

PHOENIX CITY COUNCIL FORMAL AGENDA



Mayor Greg Stanton

Vice Mayor
District 2
Jim Waring

District 1
Thelda Williams

District 3
Bill Gates

District 4
Laura Pastor

District 5
Daniel Valenzuela

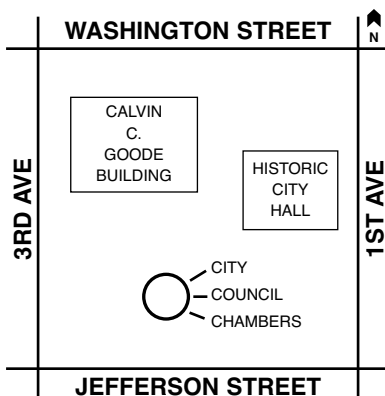
District 6
Sal DiCiccio

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 neighbors will often attend Phoenix City Council meetings. Democracy cannot endure without an informed and involved electorate.

Phoenix operates under a Council-Manager form of local government. Policy is set by the Mayor and Council, and the City Manager, who is appointed by the Council, directs staff to carry out the policies. 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 generally holds a "formal" meeting at 3:00 p.m. on Wednesdays to take official action on Ordinances, Resolutions, and other items on the agenda. Although the formal agenda is subject to change, all changes to the printed agenda will be available 24 hours prior to the meeting. The City Council does not meet every Wednesday, so visit <http://phoenix.gov/citygovernment> or call the City Clerk Department at 602-262-6811 to confirm the date of the next formal meeting.

The "formal" meeting may appear to proceed very quickly, with important decisions reached with little discussion. However, the agenda is available to Council Members the Thursday prior to the meeting, giving them the opportunity to study every item and to ask questions of City staff members. If no additional facts are presented at the meeting, action may be taken 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, Citizen Comments are heard beginning 15 minutes before and, if necessary, immediately after the meeting. Any member of the public will be given three minutes to address the council on issues of interest or concern to them. Speakers will be called in the order in which requests to speak are received. As mandated by the Arizona Open Meeting Law, officials may not discuss items not on the agenda, but may direct staff to follow-up with the citizen.

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 must 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.

ACCESSIBILITY

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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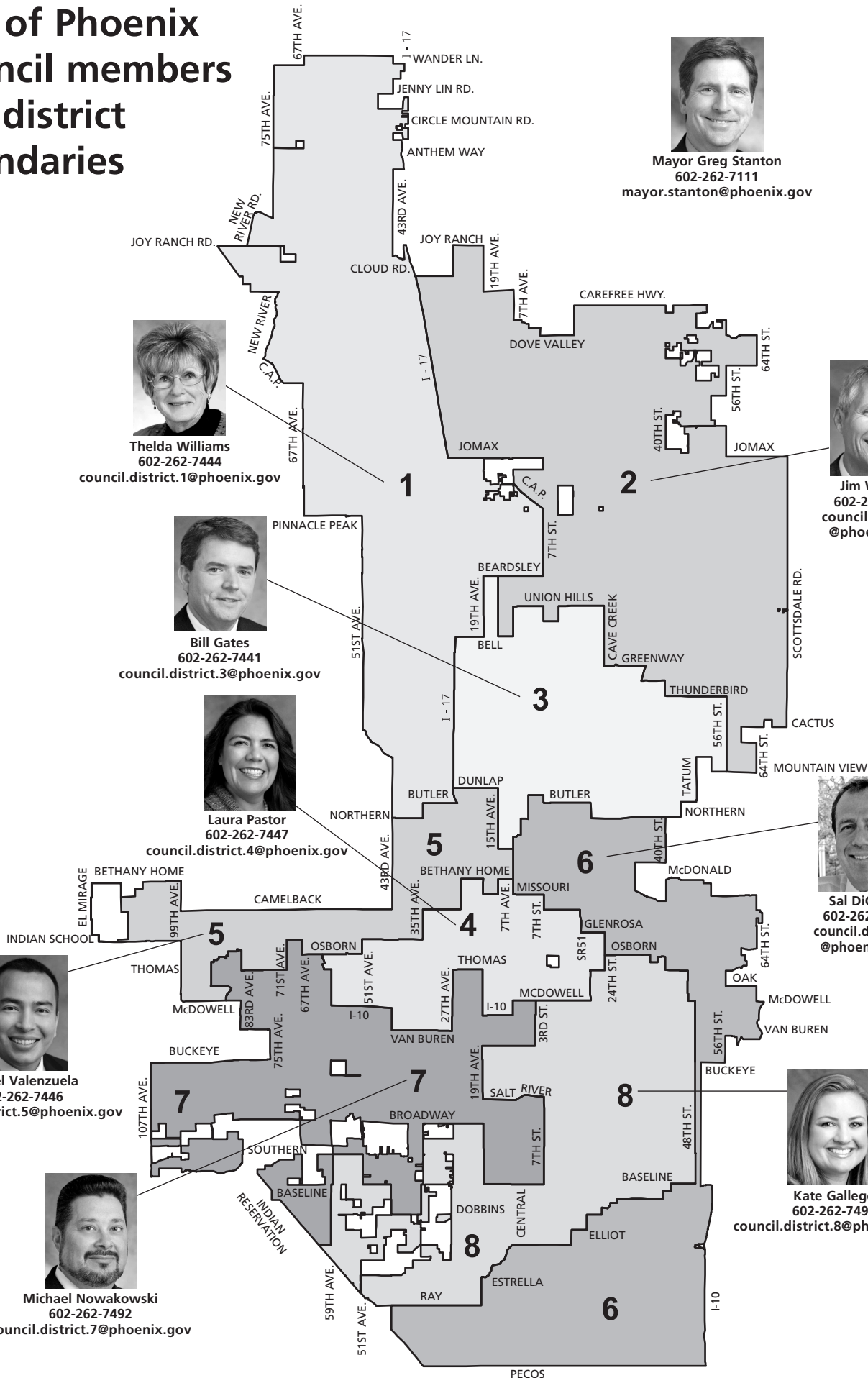
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**WEDNESDAY, MAY 7, 2014, 1:30 P.M.
COUNCIL CHAMBERS, 200 WEST JEFFERSON
PHOENIX, ARIZONA 85003**

