

February 26, 2014

The Phoenix City Council convened in formal session on Wednesday, February 26, 2014, at 3:01 p.m. in the Council Chambers.

INVOCATION

The invocation was given by Rabbi Reuven Mann, Young Israel of Phoenix.

PLEDGE

The Pledge of Allegiance to the Flag was led by Councilman Daniel Valenzuela.

ROLL CALL

Present: Council Members Sal DiCiccio, Kate Gallego, Bill Gates, Michael Nowakowski, Laura Pastor, Daniel Valenzuela, Thelda Williams, Vice Mayor Jim Waring, and Mayor Greg Stanton

Absent: None

Also

Present: City Manager Ed Zuercher, Acting City Attorney Daniel L. Brown, City Clerk Cris Meyer, Neighborhood Services Director Chris Hallett, Public Works Director Neil Mann, Assistant Public Works Director John Trujillo, Acting Planning and Development Director Alan Stephenson, and Management Assistant II Denise Archibald

The minutes of this meeting were submitted to Ms. Gallego for review.

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

An affidavit was presented to the Council by the City Clerk stating that 24 hours prior to the Council meeting, copies of the titles of Ordinances G-5896 through G-5897, S-40571, S-40575, S-40591, S-40599 through S-40618, and Resolutions 21201 through 21203 were available in the office of the City Clerk and therefore, the ordinances and resolutions could be read by title or agenda item only, pursuant to the 1969 Code as amended.

February 26, 2014

BOARDS AND COMMISSIONS

There were no appointments to the Boards and Commissions.

LIQUOR LICENSE APPLICATIONS

MOTION was made by Mr. Waring, **SECONDED** by Ms. Pastor, that Items 1 through 11 be recommended for approval.

Mayor Stanton stated speaker comment cards were submitted in support of the following items, but the individuals did not wish to speak:

Ms. Kim Lambert – Applicant, Items 1 and 2

Ms. Pauline Thomas Martinez – Applicant, Item 3

MOTION CARRIED UNANIMOUSLY.

ITEM 1

DISTRICT 2

LIQUOR LICENSE APPLICATION - SPECIAL EVENT - FIRESIDE ELEMENTARY SCHOOL PARENT TEACHER ORGANIZATION, INC.

The Council heard request for a Special Event liquor license for temporary sale of all liquors. There were no departmental objections and no protests.

<u>District</u>	<u>Applicant Name and Address</u>	<u>Event Information</u>
2	Kimberly Lambert Fireside Elementary School Parent Teacher Organization, Inc. 3819 East Half Hitch Place (Games/Raffle)	<u>Event Location:</u> 3775 East Lone Cactus Drive <u>Day/Date/Time:</u> Saturday, March 8, 2014 6:00 p.m. to 11:30 p.m. <u>Total Expected Attendance:</u> 150

February 26, 2014

Staff Recommendation

Staff recommended approval of this application.

The above information was submitted for Council consideration of this application.

<u>ITEM 2</u>	DISTRICT 2	<u>LIQUOR LICENSE APPLICATION - SPECIAL EVENT - FIRESIDE ELEMENTARY SCHOOL PARENT TEACHER ORGANIZATION, INC.</u>
----------------------	-------------------	---

The Council heard request for a Special Event liquor license for temporary sale of all liquors. There were no departmental objections and no protests.

<u>District</u>	<u>Applicant Name and Address</u>	<u>Event Information</u>
2	Kimberly Lambert Fireside Elementary School Parent Teacher Organization, Inc. 3819 East Half Hitch Place (Silent Auction/Raffle)	<u>Event Location:</u> 3775 East Lone Cactus Drive <u>Day/Date/Time:</u> Saturday, April 5, 2014 6:30 p.m. to 10:30 p.m. <u>Total Expected Attendance:</u> 200

Staff Recommendation

Staff recommended approval of this application.

The above information was submitted for Council consideration of this application.

<u>ITEM 3</u>	DISTRICT 2	<u>LIQUOR LICENSE APPLICATION - PERK EATERY</u>
----------------------	-------------------	--

The Council heard request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned PCD. Arizona State Application 12079767.

February 26, 2014

Applicant: Pauline Martinez, Agent
Perk Eatery
6501 East Greenway Parkway, #159

The following information was submitted for Council consideration of this application:

Application Description

This request was for a new Series 12 liquor license for a restaurant. This location was not previously licensed for liquor sales and did not have an interim permit. The operation plan filed with the application showed that the restaurant area seated 90 and the bar area seated 30. This business would have outdoor dining and outdoor alcohol consumption. A Use Permit was required for this type of activity. A Use Permit hearing was scheduled for Thursday, March, 6, 2014.

Public Opinion

No petitions or protests were received.

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 clean record with no violations, I have been a business owner for many years with a violation free history. This business is a neighborhood location with many loyal customers, who request alcoholic beverages."

- B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Many of our loyal clientele request alcoholic beverages. In order to please our locals, we ask to be granted a liquor license which in turn will generate more income for our business and more tax revenue for the city."

Staff Recommendation

Staff recommended 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.

February 26, 2014

ITEM 4

DISTRICT 3

**LIQUOR LICENSE
APPLICATION - BED BATH &
BEYOND**

The Council heard request for a Series 10, Off Sale-Beer and Wine, liquor license with Sampling Privileges in an area zoned C-1. Arizona State Application 10076484 and 10076484S.

Applicant: Andrea Lewkowitz, Agent
Bed Bath & Beyond
10845 North Tatum Boulevard

The following information was submitted for Council consideration of this application:

Application Description

This request was for a new Series 10 liquor license with sampling privileges for a retail store. This location was not previously licensed for liquor sales and did not have an interim permit.

Public Opinion

No petitions or protests were received.

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: "Bed Bath & Beyond is committed to the responsible sale of alcoholic beverages under Arizona liquor laws. Managers and staff have been, or will be, trained in the techniques of alcohol sales and service to assure proper sales to their shoppers."

- B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Bed Bath & Beyond (BBBY) Tatum & Shea store is expanding its inventory of home goods to include a variety of gourmet food items. In conjunction with its new 'market' concept BBBY would like to offer shoppers the opportunity to purchase beer + wine."

February 26, 2014

The following information was submitted for Council consideration of this application:

Application Description

This request was for an ownership and location transfer of a Series 7 liquor license from Scottsdale for a bar. This location was previously licensed for liquor sales as Beef Eaters Restaurant with a Series 12, Restaurant-All Liquor on Premises, liquor license until March 2005 and did not have an interim permit. This business was currently being remodeled with plans to open in April 2014. This location was within 2,000 feet of a light rail station.

Public Opinion

No petitions or protests were received.

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 are very strict with our liquor service policies. All of our employees are trained in responsible liquor service and go through regular audits to ensure they comply."

- 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 would like to offer our patrons the ability to purchase beer and wine while visiting our bookstore."

Staff Recommendation

Staff recommended 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.

ITEM 7

DISTRICT 6

**LIQUOR LICENSE
APPLICATION - BLANCO
TACOS & TEQUILA**

The Council heard request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned PSC. Arizona State Application 12079615.

February 26, 2014

Applicant: Randy Nations, Agent
Blanco Tacos & Tequila
2502 East Camelback Road, #122

The following information was submitted for Council consideration of this application:

Application Description

This request was for an acquisition of control of a Series 12 liquor license for a restaurant. This location was currently licensed for liquor sales. The operation plan filed with the application showed that the restaurant area seated 218 and the bar area seated 24.

Public Opinion

No petitions or protests were received.

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: "All of our employees are trained in responsible liquor service and go through regular audits to ensure they comply."

Staff Recommendation

Staff recommended approval of this application.

ITEM 8

DISTRICT 6

**LIQUOR LICENSE
APPLICATION - UNWINED
CAFE**

The Council heard request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-2 PCD. Arizona State Application 12079778.

Applicant: Edward Maturinni Tonetti, Agent
Unwined Cafe
1334 East Chandler Boulevard, Suite 11

February 26, 2014

The following information was submitted for Council consideration of this application:

Application Description

This request was for a new Series 12 liquor license for a restaurant. This location was previously licensed for liquor sales as My Big Fat Greek Restaurant and was currently operating with an interim permit. The operation plan filed with the application showed that the restaurant area seated 140 and the bar area seated 10.

Public Opinion

No petitions or protests were received.

Applicant's Statement

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

- I have the capability, reliability, and qualifications to hold a liquor license because: "I currently have a liquor license #12078669 that I have responsibly held for the past 3 years. The new license will enable me to help create jobs, and stimulate the economy in the city of Phoenix."

Staff Recommendation

Staff recommended approval of this application.

ITEM 9

DISTRICT 7

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

The Council heard request for a Special Event liquor license for temporary sale of all liquors. There were no departmental objections and no protests.

February 26, 2014

<u>District</u>	<u>Applicant Name and Address</u>	<u>Event Information</u>
7	Charles Wennerlund Arizona Law Enforcement Emerald Society Foundation, Inc. 1809 East Manzanita Drive (Festival)	<u>Event Location:</u> 18 West Monroe Street <u>Day/Date/Time:</u> Monday, March 17, 2014 9:00 a.m. to 2:00 a.m. <u>Total Expected Attendance:</u> 500

Staff Recommendation

Staff recommended approval of this application.

