoing, Grantor shall not have the right to lower by more than one foot or raise by more than two feet the surface grade of Easement Premises without the prior written consent by the Grantee whose facilities will be affected by the change of elevation.

- C. Grantee shall not have the right to use the Easement Premises to store gasoline or petroleum products, hazardous or toxic substances, or flammable materials; provided however, that this prohibition shall not apply to any material, equipment or substance contained in, or a part of, the Grantee Facilities, provided that Grantee must comply with all applicable federal, state and local laws and regulations in connection therewith. Additionally, the Easement Premises may not be used for the storage of construction-related materials or to park or store construction-related vehicles or equipment except on a temporary basis to construct, reconstruct, replace, repair, operate, or maintain the Grantee Facilities.

- D. Grantor shall maintain a three-foot clear area around all edges of all equipment pads for Grantee Facilities, in addition to a clear operational area that extends 10 feet immediately in front of all transformer or switching cabinet openings, within the Easement Premises. No obstructions, trees, shrubs, fixtures, or permanent structures shall be placed or permitted by Grantor within said areas.

Grantee is hereby granted the right to trim, prune, cut, and clear away trees, brush, shrubs, or other obstructions within said areas.

- E. Grantee shall exercise reasonable care to avoid damage to the Easement Premises and all improvements thereon and agrees that following any work or use by Grantee within the Easement Premises, the affected area, including without limitation, all pavement, landscaping, concrete and other improvements permitted within the Easement Premises pursuant to this easement will be restored by Grantee to as close to original condition as is reasonably possible, at the expense of Grantee.
- F. Grantor reserves the right to require the relocation of Grantee Facilities to a new location within Grantor's property; provided however, that: (1) Grantor pays the entire cost of redesigning and relocating existing Grantee Facilities to the new location; and (2) Grantor provides Grantee with a new and substantially similar public utility easement at no cost to Grantee. After relocation of Grantee Facilities to the new easement area, Grantee shall abandon its rights to use the Easement Premises granted in this easement without cost or consequence to Grantor.
- G. Each public service corporation and telecommunication services corporation as a Grantee shall coordinate and work with other Grantees in the use of the Easement Premises. In the event that a third party or other Grantee requests the relocation of existing Grantee Facilities to a new location (whether or not) within the Easement Premises, the requesting party shall pay the entire cost of redesigning and relocating the existing Grantee Facilities.
- H. Grantee shall not have the right to transfer, convey or assign its interests in this easement to any individual, corporation, or other entity without the prior written consent of Grantor, which consent shall not be unreasonably withheld. Grantee shall notify Grantor of any proposed transfer, conveyance or assignment of any rights granted herein at the address listed below.
- I. Except in emergencies or exigent circumstances such as service restoration, Grantee agrees to contact Grantor at least one business day prior to Grantee's entrance onto the Easement Premises where the Easement Premises are located: (1) on a site that includes Aviation Department facilities, water and wastewater treatment facilities, the Police Department headquarters located at 620 West Washington Street, the Fire Department headquarters located at 150 South 12th Street, City Hall located at 200 West Washington Street, City Court Building located at 300 West Washington Street, Calvin C. Goode Building located at 251 West Washington Street, Transit Operations Center located at 320 North 1st Avenue, or West Transit Facility located at 405 North 79th Avenue; or (2) in a secured or fenced area.

This bears the recommendation of the Street Transportation Director and the Deputy Finance Director, with the concurrence of the Acting Parks and Recreation Director.

This item is also recommended by Mr. Naimark.

ITEM 44

DISTRICT 8

**ORDINANCE S-40587 -
GRANT OF IRRIGATION EASEMENT TO SALT
RIVER PROJECT - AVENIDA RIO SALADO**

Request to authorize the City Manager, or his designee, to grant an irrigation easement to Salt River Project (SRP), for consideration of one dollar and/or other valuable consideration. The easement area contains approximately 12,083 square feet and is located within City of Phoenix right-of-way along Broadway Road between 2nd Street and Central Avenue. SRP requires the easement in order to accommodate the Broadway Road (Avenida Rio Salado) street improvement project at this location.

Further request the City Council to grant an exception pursuant to Phoenix Code § 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code § 42-18.

This bears the recommendation of the Street Transportation Director and the Deputy Finance Director.

This item is also recommended by Mr. Naimark.