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<u>ITEM 2</u>	DISTRICT 1	LIQUOR LICENSE APPLICATION - METRO PLAZA HOTEL <hr/>
<u>ITEM 3</u>	DISTRICT 1	LIQUOR LICENSE APPLICATION - WET N WILD PHOENIX <hr/>
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<u>ITEM 8</u>	DISTRICT 7	LIQUOR LICENSE APPLICATION - JOHNSON BROTHERS LIQUOR COMPANY OF ARIZONA <hr/>
<u>ITEM 9</u>	DISTRICT 8	LIQUOR LICENSE APPLICATION - THE BREAK ROOM BAR & GRILL <hr/>
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<u>ITEM 17</u>	CITYWIDE	ORDINANCE S-40697 - ADOPT AND SUBMIT 2014 2015 ANNUAL AGENCY PLAN TO HUD AND AMEND SECTION 8 ADMINISTRATIVE PLAN AND PUBLIC HOUSING ACOP
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<u>ITEM 19</u>	DISTRICT 8	ORDINANCE S-40720 - ACQUISITION OF EIGHT OCCUPIED RESIDENTIAL PROPERTIES FOR THE COMMUNITY NOISE REDUCTION PROGRAM
<u>ITEM 20</u>	DISTRICT 8	ORDINANCE S-40721 - ACQUISITION OF ELEVEN OCCUPIED RESIDENTIAL PROPERTIES FOR THE COMMUNITY NOISE REDUCTION PROGRAM
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<u>ITEM 22</u>	CITYWIDE	ORDINANCE S-40785 - PAYMENT ORDINANCE
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<u>ITEM 70</u>	CITYWIDE	ORDINANCE S-40833 - AMEND AGREEMENT 131673 WITH BIO-AQUATIC TESTING, INC.
<u>ITEM 71</u>	CITYWIDE	ORDINANCE S-40834 - AMEND AGREEMENT 131691 WITH TEST AMERICA LABORATORIES, INC.
<u>ITEM 72</u>	CITYWIDE	ORDINANCE S-40835 - AMEND AGREEMENT 131724 WITH EUROFINS EATON ANALYTICAL, INC.
<u>ITEM 73</u>	CITYWIDE	ORDINANCE S-40836 - JOINT FUNDING AGREEMENT WITH U.S. DEPARTMENT OF THE INTERIOR, U.S. GEOLOGICAL SURVEY FOR STORMWATER MONITORING SERVICES
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WEDNESDAY, MAY 7, 2014, 3:30 P.M.
COUNCIL CHAMBERS, 200 WEST JEFFERSON
PHOENIX, ARIZONA 85003**