The above information was submitted for Council consideration of this application.

ITEM 10 **DISTRICT 7** **LIQUOR LICENSE
APPLICATION - HIKARI UNI
SUSHI**

The Council heard request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned PSC. Arizona State Application 12079779.

Applicant: Jared Repinski, Agent
 Hikari Uni Sushi
 6544 West Thomas Road, #28

The following information was submitted for Council consideration of this application:

Application Description

This request was for a new Series 12 liquor license for a restaurant. This location was not previously licensed for liquor sales and did not have an interim permit. The operation plan filed with the application showed that the restaurant area seated 40 and the bar area seated 8.

Public Opinion

No petitions or protests were received.

February 26, 2014

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 owned a small taco stand for many years and have always maintain complinace with all government agencies with regards to that business."
- B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Quailty restaurants are the cornerstone to Arizona/ Phoenix metro areas tourism industry. We plan to provide the highest quality of sushi and therefore become a hidden destination in Phoenix"

Staff Recommendation

Staff recommended approval of this application.

ITEM 11

DISTRICT 8

**LIQUOR LICENSE
APPLICATION - SPECIAL
EVENT - ST. AGNES ROMAN
CATHOLIC PARISH PHOENIX**

The Council heard request for a Special Event liquor license for temporary sale of all liquors. There were no departmental objections and no protests.

<u>District</u>	<u>Applicant Name and Address</u>	<u>Event Information</u>
8	Bradley Peterson St. Agnes Roman Catholic Parish Phoenix 1954 North 24th Street (Carnival/Silent Auction)	<u>Event Location:</u> 1954 North 24th Street <u>Day/Date/Time:</u> Saturday, March 1, 2014 12 noon to 10:00 p.m. <u>Total Expected Attendance:</u> 1,000 <u>Day/Date/Time:</u> Sunday, March 2, 2014 12 noon to 10:00 p.m. <u>Total Expected Attendance:</u> 1,000

February 26, 2014

Staff Recommendation

Staff recommended approval of this application.

The above information was submitted for Council consideration of this application.

ORDINANCES AND RESOLUTIONS

ITEM 12

CITYWIDE

**ORDINANCE G-5896 -
AMEND CITY CODE -
SECTION 9-1 AND UPDATE
THE PHOENIX BUILDING
CONSTRUCTION CODE**

The Council heard request to amend Section 9-1 of the Phoenix City Code and updating the amendments to the Phoenix Building Construction Code.

The Phoenix Building Construction Code (PBCC) established the minimum requirements to safeguard the public health, safety, and general welfare through building standards for construction in Phoenix. In 2013 the City of Phoenix adopted the 2012 editions of the International Codes (I-codes), 2012 Uniform Plumbing Code (UPC), 2011 National Electric Code (NEC), and Phoenix amendments to these codes. Since their adoption and implementation, Planning and Development staff and the development community had discovered a number of items that were problematic in the application of these new codes and amendments. Following were code amendment proposals that addressed inconsistencies and omissions in the original code adoption.

Planning and Development proposed three amendments to the 2012 International Building Code (IBC), one amendment to the 2012 International Residential Codes, and one amendment to the 2012 Uniform Plumbing Code (UPC) as follows:

2012 International Building Code

- Section 105.2 Work Exempt from Permit - This amendment provided clarity by removing the word “aggregate”. The term “aggregate” caused confusion and eliminating the term brought the provision back to the original base code language.
- Section 119 Journeyman and Apprentice Licenses - This amendment provided options for trade workers to choose from multiple sites, dates, and times to complete required testing for a journeyman license.

February 26, 2014

2012 International Building Code - continued

- Section 706.1.1 Party Walls - This amendment expedited the development process and reduced cost incurred by applicants by eliminating the need for a code modification for common walls built across property lines.

2012 International Residential Code

- Sections R313.1 and R313.2 Automatic Fire Sprinkler Systems - This amendment clarified sprinkler requirements for duplexes in accordance with State Law and the Bret Tarver Sprinkler Ordinance.

2012 Uniform Plumbing Code

- Section 912.0 Air Admittance Valves - This amendment was designed to provide consistency and align the acceptance of air admittance valves with the 2012 International Plumbing Code.

MOTION was made by Mr. Waring, **SECONDED** by Mr. Gates, that Item 12 be adopted.

Roll Call:	Ayes:	DiCiccio, Gallego, Gates, Nowakowski, Pastor, Valenzuela, Williams, Vice Mayor Waring, and Mayor Stanton
	Nays:	None
	Absent:	None

MOTION CARRIED.

MOTION was made by Mr. Waring, **SECONDED** by Mr. Gates, that Items 13 through 38 be adopted, except Items 13, 15, 16, and 34; and noting Item 36 was adopted as corrected.

Mayor Stanton stated speaker comment cards were submitted on Item 19 by the following individuals who did not indicate their support or opposition and did not wish to speak:

Mr. Jack Beck
Mr. Todd Uphoff

Mr. Pat Vint wanted to know the definition of omnibus.

Mayor Stanton explained it was a motion encompassing a large number of items for approval, such as ordinances and resolutions but pulled items out for individual comments.

February 26, 2014

The aggregate contract value for all option years would not exceed \$755,000, with an estimated annual expenditure of \$151,000.

<u>ITEM 17</u>	DISTRICT 8	ORDINANCE S-40600 - AMEND CONTRACTS WITH 22ND CENTURY STAFFING, INC.; SHARP DECISIONS, INC.; AND TECH ONE STAFFING, LLC
-----------------------	-------------------	--

The Council heard request to authorize the City Manager, or his designee, to amend Contracts 125664, 125666, and 125669 with 22nd Century Staffing, Inc.; Sharp Decisions, Inc.; and Tech One Staffing, LLC, respectively, to extend the term of each contract on a month-to-month basis up to twelve months. The amendments might contain other terms and conditions deemed necessary or appropriate by the City Manager or the Aviation Director.

Further requested to authorize the City Controller to disburse the necessary funds in an amount not to exceed \$865,000 over the twelve-month period.

On March 4, 2009, the City Council approved three contracts for on-call technology staff. These on-call staff were used to implement and support business systems at the Aviation Department (Aviation) such as the Geographic Information System, Mobile Work Order Management, public-facing websites, and the Parking Revenue Control System. Not approving this request would impact Aviation's ability to support critical business systems.

The contracts were scheduled to expire March 14, 2014. The Aviation Department desired to extend the term of each contract on a month-to-month basis for a period not to exceed twelve months to allow Aviation to complete a solicitation, already in progress, to award new contracts.

The total cost of the combined contracts would not exceed \$865,000.

<u>ITEM 18</u>	CITYWIDE	ORDINANCE S-40601 - RFA 13-048A - INTERVIEW RECORDING AND MANAGEMENT SYSTEM - REQUIREMENTS CONTRACT
-----------------------	-----------------	--

The Council heard request for the City Manager, or his designee, to authorize additional expenditures on Contract 137728-0, to provide and install digital audio/video recording system for the Police Department Family

February 26, 2014

Investigations Bureau. This contract was a result of RFA 13-048 awarded by formal Council action on January 15, 2014. Authorization was also requested for the City Controller to disburse funds over the life of the contract in an amount not to exceed \$150,237.

The Police Department Crimes Against Children Unit conducted investigations on all criminal incidents within its jurisdiction. To facilitate the investigation of criminal incidents involving children, the Phoenix Police Department Crimes Against Children Unit utilized a digital audio/video recording system used in five interview rooms to facilitate the investigation of criminal incidents involving children. It was the utmost importance that the interview rooms be operational and reliable as mandated by Phoenix Police Department policy.

A large portion of the investigations conducted by Phoenix Police Department involved high profile child criminal crimes investigators and/or high profile subject matter. The ability to digitally record all interviews had become an integral part of a successful investigation. In most cases the recording of such interviews was a requirement for successful prosecution.

The total additional funds needed was \$62,258. The revised aggregate amount was \$150,237.

ITEM 19

CITYWIDE

**ORDINANCE S-40602 -
RFA 14-038 - SLOW SPEED
SHREDDER AND HIGH SPEED
GRINDER**

The Council heard request to authorize the City Manager, or his designee, to enter into an intergovernmental agreement with the Houston-Galveston Area Council for the purchase of a new slow speed shredder and high speed grinder to process green organics at the 27th Avenue Transfer Station for Solid Waste Diversion and Disposal. The equipment offered in this agreement was established by a competitive public procurement process. Authorization was also requested for the City Controller to disburse funds for the purchase in an amount not to exceed \$1,188,764.

The Public Works Department requested to purchase the equipment through this intergovernmental agreement from Doppstadt US.