ITEM 45**DISTRICT 8****ORDINANCE S-40588 -
APPLY FOR AND ACCEPT GRANT FUNDS
FROM THE NATIONAL FISH AND WILDLIFE
FOUNDATION**

Request retroactive authorization to apply for a \$30,000 grant from the National Fish and Wildlife Foundation - Five Star and Urban Waters Restoration Program, and request authorization for the City Manager, or his designee, to accept the funds, if awarded. Request further authorization for the City Controller to accept and disburse funds.

In 2013, the National Fish and Wildlife Foundation (NFWF) partnered with the Five Star and Urban Waters Restoration Program for community initiatives designed to develop community stewardship of local natural resources, preserve these resources for future generations, and enhance habitat for local wildlife.

If awarded, the Neighborhood Services Department (NSD) will partner with the Wilson Elementary School District located in the area of 30th Street - 30th Place from Van Buren to Fillmore streets for a school improvement project. The project will transform the barren landscape areas surrounding the school back into a riparian habitat that supports biodiversity, reduces the urban heat island effect, captures storm water and improves water quality, increases tree canopy coverage, and provides an environmental education opportunity for students and the community. These funds will ultimately benefit the environment by providing shade cover, decreasing surface temperatures, and creating more walkable streets for the community.

In addition, NSD and the Wilson Elementary School District will partner with surrounding neighborhood organizations to raise awareness on environmental stewardship.

Financial Impact

No additional City funds will be required to provide services under this grant.

This item is recommended by Ms. Takata and the Neighborhood Services Department.

ITEM 46**DISTRICT 7****ORDINANCE S-40589 -
CONTRACTS FOR ARTISTS' INITIATIVE VI
TEMPORARY PUBLIC ART PROJECTS**

Request to authorize the City Manager, or his designee, to enter into contracts with Sama Alshaibi (AZ); Chris Fraser (CA); David Politzer (TX); and Michael Robinson (NY), for an amount not to exceed \$3,500 each to work with City staff and the community to present temporary video projections at select sites along the Light Rail Corridor near Margaret T. Hance Park. The projects will be part of Phase II of the "Cultural Connections" series of temporary public art projects funded through the City's Artists' Initiative VI Temporary Public Art Project and a National Endowment for the Arts (NEA) "Our Town" grant. Authorization is also requested for the City Controller to disburse the funds over the life of the contract.

The Artists' Initiative VI Public Art Project is one of 60 projects in the Fiscal Year 2013-2018 Public Art Project Plan approved by City Council on July 3, 2013. It includes \$54,417 in City funds and \$65,000 in NEA funds, for a total of \$119,417. The \$14,000 (\$3,500 each) in proposed artist contracts will cover all costs related to leasing the videos. The remaining \$105,417 will go toward paying the costs of production, project administration and documentation, and the development of the additional temporary projects commissioned through the "Cultural Connections" series.

The project covered by these contracts will be part of Phase II of the "Cultural Connections" series of temporary public art projects and events that the Phoenix Office of Arts and Culture has developed in partnership with the Arizona State University (ASU) Museum of Art Desert Initiative and Roosevelt Row Community Development Corporation to activate underutilized yet highly visible and accessible public sites near Roosevelt Row and Margaret T. Hance Park.

This item was reviewed and approved by the Phoenix Arts and Culture Commission on January 15, 2014.

This item is recommended by Mr. Zuercher, Ms. Spencer, and the Phoenix Office of Arts and Culture.

ITEM 47**CITYWIDE****ORDINANCE S-40590 -
ACCEPT GRANT FUNDS FROM THE ARIZONA
CRIMINAL JUSTICE COMMISSION FOR THE
PAUL COVERDELL FORENSIC SCIENCE**

IMPROVEMENT FORMULA GRANT

Request to authorize the City Manager, or his designee, to enter into a grant agreement between the Phoenix Police Department and the Arizona Criminal Justice Commission (ACJC) through the Paul Coverdell Forensic Science Improvement Formula grant. Grant funds were awarded, in an amount not to exceed \$42,633. The funding period is October 1, 2013 through September 30, 2014. Grant award documents were received from ACJC on January 2, 2014. Authorization is also requested for the City Controller to receive and disburse funds.