ITEM S-1	CITYWIDE	<u>PUBLIC COMMENT PROPOSED MOU BETWEEN THE CITY OF PHOENIX AND AFSCME LOCAL 2960 (UNIT 3)</u>
ITEM S-2	CITYWIDE	<u>RESOLUTION 21224 - MOU BETWEEN THE CITY OF PHOENIX AND AFSCME LOCAL 2960 (UNIT 3)</u>
ITEM S-3	CITYWIDE	<u>PUBLIC COMMENT PROPOSED MOU BETWEEN THE CITY OF PHOENIX AND THE PHOENIX FIRE FIGHTERS ASSOCIATION, IAFF LOCAL 493 (UNIT 5)</u>
ITEM S-4	CITYWIDE	<u>RESOLUTION 21225 - MOU BETWEEN THE CITY OF PHOENIX AND THE PHOENIX FIRE FIGHTERS ASSOCIATION, IAFF LOCAL 493 (UNIT 5)</u>
ITEM S-5	CITYWIDE	<u>RESOLUTION 21226 -</u>

**UNRESOLVED ISSUES BETWEEN THE CITY OF
PHOENIX AND AFSCME LOCAL 2384 (UNIT 2)**

[ITEM S-6](#)

CITYWIDE

**RESOLUTION 21227 -
UNRESOLVED ISSUES BETWEEN THE CITY OF
PHOENIX AND PLEA (UNIT 4)**

AGENDA FOR FORMAL MEETING

**PHOENIX CITY COUNCIL
WEDNESDAY, MAY 7, 2014, 1:30 P.M.
COUNCIL CHAMBERS, 200 WEST JEFFERSON
PHOENIX, ARIZONA 85003**

NOTE: PLANNING AND ZONING ITEMS 85 AND 86 WILL NOT BE HEARD PRIOR TO 3:00 P.M.

A SPECIAL MEETING OF THE CITY COUNCIL WILL BE HELD AT 3:30 PM TO HEAR PUBLIC COMMENT ON PROPOSED MOUS OR ON UNRESOLVED ISSUES BETWEEN THE CITY OF PHOENIX AND THE "MEET AND CONFER" LABOR UNITS, AND TAKE ACTION. INFORMATION REGARDING THE ITEMS CAN BE FOUND BEGINNING ON PAGE 99.

INVOCATION

The invocation to be given by Chaplain Mary Angulo-Cordova, American Legion Auxiliary, Unit 41.

PLEDGE

The Pledge of Allegiance to the Flag to be led by Vice Mayor Jim Waring.

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 RULES - SWEARING IN OF A MUNICIPAL COURT JUDGE

Request to suspend the rules and change the order of business to permit administering the oath of office for the Honorable Wilbur Hudson for a term to expire on May 24, 2015, as Judge of the Phoenix Municipal Court.

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. Jonovich, and the City Manager's Office and City Council Office.

LIQUOR LICENSE APPLICATIONS

ITEM 2

DISTRICT 1

LIQUOR LICENSE APPLICATION - METRO PLAZA HOTEL

Request for a Series 11, Hotel/Motel-All Liquor on Premises, liquor license in an area zoned C-2. Arizona State Application 11077037.

Applicant: Michael Norville, Agent
Metro Plaza Hotel
10220 North Metro Parkway, East

This request is for a new Series 11 liquor license for a hotel. This location was previously licensed for liquor sales and is currently operating with 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 is Sunday, May 18, 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: "We are currently a full service hotel. We have hired a very experienced hotel manager. He has been the general manager of several outstanding hotels in Arizona and elsewhere. I personally have extensive knowledge of the Arizona liquor laws and regulations as I worked as a Assistant City Attorney in the criminal division for over 25 years."

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

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

ITEM 3

DISTRICT 1

LIQUOR LICENSE APPLICATION - WET N WILD PHOENIX

Request for a Series 7, On Sale-Beer and Wine, liquor license in an area zoned RE-43. Arizona State Application 07070848.