February 26, 2014

Doppstadt US had an established local dealer network and parts support available for the maintenance of the equipment being purchased and could expedite the delivery time to ten weeks. Delivery after receipt of order for this industry was typically six months. Failure to provide this equipment in the time required could result in either green waste going into the landfill or additional cost incurred by the city, if the department had to rent equipment until delivery was made.

ITEM 20

CITYWIDE

**ORDINANCE S-40603 -
RFP 11-007A - SECURITY
GUARD SERVICES -
REQUIREMENTS CONTRACT**

The Council heard request to authorize the City Manager, or his designee, to add the Phoenix Municipal Court and additional expenditures on Contract 131089 with Anderson Security Agency, Ltd to provide security guard services on an as-needed basis for the Water Services, Public Transit, and Municipal Court Departments. This contract was a result of RFP 11-007 awarded by formal Council action on May 18, 2011. Authorization was also requested for the City Controller to disburse the necessary additional funds over the life of the contract in an amount not to exceed \$4,512,100.

As a result of adding the Phoenix Municipal Court to the security guard services contract and adding additional funds, the revised aggregate value for the remaining three option years would not exceed \$4,512,100. Annual funds needed for the remaining option years included: (Option Year 3) \$865,700 for Water Services, \$791,000 for Public Transit, and \$34,000 for Municipal Court; (Option Year 4) \$865,700 for Water Services, \$511,000 for Public Transit, and \$34,000 for Municipal Court; (Option Year 5) \$865,700 for Water Services, \$511,000 for Public Transit, and \$34,000 for Municipal Court .

ITEM 21

CITYWIDE

**ORDINANCE S-40604 -
IFB 11-146A - STREET PAVING
EMULSION PRODUCTS -
REQUIREMENTS CONTRACT**

The Council heard request to authorize the City Manager, or his designee, to add additional expenditures on Contract 131150 with Paramount Petroleum Corporation for emulsified asphalt. This contract was a result of IFB 11-146 awarded by formal Council action on June 1, 2011. Authorization was also requested for the City Controller to disburse the necessary additional funds over the remaining life of the contract in an amount not to exceed \$200,000.

February 26, 2014

Additional funds were needed to provide emulsified asphalt to the Street Transportation Department. The actual needs under this contract were higher than the original estimates.

As a result of adding the additional expenditures to the street paving emulsion products contract, the revised aggregate value for all remaining options would not exceed \$200,000, with an estimated annual expenditure of \$100,000.

ITEM 22 **CITYWIDE** **ORDINANCE S-40605 -
IFB 13-039A - SPEED HUMP
INSTALLATION -
REQUIREMENTS CONTRACT**

The Council heard request to authorize the City Manager, or his designee, to add additional expenditures on Contract 135304 with Swaine Asphalt Corporation for speed cushion installations. This contract was a result of IFB 13-039 awarded by formal Council action on January 16, 2013. Authorization was also requested for the City Controller to disburse the additional \$50,000 for the current project.

Additional funds were needed to meet the increased requirements for speed cushion installations for the Street Transportation Department as the result of the department's new collector street speed hump (speed cushion) pilot program in November 2013.

The additional one-time funds needed were \$50,000.

ITEM 23 **CITYWIDE** **ORDINANCE S-40606 -
IFB 14-074 - FLEET VEHICLE
MOBILE AIR CONDITIONING
SERVICE AND REPAIR -
REQUIREMENTS CONTRACT**

The Council heard request to authorize the City Manager, or his designee, to enter into an agreement with W.W. Williams, Inc. for fleet vehicle mobile air conditioning service and repair on an as-needed basis during a one-year contract period beginning on or about April 1, 2014 and ending March 31, 2015. Authorization was also requested for the City Controller to disburse funds for the life of the contract in an amount not to exceed \$400,000.

February 26, 2014

Solicitation IFB 14-074 was conducted in accordance with Administrative Regulation 3.10. Two bids were received and opened on January 24, 2014. Following is a tabulation of the bids received:

<u>Description</u>	<u>W.W. Williams</u>	<u>H&E Equipment Services</u>
Labor and Parts	\$1,527.18*	\$1,905.56

It was recommended by the Deputy Finance Director that the bid of W.W. Williams, as asterisked, be accepted as the lowest priced responsive and responsible bidder.

The aggregate contract value for all option years would not exceed \$400,000, with an annual expenditure of \$80,000.

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

**ITEM 24 CITYWIDE ORDINANCE S-40607 -
**IFB 14-083 - PROCESS
PRESORT FIRST CLASS MAIL
AND SPECIAL MAIL -
REQUIREMENTS CONTRACT****

The Council heard request to authorize the City Manager, or his designee, to enter into an agreement with United Business Mail for a two-year period beginning on or about March 1, 2014 and ending February 29, 2016. Authorization was also requested for the City Controller to disburse funds over the life of the contract in an amount not to exceed \$15,589,710.

Solicitation IFB 14-083, Process Presort First Class Mail and Special Mail, was conducted in accordance with Administrative Regulation 3.10. Two bids were received and opened on January 10, 2014. One bid was determined to be non-responsive.

This contract would be used to process the city's presort mail, which included the water, sewer, solid waste, and tax bills.

February 26, 2014

Following is a tabulation of the only responsive and responsible bid received:

<u>Bidder</u>	<u>Description</u>	<u>Total Bid Prices</u>
United Business Mail*	Processing metered mail at a 3 digit rate	\$.01 each
	Process permit mail at a 5 digit rate	\$.017 each
	Postage for 1- and 2-ounce mail	\$.381 each
	Postage for 3-ounce mail	\$.641 each
	Processing flats	\$.20 each
	Processing first class letters	\$.01 each

It was recommended by the Deputy Finance Director that the bid of United Business Mail, as asterisked, be accepted as the lowest responsive and responsible bidder. The Procurement Division deemed the pricing fair and reasonable based on previous contract pricing.

The aggregate contract value for all option years would not exceed \$15,589,710, with an estimated annual expenditure of \$3,117,942.

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

ITEM 25

CITYWIDE

**ORDINANCE S-40608 -
IFB 14-100 - LOT
MAINTENANCE AND
SECUREMENT SERVICES -
REQUIREMENTS CONTRACT**

The Council heard request to authorize the City Manager, or his designee, to enter into an agreement with Reyes & Sons Landscaping, LLC; Jack Harrington; Three Amigos Property Management, LLC; Robert Singer; and Artistic Land Management, Inc. to provide securement and lot maintenance

February 26, 2014

services on an as-needed basis during the contract period beginning on or about March 1, 2014 and ending February 28, 2015. Authorization was also requested for the City Controller to disburse funds for the life of the contract in an amount not to exceed \$6,075,000.

Solicitation IFB 14-100, Lot Maintenance and Securement Services, was conducted in accordance with Administrative Regulation 3.10. Five bids were received and opened on January 24, 2014. Following is a tabulation of the bids received:

Bidder	Citywide Departments	
	Securement Total Bid Prices	Lot Clean Up Price Range
Reyes & Sons Landscaping, LLC	\$1,479.00*	\$0.02 to \$480.00*
Jack Harrington	\$1,656.20**	\$0.05 to \$2,500.00****
Three Amigos Property Management, LLC	\$2,107.00***	\$0.10 to \$2,600.00***
Robert Singer	No Bid	\$0.02 to \$1,100.00**
Artistic Land Management, Inc.	\$4,118.00	\$0.005 to \$2,800.00*****
Bidder	Housing Department	
	Securement Total Bid Prices	Lot Clean Up Price Range
Reyes & Sons Landscaping, LLC	\$1,757.00*	\$0.02 to \$500*
Jack Harrington	\$1,868.86**	\$0.60 to \$2,700
Three Amigos Property Management, LLC	Non-Responsive	\$0.10 to \$2,600.00**
Robert Singer	No Bid	No Bid
Artistic Land Management, Inc.	\$4,118.00	\$0.005 to \$2,800.00

It was recommended by the Deputy Finance Director that the bids of Reyes & Sons Landscaping, LLC; Jack Harrington; Three Amigos Property Management, LLC; Robert Singer; and Artistic Land Management, Inc., as asterisked, be accepted as the responsive and responsible bidders.

February 26, 2014

The aggregate contract value for all options would not exceed \$6,075,000, with an estimated annual expenditure of \$1,215,000.

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

ITEM 26 **DISTRICTS 3, 4, 6, 7,
AND 8** **ORDINANCE S-40609 -
ACCEPTANCE AND
DEDICATION OF DEEDS AND
EASEMENTS FOR PUBLIC USE**

The Council heard request to accept two deeds and five easements for roadway, sidewalk, turn-around, and drainage purposes; ordering the ordinance recorded; and dedicating to public use the property interests described therein.

ITEM 27 **OUT OF CITY** **ORDINANCE S-40610 -
AMEND LEASE 124291 TO ADD
FIVE ACRES ADJACENT TO
EXISTING LEASED PROPERTY**

The Council heard request to authorize the City Manager, or his designee, to amend Lease 124291 between the City of Phoenix and International Flora Technologies Properties, LLC, an Arizona corporation (Floratech), to add five acres of City-owned property adjacent to the existing leased property. The existing leased property was a 5.94-acre site improved with a City-owned industrial building, located at 28633 West Patterson Road, approximately 2,200 feet west of the 283rd Avenue alignment. The amendment might identify one or more locations for the five acre parcels adjacent or with access to the building site that might be used, during the term of the existing lease and any extensions, for lay-down and storage, as designated from time to time by the City Manager, or his designee.