The Police Department's Crime Lab is committed to implementing innovative solutions to the issues facing many crime laboratories nationwide. Over the past six years, the Crime Lab has made significant strides in addressing these issues by utilizing these grant funds as part of a comprehensive approach to support and enhance the services provided to the criminal justice community. These funds will be utilized for overtime and related fringe benefits to improve the timeliness of forensic science services and to address backlogs in the analysis of forensic evidence.

The Public Safety and Veterans Subcommittee recommended City Council approval on February 12, 2014.

No matching funds are required; cost to the City is in-kind resources only.

This item is recommended by Mr. Murphy and the Police Department.

ITEM 48

CITYWIDE

ORDINANCE S-40591 - AGREEMENT WITH CASCADIA CONSULTING GROUP FOR SOLID WASTE CHARACTERIZATION STUDY

Request to authorize the City Manager, or his designee, to enter into an agreement with Cascadia Consulting Group for the development of a comprehensive characterization study of solid waste materials collected from residential contained collection customers during the contract period beginning on or about March 1, 2014 and ending February 28, 2016. Authorization is also requested for the City Controller to disburse funds over the duration of the contract.

Solicitation RFP14-SWD-025 for Solid Waste Characterization Study was conducted in accordance with Administrative Regulation 3.10. Two proposals were received by the Public Works Department on December 18, 2013. The proposals were scored by a five-member evaluation committee based on the following criteria: approach and strategy, qualifications and experience, and pricing. Proposers also made presentations to the evaluation team for further evaluation. The evaluation team has recommended Cascadia Consulting Group be accepted as the highest scored responsive and responsible proposer.

The study will determine if the education and diversion over the past 10 years have been effective as well as benchmark current waste composition. The study will also provide needed data to guide diversion decisions for future programs necessary to achieve the City's waste goal of 40 percent diversion by 2020.

Option to Extend

Provisions of the agreement include an option to extend the contract up to three additional years, in one-year increments, which will be exercised if considered in the City's best interest to do so.

Financial Impact

The aggregate contract value for all option years will not exceed \$648,662, with an estimated expenditure of \$450,000 over the initial two-year contract period. Funds are available in the Public Works Department's Operating budget.

This item is recommended by Mr. Naimark and the Public Works Department.

ITEM 49

DISTRICT 1

ORDINANCE S-40592 - WS85050045 - DEER VALLEY WATER TREATMENT PLANT RESERVOIR #1 REPLACEMENT - CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES

Request to authorize the City Manager, or his designee, to enter into an agreement with Black & Veatch Corporation, Phoenix, Arizona, to provide construction administration and inspection services in support of the Deer Valley Water Treatment Plant 20 million gallon (MG) Reservoir #1 Replacement project. Further request to authorize the City Controller to disburse funds for the

purpose of this ordinance.

The Black & Veatch Corporation was chosen for this project using a qualifications-based selection process as authorized by Title 34 of the Arizona Revised Statutes.

This project requires the demolition of the existing reservoir and the installation of the new concrete reservoir. Construction services for this project will be provided through the Construction Manager at Risk (CMAR) delivery method. Construction administration and inspection services include, but are not limited to: representing the City on behalf of the project; managing the construction schedule; performing site visits; reviewing shop drawing and test results; interpreting and clarifying contract documents; certifying progress payments; performing substantial and final completion inspections; performing materials testing; providing the services of an on-site inspector throughout the construction; and performing special services as may be identified for the project.

Financial Impact

The engineer's fee shall not exceed \$1,858,155, including all subconsultant and allowable costs. Funding for these services is available from the Water Services Department's Water Revenue Fund (0051).

This Council award is subject to execution of the agreement by all of the parties.

The Water Services Department concurs with this request.

This item is also recommended by Mr. Naimark and the Street Transportation Department.

ITEM 50

DISTRICTS 4 AND 7

**ORDINANCE S-40593 -
ST89360018 - ITS FIBER OPTIC BACKBONE
PHASE B-2 - DESIGN-BID-BUILD**

Request to authorize the City Manager, or his designee, to accept CS Construction, Inc., Phoenix, Arizona, as the lowest priced responsive and responsible bidder and to enter into a contract with CS Construction, Inc. for construction services. The contract may contain other terms and conditions deemed necessary or appropriate by the City Manager, or his designee. Further request authorization for the City Controller to disburse the necessary funds for the purpose of this ordinance in an amount not to exceed \$538,451.