Applicant: Randy Nations, Agent
Wet N Wild Phoenix
4243 West Pinnacle Peak Road

This request is for an ownership transfer of a Series 7 liquor license from Harvest Family Entertainment Arizona, LLC to Arizona Park Holdings, LLC for a water park. This location was previously licensed for liquor sales and is currently operating with 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 is Saturday, May 10, 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 database indicates that the applicant does not currently 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 currently 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: "From 1989-2005, as Chairman and CEO of Six Flags, Inc. (and its predecessor companies), I was an officer of numerous subsidiary companies that held liquor licenses in various states, including California, Colorado, Illinois, Kentucky, Maryland, Massachusetts, New Jersey, New York, Missouri, Texas, and Washington. I am currently a controlling person, managing member and officer of the following entities that have liquor licenses issued by the states indicated: 1) Nashville Shores Holdings, LLC - Tennessee (operates Nashville Shores Water Park, Nashville, TN); 2) Ocean Breeze Beverage, LLC - Virginia (operates Ocean Breeze Water Park, Virginia Beach, VA); 3) Clementon Lake Holdings, LLC - New Jersey (operates Clementon Park and Splash World, Clementon, NJ); 4) Premier Attractions Management, LLC - Oklahoma (operates Frontier City Amusement Park and White Water Bar Water Park in Oklahoma City, OK) and Texas (Splash Town Water Park in Spring, TX); 5) SC Water Park Holdings, LLC - California (operates Wet 'n' Wild Palm Springs Water Park in Palm Springs, CA)."

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

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

ITEM 4

DISTRICT 1

**LIQUOR LICENSE APPLICATION -
REC ROOM SPORTS GRILL**

Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-1. Arizona State Application 12079842.

Applicant: Jerry Ubelhor, Agent
 Rec Room Sports Grill
 3549 West Thunderbird Road

This request is for a new Series 12 liquor license for a restaurant. This location was previously licensed for liquor sales as Thunderbird Roadhouse until March 2013 and does not have an interim permit. The operation plan filed with the application shows that the restaurant area seats 85 and the bar area seats 40. This business will have outdoor dining and outdoor alcohol consumption. 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, May 15, 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: "Applicant is committed to upholding the highest standards for alcohol sales and service. Managers and staff are trained, or will be, in the techniques of legal and responsible sales and service."
- B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "The restaurant will provide a safe and comfortable environment for guests to relax and enjoy a meal with family and friends. Applicant would like to offer alcohol beverages to guests 21 and over as an incident to the meals."

5. Neighborhood Stability

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

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	7.1	6.4
Property Crimes	45.04	71.2	67.8

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	195
Total Violations	105	340