The amendment would be retroactive to August 15, 2013, pursuant to Lease Provision 7, Right of First Offer. The term of the existing lease ended August 14, 2018, unless extended pursuant to two, five-year options to extend. Additional rent for the five acres was \$416 per month, plus applicable taxes, based on current market rent as determined by City of Phoenix Real Estate staff. Rent would be adjusted annually in accordance with the terms of Lease 124291.

Further requested authorization for the City Treasurer to accept all necessary funds for rent during the term of this lease.

All other terms and conditions of Lease 124291 would remain the same.

February 26, 2014

ITEM 28

CITYWIDE

**ORDINANCE S-40611 -
BUSINESS ANALYST
PROFESSIONAL SERVICES
SUPPORT**

The Council heard request to authorize the City Manager, or his designee, to amend Agreement 135882 with Solu Technology Partners, LLC (formerly Technology Staffing Solutions) to provide business analyst professional services for the Water Services Department in the amount of \$68,000. Further requesting authorization for the City Controller to disburse funds over the life of the agreement.

In March 2013, Information Technology Services solicited vendors from the Information Technology Professional Services Qualified Vendors List to provide business analysis services for multiple City department projects. Solu Technology Partners (formerly Technology Staffing Solutions) was one of the vendors selected to support business process improvements within the Water Services Department. This was the third amendment to Agreement 135882. This request extended the term of the agreement from March 14, 2014 through August 30, 2014, and increased the agreement amount by \$68,000, for a total contract amount not to exceed \$178,800.

Technology Staffing Solutions was acquired by Solu Technology Partners, LLC. Amendment 1 to Agreement 135882 affirmed the City's consent of Solu Technology Partners, LLC for the purpose of this assignment/agreement.

ITEM 29

DISTRICT 7

**ORDINANCE S-40612 -
APPLY FOR AND ACCEPT
LSTA GRANT FUNDS FROM
STATE LIBRARY FOR
HIVE@CENTRAL
CONSULTANT AND
EQUIPMENT**

The Council heard request for the City Manager, or his designee, to apply for and, if awarded, accept Library Services and Technology Act (LSTA) grant funds up to the amount of \$40,000 from the Arizona State Library, Archives, and Public Records Agency. Funds would be used to hire a business consultant and purchase equipment for the business incubator, hive@Central, at Burton Barr Central Library. Further requested authorization for the City Controller to disburse the funds.

February 26, 2014

The consultant would add additional business startup and entrepreneurial programming and mentoring services along with outreach opportunities at the branch libraries to drive traffic to hive@Central. The network of business contacts and library of entrepreneurial programming would be in place for library staff to utilize and continue the programming for the future or expand to potential incubator sites within the library system. This in turn stimulated business growth in Arizona and boosted our local economy and tax base.

In addition to the consultant, funds would be spent on necessary audio/visual equipment for classes, including laptops, memory cards, projector, printer, and printer filament cartridges. This project would make substantial use and increase programs available to small business owners and new entrepreneurs of the business incubator, hive@Central, located on the 2nd floor at Burton Barr Central Library.

The Library would match grant funds with in-kind services.

ITEM 30

DISTRICT 5

**ORDINANCE S-40613 -
TERMINATION OF CONDITION
AGREEMENT - CAMELBACK
RANCH**

The Council heard request to enter into a Termination of Condition Agreement with various parties to remove a deed requirement that the City of Glendale grant the City of Phoenix the right to use land west of Camelback Ranch for park purposes.

In 1998, the Maricopa County Flood Control District conveyed real property west of Camelback Ranch to the City of Glendale. The deed required that Glendale convey a perpetual right to use the property for park purposes to the City of Phoenix Parks and Recreation Department. Glendale conveyed the property to Rightpath in connection with the development of the Camelback Ranch spring training facility. It never conveyed an interest in the land to the City of Phoenix. Because of the development of Camelback Ranch as a baseball facility, the Parks and Recreation Department abandoned its plan to develop the property subject to the deed requirement as a district park. Instead, the Parks and Recreation Department developed land located at 10645 West Camelback Road.

Title to the property was now held by ML Manager, LLC which requested that the Cities of Glendale and Phoenix release it from any obligation to convey any right to use the property for park purposes.

February 26, 2014

ITEM 31

CITYWIDE

**ORDINANCE S-40614 -
AGREEMENT WITH
CLIFTONLARSONALLEN, LLC
FOR AUDITING SERVICES**

The Council heard request to authorize the City Manager, or his designee, to enter into an agreement with CliftonLarsonAllen, LLC to perform the National Transit Database (NTD) audit, and to further request authorization for the City Controller to disburse the necessary funds in an amount not to exceed \$146,400 over the five-year option of the contract.

Three proposals were received by the Public Transit Department on December 5, 2013, to perform the NTD audit for the contract period beginning July 1, 2014 and ending June 30, 2017, together with an option to extend for two additional years, to be exercised in one-year increments, by the Public Transit Director if considered in the City's best interest to do so. The following proposals were received:

<u>Proposer</u>	<u>Total Scores (100 Points Possible)</u>
CliftonLarsonAllen, LLC* Phoenix, Arizona	86.0
Moss Adams, LLP Scottsdale, Arizona	84.4
Heinfeld, Meech & Co., PC Phoenix, Arizona	81.9

The Public Transit Director recommended the proposal of CliftonLarsonAllen, as outlined above, be accepted as the most responsive proposer, all factors considered. CliftonLarsonAllen also offered the lowest contract cost.

A panel evaluated the proposals based on the qualifications and experience of the firm (25%), qualifications and experience of the staff members assigned to the project (25%), the method of approach to complete the project (25%), and price proposal (25%).

February 26, 2014

CliftonLarsonAllen, LLC would test national transit data collected and tracked by the City, in accordance with Federal Transit Administration (FTA) established procedures, and prepare the Independent Auditor Statement for Federal Funding Allocation Data as required by the FTA.

Annual contract expenditures were estimated to be \$29,280. Total contract expenditures for the initial three-year contract term, plus the two available option years would not exceed \$146,400.

ITEM 32

CITYWIDE

**ORDINANCE S-40615 -
EXTEND AGREEMENT 126717
WITH GIRO, INC. TO
CONTINUE MAINTENANCE ON
REGIONAL SCHEDULING/
DISPATCH SYSTEM**

The Council heard request to authorize the City Manager, or his designee, to extend Agreement 126717 with GIRO, Inc. for one additional year to continue maintenance on the Public Transit Department's (PTD) regional bus and light rail scheduling/dispatch system, and to authorize the City Controller to disburse funds in an amount not to exceed \$169,000.

Agreement 126717 was originally approved by City Council on March 4, 2009, as a five-year maintenance agreement. The Public Transit Department contracted with software provider GIRO for a proprietary vehicle and crew scheduling software program, "HASTUS", that allowed Phoenix and regional partners including Glendale, Scottsdale, Tempe, Mesa, Gilbert, Avondale, Tolleson, METRO light rail, and others to ensure all transit vehicles were assigned and scheduled on routes to made the most efficient use of transit resources. Phoenix was responsible for this region-wide, proprietary technology. The region had been utilizing HASTUS since 2001. It was critical to continue maintenance support for the one-year extension through February 9, 2015.

The Public Transit Department was currently working with GIRO to finalize an upgrade to the existing system from Version 2007 to Version 2013. The extension of this maintenance agreement would safeguard against system failure and would allow PTD to align the new five-year maintenance contract with successful completion of the current software upgrade. The cost for the one-year maintenance contract extension would not exceed \$169,000.

February 26, 2014

ITEM 33

DISTRICT 7

**ORDINANCE S-40616 -
PT03130001 - SOUTH TRANSIT
FACILITY REFURBISHMENT
CONSTRUCTION
ADMINISTRATION AND
INSPECTION SERVICES**

The Council heard request to authorize the City Manager, or his designee, to enter into an agreement with Gannett Fleming, Inc., Phoenix, Arizona, to provide construction administration and inspection services in support of the South Transit Facility Refurbishment project; and further requesting the City Controller to disburse the funds for the purposes of this ordinance.

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

The project was located on a 17.5-acre complex at the South Transit Facility located at 2225 West Lower Buckeye Road. This facility functioned as the operation and maintenance center for a portion of the City's bus fleet. The Engineer's services during construction would include, but not be limited to: representation on behalf of the City; administration of the construction schedule; performing site visits; review of shop drawings and test results; interpretation and clarification of contract documents; substantial and final completion inspections; services of an on-site inspector throughout the construction; and special services as might be identified for the project. The estimated construction cost for this project was \$19 million.

The Engineering firm's fee would not exceed \$989,044, including all subconsultant and allowable costs.