Report of six bids received in compliance with Arizona Revised Statutes, Title 34, by the Street Transportation Department on December 10, 2013, to provide construction services in support of the ITS Fiber Optic Backbone Phase B-2 construction project. The six bids were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and general contractor responsiveness in meeting the project's Disadvantaged Business Enterprise (DBE) goal. Bidder three did not submit all required DBE paperwork and was deemed non-responsive. All other bidders were found responsive.

Bids ranged from a low of \$497,091 to a high of \$680,000. The engineer's estimate, second low bidder, and the lowest bidder are listed below:

	<u>Total</u>	<u>DBE Goal</u>
Engineer's Estimate	\$581,118.50	3.57%
CS Construction, Inc.	\$538,451.00	20.27%
B&F Contracting, Inc.	\$497,091.00	4.02%

Recommendation

The lowest bidder, B&F Contracting, Inc., withdrew their bid due to an error in their bid amount. The Street Transportation Department recommends award of the base bid to the second lowest responsible bidder, CS Construction, Inc., in an amount not to exceed \$538,451.

Financial Impact

Funding is available in the Street Transportation Department Capital Improvement Program budget as follows:

<u>Project</u>	<u>Funding</u>	<u>Total</u>
ST89360018	Federal Aid (1020)	\$538,451

Previous City Council Action

On January 15, 2014, Formal Agenda Item Number 64 to award this contract was withdrawn due to the bid withdrawal from the lowest responsive bidder.

Citizen Notification

There is none required at this time.

This City Council award is subject to execution of the contract by all of the parties.

The Street Transportation Department concurs with this request.

This item is also recommended by Mr. Naimark.

ITEM 51

CITYWIDE

**ORDINANCE S-40594 -
AMENDMENT 2 - PLAN REVIEW FOR
CONSTRUCTION PROJECTS ON-CALL
SERVICES**

Request to authorize the City Manager, or his designee, to execute Amendment 2 to Contract 133117 with Stantec Consulting Services, Inc., Phoenix, Arizona, to increase the contract capacity by \$300,000 for a total of \$750,000; and further request authorization for the City Controller to disburse funds for the purpose of this ordinance. This contract provides professional plan review services for the Planning and Development Department.

Stantec Consulting Services, Inc. supports the Planning and Development Department in performing various on-call plan review services. Services may include conducting reviews on plans for new construction, alterations, and repairs submitted by commercial and residential property owners for compliance with the Phoenix Building Construction Code. The Planning and Development Department anticipates an increased need for plan review services in commercial and residential construction.

The consultant was chosen to perform these services using a qualifications-based selection process as authorized by Section 34-603 of the Arizona Revised Statutes. Based on this selection process, this firm was determined to be most qualified to provide the services required.

Previous Council Action

This contract was approved on April 4, 2012, for a two-year period to expire April 30, 2014, with a contract capacity of \$300,000. On July 3, 2013, Amendment 1 was approved to increase the contracting capacity by \$150,000 for a total of \$450,000.

Financial Impact

Funds are available in the Special Revenue Fund (012).

This Council award is subject to execution of an agreement by each of the parties.

The Planning and Development Director concurs with this request.

This item is also recommended by Mr. Naimark and the Street Transportation Department.

ITEM 52

CITYWIDE

**ORDINANCE S-40595 -
AMENDMENT 2 - PLAN REVIEW FOR
CONSTRUCTION PROJECTS ON-CALL
SERVICES**

Request to authorize the City Manager, or his designee, to execute Amendment 2 to Contract 133119 with Bureau Veritas North America, Inc., Sacramento, California, to increase the contract capacity by \$150,000 for a total of \$550,000; and further request authorization for the City Controller to disburse funds for the purpose of this ordinance. This contract provides professional plan review services for the Planning and Development Department.

Bureau Veritas North America, Inc. supports the Planning and Development Department in performing various on-call plan review services. Services may include conducting reviews on plans for new construction, alterations, and repairs submitted by commercial and residential property owners for compliance with the Phoenix Building Construction Code. The Planning and Development Department anticipates an increased need for plan review services in commercial and residential construction.

The consultant was chosen to perform these services using a qualifications-based selection process as authorized by Section 34-

603 of the Arizona Revised Statutes. Based on this selection process, this firm was determined to be most qualified to provide the services required.

Previous Council Action

This contract was approved on April 4, 2012, for a two-year period to expire April 30, 2014, with a contract capacity of \$300,000. On July 3, 2013, Amendment 1 was approved to increase the contracting capacity by \$100,000 for a total of \$400,000.