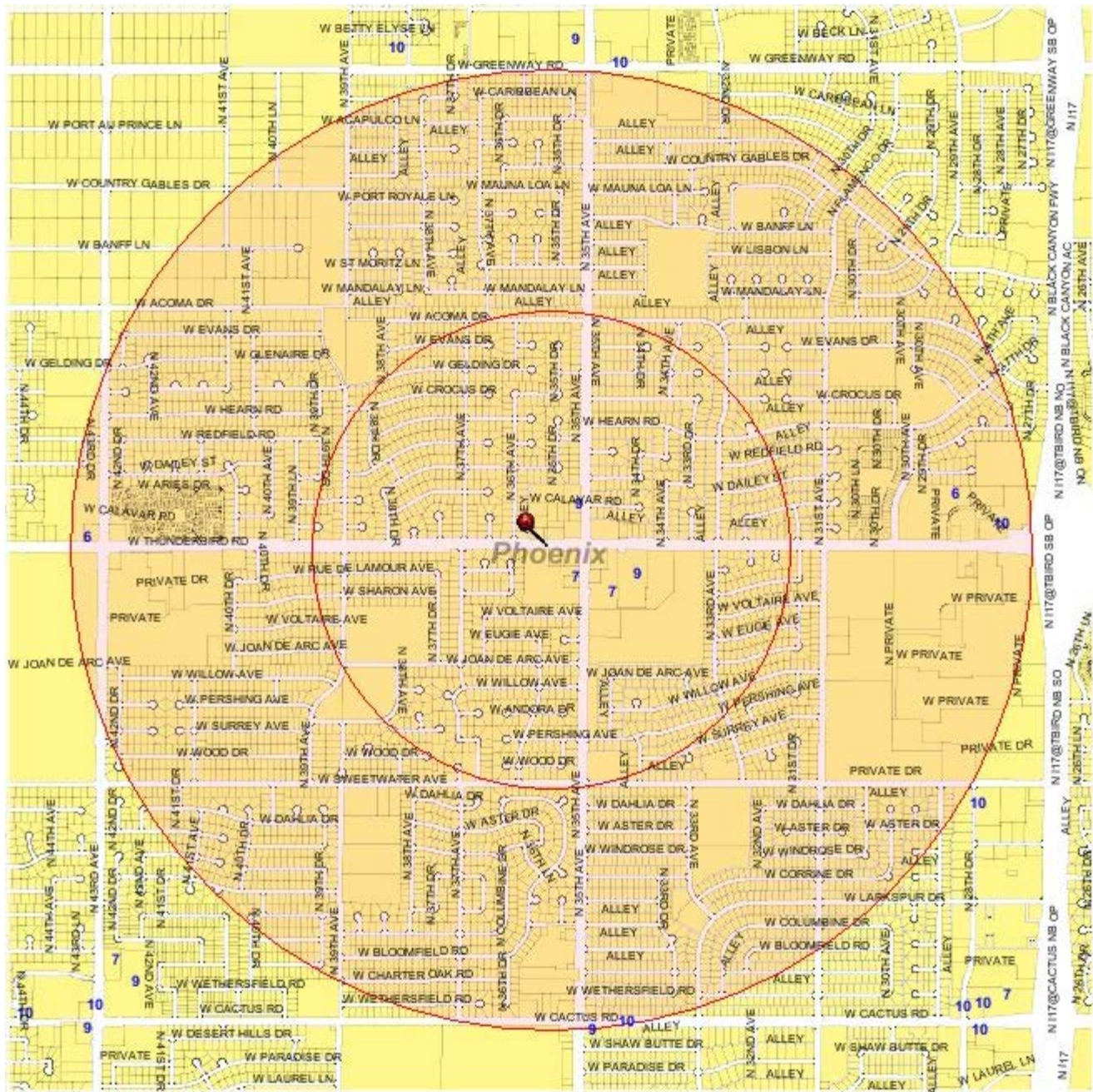
Census 2010 Data 1/2 Mile				
Block Group	2010 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1040003	1994	97%	0%	11%
1040004	2512	53%	9%	17%
1041003	1454	87%	0%	7%
1041004	1847	89%	14%	9%
1042021	1471	85%	2%	7%
1042022	2649	87%	0%	15%
1042023	1420	88%	18%	4%
1042122	1606	75%	22%	4%
1042124	2501	80%	3%	5%
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 1
 Jerry Ubelhor, Agent
 Rec Room Sports Grill
 3549 West Thunderbird Road



ITEM 5 DISTRICT 1 LIQUOR LICENSE APPLICATION - 007 PUB

Request for a Series 6, On Sale-All Liquor, liquor license in an area zoned C-2. Arizona State Application 06070666.

Applicant: James Romesburg, Agent
007 Pub
4330 West Union Hills Drive, #B-007

This request is for an ownership and location transfer of a Series 6 liquor license from New River for a bar. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in July 2014. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Sunday, May 11, 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 - One letter with two valid signatures protesting the issuance of this license has been received and is on file in the Office of the City Clerk.

The letter is from two local residents. They are concerned with the location of the proposed license, which is next door to a martial arts studio. They feel that the issuance of this license will increase the risk of harm to young students who attend the studio. They also believe that the addition of a bar to the neighborhood will reduce the safety and security of the area.

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 40 years experience in the restaurant and bar 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: "This neighborhood has no small bar to service the area and will be an asset to this community"

5. Neighborhood Stability

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

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	3.12	2.75
Property Crimes	45.04	44.12	45.12

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	51
Total Violations	105	73

Census 2010 Data 1/2 Mile				
Block Group	2010 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
6161002	1279	89%	0%	4%
6162001	1405	82%	17%	3%
6162002	1726	84%	10%	4%
6163001	2022	85%	9%	8%
6181002	1569	92%	0%	6%
6181003	1271	93%	6%	0%
6182002	2381	41%	12%	10%
Average		61%	13%	19%

6. Staff Recommendation - Staff gave careful consideration to the protest letter received; however, after reviewing the application in its entirety staff is recommending approval of this application.