ITEM 35

CITYWIDE

**ORDINANCE S-40618 -
WS85050023 - STEEL TANK
REHABILITATION PROGRAM -
CMAR DESIGN PHASE
SERVICES - CONTRACT
AMENDMENT**

The Council heard request to authorize the City Manager, or his designee, to execute Amendment 1 to Contract 135754 with Quest Civil Constructors, Inc., Phoenix, Arizona, to provide additional Construction Manager at Risk (CMAR) design phase services for Phase II of the steel tank rehabilitation program,

February 26, 2014

increasing the contract limit by \$103,000, for a new total contract value of \$152,028. The steel water tanks were located at multiple sites and varied in size from 60,000 gallons to 5 million gallons. Further requested to authorize the City Controller to disburse funds for the purpose of this ordinance.

The CMAR would provide pre-construction management services during the design phase of Phase II of the project and serve as the contractor during construction of the project. The CMAR would be responsible for scheduling, construction document review, cost estimates setting, disparity goals, competitive bidding, guaranteed maximum price preparation, and tank inspection/assessment and support services.

Quest Civil Constructors was chosen for this project using a qualifications-based selection process authorized by Title 34 of the Arizona Revised Statutes as managed by the City Engineer. The contract was approved by City Council on April 17, 2013.

The Engineer's total fee would not exceed \$103,000 for design of Phase II of this project, including all subconsultant and allowable costs.

ITEM 36

DISTRICT 6

**RESOLUTION 21201 -
ABANDONMENT OF RIGHT-OF-
WAY - V-130040A**

The Council heard request to abandon the following right-of-way as it was no longer needed.

On December 4, 2013, the Abandonment Hearing Officer considered the application of Mr. Benjamin E. Hawkins to abandon the 16-foot alley right-of-way from the north boundary of the parcels addressed 4915 North 45th Place (Assessor's Parcel Number (APN) 171-31-023) and 4930 North 46th Street (APN 171-31-020) to the south boundary of the parcels addressed 4538 North 45th Place (APN 171-31-021) and 4550 East Exeter Boulevard (APN 171-31-017).

The Hearing Officer recommended approval of the adoption of the abandonment subject to stipulations, which were satisfied.

A fee was also collected as part of this abandonment in the amount of \$1,082.

February 26, 2014

Following established review procedures, no objections to the Hearing Officer's recommendation were received from City Council or other parties.

This item was adopted as corrected to reflect the right address for APN 171-31-021 was 4538 East Exeter Boulevard.

ITEM 37

DISTRICT 6

**RESOLUTION 21202 -
ABANDONMENT OF
EASEMENT - V-140003A**

The Council heard request to abandon the following easement as it was no longer needed.

On January 8, 2014, Mr. Michael Thornham requested the abandonment of the 12-foot Public Utility Easement on the parcel addressed 2737 East Arizona Biltmore Circle, between Units 8 and 9, (Assessor's Parcel Number 164-12-743 and 164-12-744), from north of the 8-foot Public Utility Easement adjacent to the north side of the private road to the north boundary as shown in plat "Biltmore Gates", Maricopa County Recorder Book 202 of Maps, Page 47.

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

ITEM 38

DISTRICT 7

**RESOLUTION 21203 -
ABANDONMENT OF RIGHT-OF-
WAY - V-130024A**

The Council heard request to abandon the following right-of-way as it was no longer needed.

On June 19, 2013, the Abandonment Hearing Officer considered the application of Mr. Jerramy Rockman of West Side Addition, LLC to abandon the alley right-of-way bounded by 21st and 22nd Avenues, and Grant and Sherman Streets.

The Hearing Officer recommended approval of the adoption of the abandonment subject to stipulations, which were satisfied.

February 26, 2014

A fee was also collected as part of this abandonment in the amount of \$26,000.

Following established review procedures, no objections to the Hearing Officer's recommendation were received from City Council or other parties.

<u>ITEM 13</u>	DISTRICT 7	ORDINANCE S-40571 - REDEVELOPMENT AND PURCHASE AGREEMENT WITH METROWEST DEVELOPMENT, LLC
-----------------------	-------------------	---

Continued from February 19, 2014 – The Council heard 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 would rehabilitate the three properties for use as single-family, owner-occupied residences. Developer would 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 would enter into a Second Avenue Streetscape Right-of-Way Maintenance Agreement for each parcel.

Developer would 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 sold for amounts in excess of the Developer's anticipated gross sales prices (\$386,465 for Parcel 816 and \$328,190 for Parcel 822), Developer would pay the City 50 percent of the excess sales proceeds.

The agreements might contain such other terms and conditions as the City deemed necessary and appropriate.

February 26, 2014

Ms. Dianne Barker stated this property was in her district and thought the City had done a good job with exterior restoration. However, Mr. DiCiccio asked staff at the previous meeting to provide details of the funds that went into this renovation since it was not known at that time and now favored the item. She believed the company rehabilitating the inside was reputable, noting the agreement stated proceeds above \$100,000 would be split evenly which was a good deal.

Mr. Nowakowski inquired if the City could sell the property at a higher price.

Neighborhood Services Director Chris Hallett replied this was the fifth Request for Proposal (RFP) on these properties to date. The fourth RFP requested fair market value on the parcels and properties in the proposal and none of the submittals included a fair market value proposal and were thrown out. The City had been unable to get a project on the prior four RFPs due to the stability nature of the structures at hand which was why the City invested money to stabilize them.

Mr. Nowakowski questioned what the benefit was to the City to dispose of this property.

Mr. Hallett responded there was a huge benefit, the first being it complied with the original community development block grant agreement made in 1988. He conveyed that agreement was used to acquire and rehabilitate seven historic properties in the Roosevelt redevelopment area. This was a commitment made to the Roosevelt community back in 1988 that would finally come to fruition and activate these properties. He added it would be owner-occupied for 25 years with a historic preservation easement on the properties. Moreover, the properties would get back on the tax rolls and further improve the value of the remaining structures in the Roosevelt area.

Mr. Nowakowski supported Metrowest Development which had many projects in the downtown area, especially in his district. He thanked the company for all of their hard work and interest in the community.

MOTION was made by Mr. Nowakowski, **SECONDED** by Mrs. Williams, that Item 13 be adopted.

February 26, 2014

Roll Call:	Ayes:	DiCiccio, Gallego, Gates, Nowakowski, Pastor, Valenzuela, Williams, Vice Mayor Waring, and Mayor Stanton
	Nays:	None
	Absent:	None

MOTION CARRIED.

ITEM 15

CITYWIDE

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

Continued from February 19, 2014 – The Council heard 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 was 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 recommended Cascadia Consulting Group be accepted as the highest scored responsive and responsible proposer.

The study would determine if the education and diversion over the past 10 years was effective as well as benchmark current waste composition. The study would 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.

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

February 26, 2014

The aggregate contract value for all option years would not exceed \$648,662, with an estimated expenditure of \$450,000 over the initial two-year contract period.

MOTION was made by Mrs. Williams, **SECONDED** by Ms. Pastor, that Item 15 be adopted.

Ms. Greta Rogers expressed sifting through garbage bags was already done at Gateway on a daily basis. She indicated the amount for this service meant someone would be paid \$12,000 to \$50,000 a month to pick through garbage bags. The City did not have money to waste on waste and she urged Council to vote no on the item as it was unnecessary.

Mr. Pat Vint agreed with Ms. Rogers comments. He wondered what the purpose was for going through garbage bags.

City Manager Ed Zuercher stated this item as well as Item 19 which was already approved were two parts of implementing Reimagine Phoenix. This would divert a significant amount of solid waste from the landfill saving City taxpayers and solid waste a great deal of money.

Public Works Director Neil Mann conveyed last year the Council adopted a goal to divert a significant amount of garbage away from the landfill to be put to beneficial reuse. The overall goal was 40 percent by 2020, also known as 40/20. In order to meet that goal, noting the current diversion was approximately half of that amount, the City needed to identify what was being placed in garbage bags including recycling bins. He added this was not just reevaluation of the blue bin recycling program but evaluation of what was in bagged garbage per service area.

By having a better idea of what was in the garbage that would make it more beneficial for reuse, resold, or provided as feedstock for private businesses who wanted to help the City meet its 40/20 goal. For example, residents' food material went in the garbage but could be used as feedstock for waste to energy or soil amendment processes. Mr. Mann said the City could not currently tell businesses what kind of commitment the City could provide in the form of food material. Private businesses would make a big investment to build facilities and help with the goal if that information was known, such as tons a day to be served as feedstock for their waste to energy initiative. Moreover, he previously talked about material being improperly placed in recycle bins. He wanted to find out why trash was going in recycle bins in order to reshape the City's education opportunities to hopefully achieve a higher percentage of recycling by customers.

February 26, 2014

Mr. Zuercher declared this was a very labor intensive process, noting staff estimated over 3,000 hours would be spent hand-sorting and analyzing garbage on the floor of the facility. This was a diverse group including Arizona State University and the information from this process would assist the City with the incubator planned for the area as well as help attract entrepreneurs once the characteristics of the waste was known.