Financial Impact

Funds are available in the Development Services Fund (012).

This Council award is subject to execution of an agreement by each of the parties.

The Acting Planning and Development Director concurs with this request.

This item is also recommended by Mr. Naimark and the Street Transportation Department.

ITEM 53

CITYWIDE

**ORDINANCE S-40596 -
APPLY FOR AND ACCEPT FEDERAL FUNDING
FOR BRIDGE ASSET MANAGEMENT SERVICES**

Request to authorize the City Manager, or his designee, to apply for and enter into an agreement with the Arizona Department of Transportation (ADOT) to allow the Street Transportation Department to utilize grant funding from the Federal Highway Administration (FHWA). Authorization is also requested for the City Treasurer to receive and for the City Controller to disburse the funds.

Funding from this grant will be used to employ an engineering consulting firm which will perform bridge asset management services for the Engineering and Technical Services Section of the Street Transportation Department.

The consultant will be selected according to Arizona Revised Statute, Section 34 103 - Employment of Technical Registrants. Periodic bridge inspections are required by the Federal Highway Administration as outlined in 23 CFR 650, Subpart C - National Bridge Inspection Standards.

The grant funding period is from July 1, 2014 through June 30, 2017. This specific project is listed in the Fiscal Year 2014-2017 Maricopa Association of Governments' (MAG) Transportation Improvement Program (TIP).

Financial Impact

The grant request is \$400,000 per year, for a total of \$1,200,000 for three years, and upon grant approval, the City of Phoenix's prorated contribution will be funded by Arizona Highway User Revenue (AHUR) identified on Project ST85110009. Receiving federal funding allows leverage to City funding to repair and rehabilitate City bridges. Although no set contribution percentage is established until the grant is approved, historically the percentage ratio has been 94.3 percent Federal Aid Share and 5.7 percent City Share.

This item is recommended by Mr. Naimark and the Street Transportation Department.

ITEM 54

CITYWIDE

**ORDINANCE S-40597 -
APPLY FOR AND ACCEPT FEDERAL FUNDING
FOR BRIDGE ASSET MANAGEMENT
SOFTWARE**

Request to authorize the City Manager, or his designee, to apply for and enter into an agreement with the Arizona Department of Transportation (ADOT) to allow the Street Transportation Department to utilize grant funding from the Federal Highway Administration (FHWA). Authorization is also requested for the City Treasurer to receive and for the City Controller to disburse the funds.

Funding from this grant will be used to purchase software used for bridge inspections and bridge load ratings. This software includes AASHTOWare Bridge Management(tm), AASHTOWare Bridge Rating(tm), and BRASS(tm) Load Rating. Periodic bridge inspections are required by the Federal Highway Administration as outlined in 23 CFR 650, Subpart C - National Bridge Inspection Standards.

The grant funding period is from July 1, 2014 through June 30, 2017. This specific project is listed in the Fiscal Year 2014-2017

Maricopa Association of Governments' (MAG) Transportation Improvement Program (TIP).

Financial Impact

The grant request is \$112,000 per year, for a total of \$336,000 for three years, and upon grant approval, the City of Phoenix's prorated contribution will be funded by Arizona Highway User Revenue (AHUR) identified on Project ST85110015, Bridge Systems Maintenance. Receiving federal funding allows a leverage of City funding to repair and rehabilitate City bridges. Although no set contribution percentage is established until the grant is approved, historically the percentage ratio has been 94.3 percent Federal Aid Share and 5.7 percent City Share.

This item is recommended by Mr. Naimark and the Street Transportation Department.

ITEM 55

CITYWIDE

**ORDINANCE S-40598 -
APPLY FOR AND ACCEPT FEDERAL FUNDING
FOR BRIDGE INSPECTION EQUIPMENT RENTAL**

Request to authorize the City Manager, or his designee, to apply for and enter into an agreement with the Arizona Department of Transportation (ADOT) to allow the Street Transportation Department to utilize grant funding from the Federal Highway Administration (FHWA). Authorization is also requested for the City Treasurer to receive and for the City Controller to disburse the funds.

Funding from this grant will be used to rent bridge inspection equipment. This equipment includes an under bridge inspection vehicle, manlifts, a boat, inspection vans, and traffic control equipment. Periodic bridge inspections are required by the Federal Highway Administration as outlined in 23 CFR 650, Subpart C - National Bridge Inspection Standards.

The grant funding period is from July 1, 2014 through June 30, 2017. This specific project is listed in the Fiscal Year 2014-2017 Maricopa Association of Governments' (MAG) Transportation Improvement Program (TIP).

Financial Impact

The grant request is \$195,000 per year, for a total of \$585,000 for next three fiscal years, and upon grant approval, the City of Phoenix's prorated contribution will be funded by Arizona Highway User Revenue (AHUR) identified on Project ST85110011, Bridge Rehabilitation. Receiving federal funding allows a leverage of City funding to repair and rehabilitate City bridges. Although no set contribution percentage is established until the grant is approved, historically the percentage ratio has been 94.3 percent Federal Aid Share and 5.7 percent City Share.

This item is recommended by Mr. Naimark and the Street Transportation Department.

ITEM 56

DISTRICTS 7 AND 8

**RESOLUTION 21197 -
DECLARE 2015 NFL SUPER BOWL ACTIVITIES
IN DOWNTOWN PHOENIX AS SPECIAL
PROMOTIONAL EVENTS**

Request authorization declaring that for the three-week period before the National Football League (NFL) Super Bowl XLIX game on Sunday, February 1, 2015, all Official Events and other NFL and Arizona Super Bowl Host Committee sanctioned activities that are held in the Downtown Redevelopment Area will be considered special promotional and civic events for the purposes of the Zoning Ordinance.

It is anticipated that certain NFL game-related activities will take place in downtown Phoenix in the weeks prior to and after the game. These events and activities will bring significant revenue and media exposure to the city of Phoenix during the event period. Phoenix Zoning Ordinance, Section 705.F.1.b, provides that advertising devices otherwise prohibited by the Zoning Ordinance may be erected in the Downtown Redevelopment Area, subject to a use permit, in conjunction with special promotional events of a civic or commercial nature. By declaring the NFL and Arizona Super Bowl Host Committee-sanctioned activities as special promotional and civic events, this resolution allows the NFL, NFL approved sponsors, and Arizona Super Bowl Host Committee to advertise Official Events in the Downtown Redevelopment Area by use of signs, banners, and similar devices. This action will not impact any existing permitted permanent signs in downtown. This declaration will restrict all temporary signage within the Downtown Redevelopment Area that has not been authorized by the NFL and/or Arizona Super Bowl Host Committee during the above-mentioned time period in order to support NFL event-related activities.

Financial Impact

No General Fund monies will be used for this action.

This item is recommended by Mr. Blue, Mr. Naimark, and the Community and Economic Development and Planning and Development Departments.

ITEM 57

DISTRICT 1

**RESOLUTION 21198 -
ABANDONMENT OF EASEMENTS - V-130047A**

Request to abandon the easements described below, as they are no longer needed.

On December 13, 2013, Mr. Mike Gleason of Dibble Engineering requested the abandonment of two one-foot vehicular non-access easements recorded in plat "Gold Mountain Preserve Phase II", Maricopa County Recorder Book 807, Page 10, located on the southern boundaries of the parcels addressed 27009 North 64th Lane (Assessor Parcel Number 201-07-792) and 27010 North 64th Drive (Assessor Parcel Number 201-07-801) and on the northern boundary of the parcel addressed 27313 North 64th Drive (Assessor Parcel Number 201-07-803).

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

This application does not have the Abandonment Hearing Officer recommendation, as the formal application procedure does not apply. (REF: City Code Section 31-68)

This item is recommended by Mr. Naimark and the Planning and Development Department.

NEW BUSINESS

ITEM 58

DISTRICT 7

**EVALUATION CRITERIA FOR THE BARRISTER
REQUEST FOR PROPOSAL**

Request to authorize the special requirements and evaluation criteria to be included in the Barrister Request for Proposal (RFP), for the preservation and adaptive re-use of the historic Barrister Building and the adjacent City-owned properties at 101 South Central Avenue.