Mr. Nowakowski believed there was a reason for the two-year time period but inquired if the timeframe could be shortened and asked about the cost.

Mr. Mann affirmed the time could be reduced since the basic service of going through contained garbage and recycling from residential customers would take one year. Staff anticipated requesting additional analysis at a cost of \$250,000 for bulk trash, multifamily garbage not hauled by the City, plus commercial hauls and self-haul that came to the transfer stations. He remarked if that were the case staff recommended optional studies that would take additional time of more than a year which would cost above \$250,000.

Ms. Gallego requested staff talk about the effect of seasonal variations and plant material pertaining to the collection of data on things like telephone directories as required by the Arizona Corporation Commission. She thought it would help with other policy decisions whether people threw them out or actually used the directories.

Assistant Public Works Director John Trujillo replied details of the data analysis would cover a period of one year regarding the characterization of waste changes depending on the time of year. For instance, a lot of food waste and pizza boxes were placed in the garbage during the Super Bowl. He advised the same thing happened in the fall which meant waste changed over time, such as springtime related to green organics whereas wintertime was pruning season. The reason this was done during that whole period was to get an understanding and details of the waste in order to break down the types of plastics and things like phone books. He pointed out there would be a detailed analysis of exactly what garbage was being thrown into recycling plus the type of recycled material which also changed throughout time.

In further response to Ms. Gallego, Mr. Trujillo stated several cities throughout the United States did this type of research with Tucson recently completing one this year. In fact, all of the cities that had major garbage and recycling programs did waste characterization studies to better focus their communication, education, and provide waste to energy programs with understanding of available feedstock.

February 26, 2014

Ms. Gallego confirmed this project would help the City better its relationship with entrepreneurs in providing the data they needed to determine if Phoenix was the right partner given their type of product. She had heard from some of the entrepreneurs in her district regarding how much they cared about the amount of protein and other food waste. This level of data appeared to be very important to certain people as the City pursued its targeted strategy of sustainable jobs by having better information about what was available to attract businesses.

Mr. Nowakowski wondered if staff could do this project on an on-going basis since it was important information. Given the cost of \$648,000 there would be new techniques and businesses in the future and he thought it would be better to hire within and have someone on-site.

Mr. Mann answered at this point staff was not recommending this type of analysis be in-sourced because it was not simply going through trash. This project consisted of analysis, statistical review, projections, and based on patterns of the trash and waste material the consultant team, which had done this at other locations, relied on a database to make accurate projections for the use of future investments in the City's systems.

Mr. DiCiccio had seen many studies the City performed that sat on a shelf which was a waste of funds. He believed the average taxpayer would not agree to have the City spend \$650,000 to study garbage when there were other crises. The message this sent out to the public and staff was that the City was willing to spend money to study garbage while everyone else would be asked to sacrifice which did not make sense. He brought this up at the last meeting and emphasized he was not supportive of this item.

Mr. Zuercher commented sometimes studies got a bad name because they were done simply for their own benefit. However, in this case the study would provide data so the City could make better decisions designed to divert traffic from the landfill. He pointed out every time something was diverted from the landfill it saved the taxpayer and ratepayer money. As was mentioned by Ms. Gallego, the incubator being established by Arizona State University was critical in providing the right kind of services based on data from this project.

In response to Mayor Stanton, Mr. Zuercher affirmed the Public Works Department would make this information available in an open data platform.

February 26, 2014

Mr. Valenzuela supported the item. The City had to figure out a way to make better decisions, especially for entrepreneurship as Phoenix continued to build on being the most desirable city to entrepreneurs. He indicated this was a good program, noting the department just updated Council and one of the topics discussed was Reimagine Phoenix and its lofty goal of 40 percent by 2020. The City needed to study ways to reach that goal and agreed with continuation of marketing.

Mrs. Williams announced in the past six months she had met with several small companies and attended a trade show that demonstrated many options that were coming forward. These people were very interested in knowing what the City actually had before making a significant investment to become a partner. She had heard everything from creating new composts to raise money for the City and taking some of the recyclables to turn it into oil and selling it which would generate funds for the City. Therefore, this had the ability to be an investment for the City in the future and something Phoenix needed to be a part of and she supported it.

Mr. DiCiccio asserted if the private sector thought this was a great thing then they should do it themselves. He believed everyone wanted a study but the City moving forward with a garbage study was not a good idea given the other issues.

Mr. Nowakowski supported the item if it was a full-time position for individuals since it needed to be an on-going study. He thought if the City wanted to invest in transforming the trash and recycling programs it should be part of the budget as a commitment. Within the next two to four years construction would come back and the landfills would consist of different materials so this needed to be done. He believed Council needed to invest in staff or have an expert consult with the City regarding the best usage of garbage. He had an issue with spending up to \$648,000 on a study and hiring an experienced individual for the next two to four years to use the data on an on-going basis.

Mr. Gates asked if staff was willing to look at the costs of possibly having an individual perform this task along with other duties within their area.

Mr. Mann replied staff would take a look at that but recommended moving ahead with this study because time was of the essence. The City was kicking off a center for resource intelligence and needed the data sooner rather than later. He specified this project consisted of a team of people, not just one person, who would conduct reviews and analysis throughout the year on a continuous basis.

February 26, 2014

Mr. Nowakowski stated he would like to abstain from the vote.

Mayor Stanton clarified Mr. Nowakowski could abstain from the vote if that was his preference; however, his vote would be counted as a yes for the record.

Roll Call:	Ayes:	Gallego, Gates, Nowakowski, Pastor, Valenzuela, Williams, and Mayor Stanton
	Nays:	DiCiccio and Vice Mayor Waring
	Absent:	None

MOTION CARRIED.

ITEM 16p

CITYWIDE

ORDINANCE S-40599 - PAYMENT ORDINANCE

The Council heard request to authorize the City Controller to disburse funds in an aggregate amount not to exceed \$800,738.98 for the purpose of paying vendors, contractors, claimants, and others, and providing additional payment authority under certain existing City contracts.

\$	60,050.00	p)	To US Travel Association for payment of Phoenix Sky Harbor International Airport’s membership in the Gateway Airports Council. The nation’s largest airports had aligned with the US Travel Association to advocate for the unique needs of large airports as part of the overall travel industry such as international passenger facilitation and financing for airport improvements.
----	-----------	----	--

MOTION was made by Mr. Gates, **SECONDED** by Mrs. Williams, that Item 16p be adopted.

Roll Call:	Ayes:	DiCiccio, Gallego, Gates, Nowakowski, Pastor, Valenzuela, Williams, and Mayor Stanton
	Nays:	Vice Mayor Waring
	Absent:	None

MOTION CARRIED.

February 26, 2014

ITEM 16q

CITYWIDE

**ORDINANCE S-40599 -
PAYMENT ORDINANCE**

The Council heard request to authorize the City Controller to disburse funds in an aggregate amount not to exceed \$800,738.98 for the purpose of paying vendors, contractors, claimants, and others, and providing additional payment authority under certain existing City contracts.

\$ 55,000.00 q) To Eglin Photographic, Amendment 3, under Agreement 127735, to continue to provide on-call photography services for use in marketing and community relations efforts at the Phoenix Sky Harbor International Airport, through January 31, 2015, for the Aviation Department.

MOTION was made by Mr. Gates, **SECONDED** by Mrs. Williams, that Item 16q be adopted.

Roll Call:	Ayes:	DiCiccio, Gallego, Gates, Nowakowski, Pastor, Valenzuela, Williams, and Mayor Stanton
	Nays:	Vice Mayor Waring
	Absent:	None

MOTION CARRIED.

ITEM 16

CITYWIDE

**ORDINANCE S-40599 -
PAYMENT ORDINANCE**

The Council heard request to authorize the City Controller to disburse funds in an aggregate amount not to exceed \$800,738.98 for the purpose of paying vendors, contractors, claimants, and others, and providing additional payment authority under certain existing City contracts.

MOTION was made by Mr. Gates, **SECONDED** by Mrs. Williams, that the remainder of Item 16 be adopted.

Mr. Pat Vint expressed concern about the amount of money regarding this item.

February 26, 2014

Roll Call:	Ayes:	DiCiccio, Gallego, Gates, Nowakowski, Pastor, Valenzuela, Williams, Vice Mayor Waring, and Mayor Stanton
	Nays:	None
	Absent:	None

MOTION CARRIED. Remainder of Item 16 was adopted in full.

ITEM 34

DISTRICT 8

**ORDINANCE S-40617 -
PT03120003 - EAST BASELINE
PARK-AND-RIDE
CONSTRUCTION
ADMINISTRATION AND
INSPECTION SERVICES**

The Council heard request to authorize the City Manager, or his designee, to enter into an agreement with Kimley-Horn and Associates, Inc., Phoenix, Arizona, to provide construction administration and inspection services in support of the East Baseline Park-and-Ride project; and further requested the City Controller to disburse the funds for the purposes of this ordinance.

Kimley-Horn and Associates, Inc. was selected for this project using a qualifications-based selection process as authorized by Title 34 of the Arizona Revised Statutes.