The City Council authorized the Barrister RFP on September 24, 2013. Staff has researched and developed the unique requirements and evaluation criteria needed for this key City-owned development site, and requests approval of the following special requirements and evaluation criteria:

Special Requirements

•	Protect and preserve the historic building.
•	Propose a viable adaptive re-use project that capitalizes on this unique site.
•	Increase pedestrian and street-level amenities and activity to promote walkability.
•	Propose a concept consistent with Downtown Strategic Plan.
•	Propose a concept that accommodates the future light rail South Central alignment on Central Avenue.
•	Create new jobs and business opportunities.
•	Provide a reasonable return to the City.
•	Provide a performance deposit of \$50,000 at time of submittal of proposal (unsuccessful proposers will have their deposit returned).

Evaluation Criteria

1.	Description of Scope/Scale of the Proposed Project	100 points
2.	Consistency with Approved City Plans and Ordinances	125 points
3.	Integration and Preservation of Historic Elements	175 points
4.	Proposer Qualifications	150 points
5.	Proposer Business Plan	100 points
6.	Proposer Financial Capacity	100 points
7.	Level of Return and Benefits to the City	175 points
8.	Proposed Project Time Line	75 points

These special requirements and evaluation criteria will be incorporated into the Barrister RFP along with the standard City terms, conditions, and other necessary requirements.

Financial Impact

No General Funds are required.

-
This item was unanimously recommended by the Downtown, Aviation, and Redevelopment Subcommittee on February 5, 2014.

This item is also recommended by Mr. Blue, Mr. Naimark, and the Community and Economic Development and Public Works Departments.

ITEM 59

CITYWIDE

**IFB 08-128B - CONCRETE FLATWORK -
REQUIREMENTS CONTRACT**

Request to authorize the City Manager, or his designee, to extend the agreement with T.E.C., (The Engineering & Construction Company, LLC) to provide Citywide departments with concrete flatwork, on an as-needed basis for a five-month period ending June 30, 2014, to allow for a new solicitation. As there are authorized funds remaining at the end of the contracts' terms, no new funds are requested.

This contract is a result of IFB 08-128 awarded by formal Council action on August 27, 2008. Focus group meetings with Citywide

departments are scheduled to broaden the scope of work to meet their requirements. The additional time is necessary in order to accommodate the new requirements and perform the competitive process. The contract is necessary to ensure continued access to concrete flatwork on an as-needed basis.

-
Financial Impact

Sufficient funds are available under the current contract such that additional funds for the extension period are not required.

This request is made by the Deputy Finance Director.

This item is also recommended by Mr. Zuercher.

ITEM 60

CITYWIDE

**RFP 08-027B - HAZARDOUS MATERIAL
REMOVAL AND DISPOSAL SERVICES -
REQUIREMENTS CONTRACT**

Request to authorize the City Manager, or his designee, to extend Contract 125127 with Environmental Response, Inc. to provide Citywide departments with hazardous material removal and disposal services, on an as-needed basis for a one-month period ending April 30, 2014, to allow for a new solicitation.

This contract is a result of RFP 08-027 awarded by formal Council action on December 3, 2008. Proposals for the new solicitation, RFP 14-012, were due February 7, 2014. The additional time is necessary in order to complete the competitive process. The contract is necessary to ensure Citywide departments have continued access to hazardous material removal and disposal services.

Financial Impact

Sufficient funds are available under the current contract such that additional funds for the extension period are not required.

This request is made by the Deputy Finance Director.

This item is also recommended by Mr. Zuercher.

ITEM 61

CITYWIDE

**SUBMIT FEDERAL FISCAL YEAR 2015 GRANT
PROPOSALS FOR FUNDS AVAILABLE
THROUGH THE ARIZONA GOVERNOR'S OFFICE
OF HIGHWAY SAFETY**

Request authorization to submit grant proposals for funding administered by the Arizona Governor's Office of Highway Safety (GOHS). GOHS announced the availability of funding on December 27, 2013. Grant proposals are due February 28, 2014. These funds will be used to support new traffic safety programs and enhance existing programs in the City Prosecutor's Office, Street Transportation, Fire, and Police Departments. If approved, the anticipated funding period is from October 1, 2014 through September 30, 2015. The total amount being requested is \$1,528,982.

Pursuant to the Highway Safety Act of 1966, grant projects are funded through grants from the National Highway Transportation Safety Administration (NHTSA) and administered by the Arizona GOHS. The level of traffic safety in Phoenix is largely dependent upon the success of existing and proposed traffic safety programs.

GOHS grant funds would be used to support the following education, enforcement, and safety programs:

City Prosecutor's Office Total Funding Requested - \$225,982

Traffic Safety Resource Prosecutor

The grant funds will be used to pay the salary, expenses, supplies, and travel for an existing Traffic Safety Resource Prosecutor, Attorney IV.

Street Transportation Department Total Funding Requested - \$153,000

Roadway Safety/Education Programs

This funding will help develop and enhance educational campaigns and employee training on roadway, school, bicycle and pedestrian safety.

- Fire Department Total Funding Requested - \$150,000

Impaired Driving

Funding will be requested for overtime and related fringe benefits, materials, and equipment related to high school education campaigns to inform and remove alcohol and other drug impaired drivers from the road, decreasing injuries and fatalities.

Total funding requested: \$21,000

Occupant Protection - Child Car Seats

Funding will be requested for training, overtime, related fringe benefits, materials, and equipment related to child safety seats and seat belt usage.

Total funding requested: \$115,000

Pedestrian and Bicycle Safety

Funding will be requested for overtime, related fringe benefits, materials, and equipment related to education campaigns to increase safety awareness, traffic awareness, and skills necessary for young pedestrians and bicyclists.

Total funding requested: \$14,000

- Police Department Total Funding Requested - \$1,000,000

Accident Investigation, Vehicular Crime Unit (VCU)

Funding will be requested for training and equipment for the VCU.

Total funding requested: \$50,000

DUI/Underage Alcohol Enforcement (Traffic Bureau)

Funding will be requested for training, overtime, related fringe benefits, materials, and supplies related to education and enforcement campaigns targeting prevention of underage alcohol use.

Total funding requested: \$100,000

Underage Alcohol Enforcement (86Z)

Funding will be requested for training, overtime, related fringe benefits, materials, and supplies related to education and enforcement campaigns targeting prevention of underage alcohol use.

Total funding requested: \$100,000

DUI Enforcement (Traffic Bureau)

Funding will be requested for training, overtime, related fringe benefits, and equipment to support and enhance DUI enforcement within the city of Phoenix and joint enforcement efforts throughout the Valley.

Total funding requested: \$300,000

Occupant Protection (Traffic Education Safety Unit)

Funding will be requested for training, materials, supplies, overtime, and related fringe benefits associated with Click It or Ticket enforcement activities, child passenger safety technician certification classes, car seat events, Buckle Up, Baby Hotline, and various seatbelt enforcement campaigns.

Total funding requested: \$100,000

Pedestrian and Bicycle Safety (Traffic Education Safety Unit)

Funding will be requested for training, materials, supplies, overtime, and related fringe benefits associated with education and enforcement campaigns designed to increase safety awareness, traffic law knowledge, and skills among pedestrians and bicyclists.

Total funding requested: \$150,000

Traffic Services (Traffic Education Safety Unit)

Funding will be requested for training, materials, supplies, equipment (radar/laser speed detection devices), overtime, and related fringe benefits associated with education and enforcement campaigns such as: Traffic Impact Programs, school zone enforcement, construction zone enforcement, Traffic Complaint Hotline enforcement, and Selective Traffic Enforcement Programs.

Total funding requested: \$150,000

Motorcycle Safety (Traffic Education Safety Unit)

Funding will be requested for training, materials, supplies, overtime, and related fringe benefits associated with an education and enforcement campaign designed to increase safety awareness, traffic law knowledge, and specific enforcement of motorcycle traffic law violations.

Total funding requested: \$50,000

VPC Action: Paradise Valley - September 9, 2013 - Denied. Vote 14-0
PC Action: January 14, 2014 - Approved per the staff Addendum A dated January 14, 2014.
Vote 4-2

The following stipulations are subject to discussion at the meeting and the City Council may add, delete, or amend stipulations.

Stipulations

1. The development shall be in general conformance with the site plan date stamped ~~July 18, 2013~~ JANUARY 10, 2014, as approved by the Planning and Development Department.
2. A MINIMUM 50% 2-INCH CALIPER TREES AND 50% 3-INCH CALIPER TREES SHALL BE PLANTED 20 FEET ON CENTER WITHIN THE REQUIRED LANDSCAPE SETBACK ALONG THE SOUTH PROPERTY LINE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
3. NO DUMPSTER SHALL BE LOCATED WITHIN 100 FEET OF THE SOUTHERN PROPERTY LINE.

This item is recommended by Mr. Naimark and the Planning and Development Department.

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

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