The site was located at 7415 South 24th Street, approximately 325 feet north of the 24th Street and Baseline Road intersection. The 7.15-acre site was currently a vacant, undeveloped parcel that would be developed to serve local transit routes, as well as the eastern leg of the Central-South RAPID transit service connecting southeast Phoenix to downtown. The new park-and-ride facility would feature: 204 covered parking spaces; an on-site transit security building; closed-circuit television; site lighting that operated at reduced levels overnight; two passenger platforms with bus bays and provisions for RAPID service; on-site and right-of-way hardscape; landscape that incorporated art features; solar features that enabled the site to be cost-neutral; and a comprehensive signage package.

February 26, 2014

The Engineer's services during construction would include, but not be limited to: representation on behalf of the City; administration of the construction schedule; performing site visits; review of shop drawings and test results; interpretation and clarification of contract documents; substantial and final completion inspections; services of an on-site inspector throughout the construction; and special services as might be identified for the project. The estimated construction cost for this project was \$3.3 million.

The Engineering firm's fee would not exceed \$241,431, including all subconsultant and allowable costs.

MOTION was made by Mr. Waring, **SECONDED** by Mrs. Williams, that Item 34 be adopted.

Mrs. Williams was glad the City was fulfilling its promises to the citizens and thanked staff as well as everyone else involved.

Roll Call:	Ayes:	DiCiccio, Gallego, Gates, Nowakowski, Pastor, Valenzuela, Williams, Vice Mayor Waring, and Mayor Stanton
	Nays:	None
	Absent:	None

MOTION CARRIED.

NEW BUSINESS

ITEM 39

CITYWIDE

**REAPPOINTMENT OF CHIEF
PRESIDING JUDGE AND
SETTING OF SALARY**

The Council heard request to reappoint Roxanne K. Song Ong to an annual term as Chief Presiding Judge for the Phoenix Municipal Court for a term to expire on February 9, 2015; requested to maintain salary for Chief Presiding Judge at \$177,200.

MOTION was made by Mr. Gates, **SECONDED** by Ms. Pastor, that Item 39 be approved.

February 26, 2014

Ms. Dianne Barker supported the reappointment of Chief Presiding Judge Roxanne Song Ong. The Municipal Court was Ms. Barker's favorite department because it was a people's court with explicit forms people could reasonably use to present their cases. Chief Presiding Judge Song Ong was smart, having come up through a very patriarchal system. Ms. Barker stated the City needed to look more at qualifications for certain jobs.

Upon addressing the Council, Mr. Pat Vint's testimony was unrelated to this item.

Mr. Nowakowski was privileged to sit on the subcommittee that recommended her reappointment as well as the other judges every four years. The City was blessed to have a presiding judge that was a role model throughout the country and that people came to Phoenix to obtain its best practices. He appreciated the way Court staff mentored young people and opened their courtrooms for youth to observe the system. He thanked Chief Presiding Judge Song Ong for everything she did in the community and expressed his support for the item.

Vice Mayor Waring would be voting no but it was no reflection on Chief Presiding Judge Song Ong's qualifications or work but a matter of the increase in salary last year.

Mr. Gates supported the reappointment based on a number of reasons. The first was the great leadership Chief Presiding Judge Song Ong provided for the court. Secondly, the efficiency efforts made by her team were not only outstanding from a local viewpoint but recognized on the national stage. Finally, he acknowledged Chief Presiding Judge Song Ong for all of her community efforts, particularly her involvement as a judge in the high school mock trial program.

Mr. Nowakowski clarified Chief Presiding Judge Song Ong would maintain her current salary and did not receive a raise this year.

Mr. Valenzuela mentioned Chief Presiding Judge Song Ong had integrity, humility, and was personable, and he also supported the item.

February 26, 2014

Mrs. Williams echoed all of the sentiments stated thus far by her colleagues. Chief Presiding Judge Song Ong had always been the top notch administrator and ran an efficient organization, noting her leadership brought Phoenix to national prominence. She helped staff improve and do things the best way possible which made a significant difference in the lives of the community. Mrs. Williams thanked Chief Presiding Judge Song Ong for all she had done and would do in the future, and supported the reappointment.

Mayor Stanton supported the motion, noting the Municipal Court was the busiest system in Arizona. He politely argued the leadership was just as important as any other judicial system in the state. As was mentioned, Chief Presiding Judge Song Ong's leadership had been recognized by many non-profit organizations, having seen the efficiency and creativity she brought to the position. He added she also worked with the veteran and homeless community as well as domestic violence and the victims.

Roll Call:	Ayes:	DiCiccio, Gallego, Gates, Nowakowski, Pastor, Valenzuela, Williams, and Mayor Stanton
	Nays:	Vice Mayor Waring
	Absent:	None

MOTION CARRIED.

ITEM 40

CITYWIDE

**REAPPOINTMENT OF
MUNICIPAL COURT JUDGES**

The Council heard request to reappoint the following Municipal Court Judges to four-year terms:

<u>Name</u>	<u>Term</u>
Judge Deborah Griffith	December 19, 2017
Judge Lori Metcalf	December 19, 2017
Judge Monyette Nyquist	December 19, 2017
Judge Robert Doyle	January 1, 2018
Judge Kevin Kane	January 1, 2018
Judge Marianne Bayardi	January 17, 2018
Judge Hercules Dellas	January 17, 2018
Judge Michael Hintze	January 17, 2018
Judge Eric Jeffery	January 17, 2018

February 26, 2014

MOTION was made by Mr. Waring, **SECONDED** by Mr. Gates, that Item 40 be approved.

Mr. Pat Vint commented the City needed to have good judges. The remainder of his testimony was unrelated to the item.

MOTION CARRIED UNANIMOUSLY.

ITEM 41

CITYWIDE

**EIGHT-HOUR RULE REQUEST
FOR MUNICIPAL FIBER-OPTIC
NETWORK RESEARCH**

The Council heard request for staff from multiple City departments to spend in excess of eight hours of staff time for planning, researching, and coordinating the feasibility of utilizing fiber-optic networks owned by the City, or other new or existing infrastructure, to allow private companies to provide fiber-to-the-premises services for residential, commercial, or government customers.

MOTION was made by Mr. Waring, **SECONDED** by Mr. Gates, that Item 41 be approved.

Mr. Michael Stull specified Cox had been operating in Phoenix for 20 years but was actually a 50-year-old company. Cox knew something about the deployment of fiber optic networks, noting their network was thousands of miles in length and delivered gigabit speed content to homes and businesses throughout the metropolitan area. He stated Cox had worked very closely with City staff throughout that period along with Council to install their network as quickly as possible.

It was good to see the approach of another company coming into the community and brought to light the opportunity to look at the permitting process and expedite it. Mr. Stull hoped that would apply across the board to other companies. When a business customer called and wanted service Cox generally had 30-60 days to provide it so time was of the essence. He remarked the quicker Cox could deploy the fiber in the ground to businesses and residents the better.

Mr. Pat Vint requested the Council listen to private enterprise such as Cox and encouraged a quicker permitting process.

February 26, 2014

Mr. Gates appreciated Mayor Stanton placing this item on the agenda and for working with Mayors Lane and Mitchell regarding the opportunity to have Google fiber throughout the valley. Cox had been a great partner over the years and this would provide another option to help attract more high-tech jobs and entertainment in a quicker way to residents. Mr. Gates supported the item and agreed the City needed to look at how to streamline the processes for putting in infrastructure which included broadband, fiber, wireless, and the like.

Mayor Stanton said this was part of a checklist Google fiber was going through in order to make the major investment. This task would take a significant amount of time led by the City Manager and his team if the item was approved. Further, it was his intent to have the City Manager and staff report back to the Council at a policy session on a quarterly basis to receive an update on the process.

Mr. Valenzuela was excited about this item as it was good to have another provider. This was the type of infrastructure many technical companies looked for when they relocated. Also, he thought it was important for children and adults studying at home as it would help with education. He stressed staff had to have an opportunity to do all the research which was the first step that would ultimately help entrepreneurs.

Mr. DiCiccio believed the competition was good for the city because it drove down prices as well as allowed for better and higher quality services. He wanted to make sure there was an even playing field for all companies. Further, he wished to know what the process was for current companies that had been local supporters. Cox and other businesses served challenged areas that other companies did not want to provide service. In fact, other companies picked and chose areas that might be more lucrative. Since there were different levels of competition he requested a matrix of how each business was treated tax-wise along with the permitting process. For example, Internet-based companies with product in the ground might be taxed at a higher rate because of a fee but telecommunications were located on a pole.

Ms. Gallego was eager to have a more robust network and thought this was critical infrastructure for the City that would drive the technology hub many on Council hoped to continue supporting. This would also help close the digital divide since many people could not afford Internet or some areas that were affluent did not have high-speed Internet due to geographic challenges such as dense mountain rock. In any case, she looked forward to having more competition.

February 26, 2014

Roll Call:	Ayes:	DiCiccio, Gallego, Gates, Nowakowski, Pastor, Valenzuela, Williams, Vice Mayor Waring, and Mayor Stanton
	Nays:	None
	Absent:	None

MOTION CARRIED.

ITEM 42

CITYWIDE

**ISSUE REQUEST FOR
PROPOSAL FOR SUMMER
YOUTH EMPLOYMENT
PROGRAM**

The Council heard request to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for the Rising Phoenix Youth Summer Youth Employment Program.

The city of Phoenix's Community and Economic Development Department (CEDD), Business and Workforce Development Division, was seeking offers from youth-serving community organizations, faith based organizations, and public entities to provide summer youth employment services to youth ages 16-21, within the city of Phoenix.

MOTION was made by Mr. Waring, **SECONDED** by Mr. Gates, that Item 42 be approved.

Mr. Pat Vint thought this was a wonderful program and requested that youth get on-the-job training. He felt the young should attend these meetings to see their government in action.

Mayor Stanton clarified the RFP did not require students attend Council meetings.

MOTION CARRIED UNANIMOUSLY.

February 26, 2014

ITEM 43

DISTRICT 8

**FINAL PLAT - ARIZONA
CUSTOM, LLC - 130072**

The following final plat was reviewed by the Planning and Development Department in accordance with the provisions of Section 32-21 of the Phoenix City Code, and was approved on February 10, 2014:

Plat 130072
Project 13-1602
Name of Plat: Arizona Custom, LLC
A One-Lot Commercial Plat
Generally located at 1738 West Lincoln Street

Owner(s): Arizona Custom Millwork & Contracting, Inc.
Engineer(s): Griffin-Jacobs Engineering, Inc.

It was recommended that the above plat be approved by the City Council and certified by the City Clerk.

MOTION was made by Mr. Waring, **SECONDED** by Mr. Gates, that Item 43 be approved.

Mr. Pat Vint expressed support for this item.

MOTION CARRIED UNANIMOUSLY.

PLANNING AND ZONING MATTERS

ITEM 44

CITYWIDE

**ORDINANCE G-5897 -
PUBLIC HEARING -
Z-TA-14-13 - EXPAND
BOUNDARIES FOR
SINGLE-FAMILY ATTACHED
DEVELOPMENT OPTION**

The Council heard request to hold a public hearing and approve the text amendment changes for the following item by adopting the Planning Commission's recommendation and the related ordinance.

Application: Z-TA-14-13

February 26, 2014

- Request: Expand boundaries for the Single-Family Attached (SFA) Development Option
- Proposal: Amend Chapter 6, Section 608.F.5 (Residence Districts) of the Zoning Ordinance to expand the boundaries for the Single-Family Attached (SFA) Development Option.
- Applicant: Planning and Development Department
- Staff: Approved.
- VPC Action: Maryvale – January 8, 2014 – Approved. Vote 9-0
Laveen – January 13, 2014 – Approved. Vote 6-0
North Mountain – January 15, 2014 – Approved. Vote 11-0
Estrella – January 21, 2014 – Approved. Vote 6-0
Alhambra – January 28, 2014 – Approved. Vote 9-1
Camelback East – February 4, 2014 – Approved modified boundary. Vote 12-0
- PC Action: February 11, 2014 – Approved per the memo from Tricia Gomes dated February 10, 2014, which included the removal of areas in Camelback East, which were primarily dedicated to single-family uses. Vote 7-0
- CC Subcommittee Action: Neighborhoods, Housing, and Development Subcommittee – February 18, 2014 – Recommendation would be provided in the back-up City Council Report.

The following language was subject to discussion at the meeting and the City Council might add, delete, or amend the language.

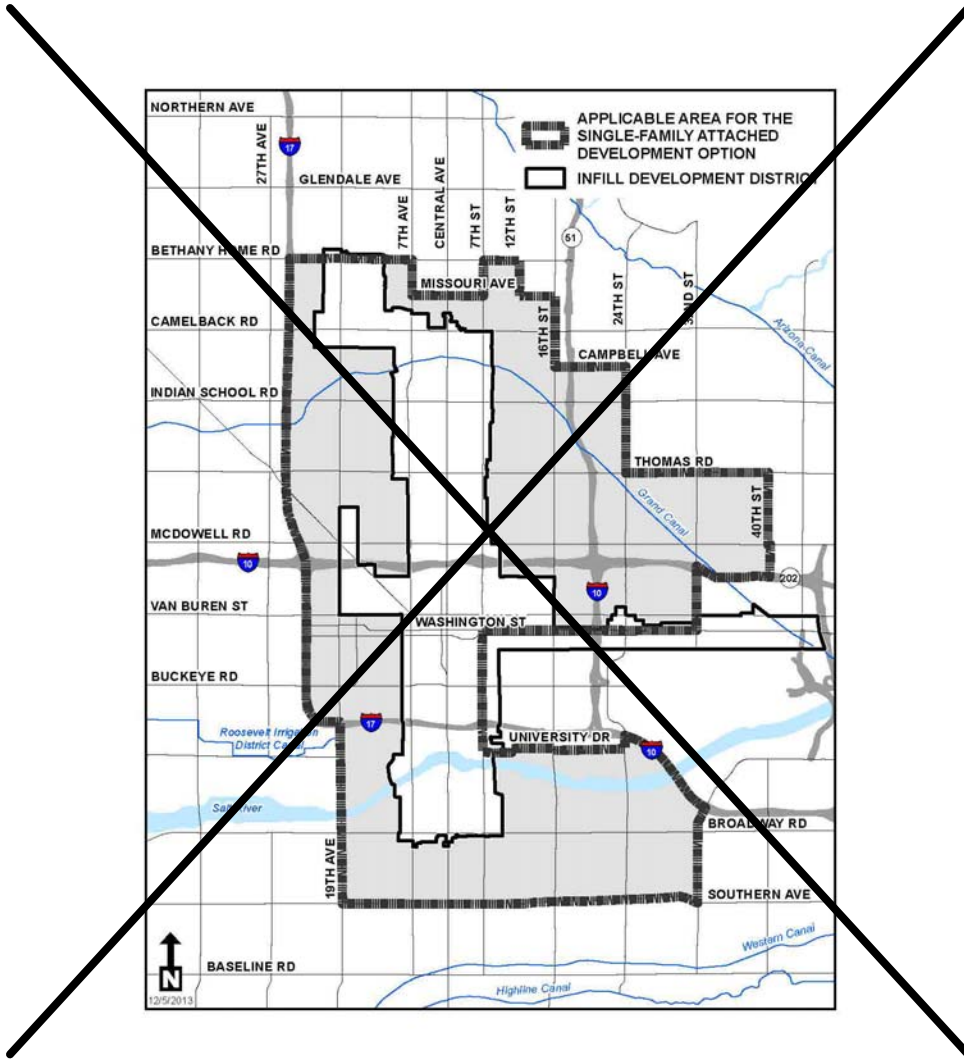
Proposed Language

Amend Chapter 6, Section 608.F.5 (Residence Districts) by replacing the district boundary map to read as follows:

F. Permitted with Use Permit Approval Pursuant to Section 307.

- 5. Single-family attached (SFA) development option is allowed within the infill development district identified in the General Plan and with Use Permit approval for R-2, R-3, R-3A, R-4, R-5, R-4A, C-1, C-2, and C-3 zoned properties within the following boundaries:

February 26, 2014



February 26, 2014

Mayor Stanton declared the public hearing open.

Mr. Pat Vint asserted everyone had a right to expand their house.

Mayor Stanton clarified this item dealt with allowing a certain type of development in particular zones called single-family attached.

Acting Planning and Development Director Alan Stephenson explained this request would permit a single-family attached product and did not change someone's right to attach onto their existing home. He displayed examples of the style of housing this amendment allowed, noting the current property was owned by a condo association.

Mr. Vint expressed the image was beautiful and knew some people liked to live in high-rise buildings.

Noting there was no one else present wishing to speak, Mayor Stanton declared the public hearing closed.

Mr. Gates supported this item as it expanded the single-family attachment development option to the Sunnyslope area located in District 3. This was the type of thing that would help move forward the redevelopment of Sunnyslope. He appreciated Mr. Stephenson and his staff for working with the villages to see if there was support for expanding this option to Sunnyslope as well as getting the public's input.

MOTION was made by Ms. Gallego, **SECONDED** by Mr. Nowakowski, that Item 44 be approved per the Neighborhoods, Housing, and Development Subcommittee recommendation and to adopt the related ordinance.

Roll Call:	Ayes:	DiCiccio, Gallego, Gates, Nowakowski, Pastor, Valenzuela, Williams, Vice Mayor Waring, and Mayor Stanton
	Nays:	None
	Absent:	None

MOTION CARRIED.

February 26, 2014

ADJOURNMENT

There being no further business to come before the Council, Mayor Stanton declared the meeting adjourned at 4:17 p.m.

MAYOR

ATTEST:

CITY CLERK

0226min.doc/SC

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the formal session of the City Council of the City of Phoenix held on the 26th day of February, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 17th day of April, 2014.

City Clerk

- 466 -

February 26, 2014