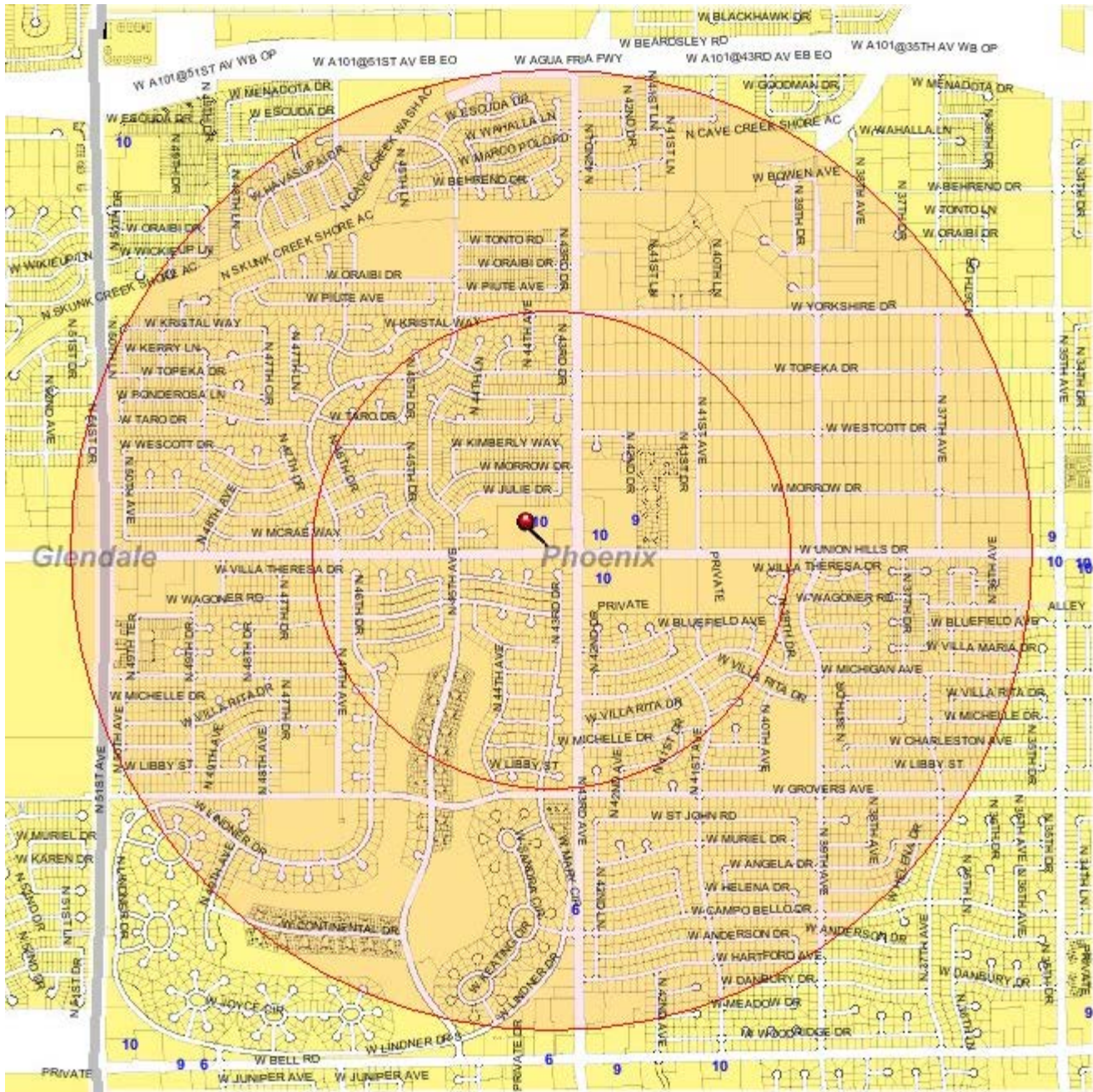
Staff also notes that the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances prior to beginning operations.

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 1

James Romesburg, Agent
007 Pub
4330 West Union Hills Drive, #B-007



ITEM 6

DISTRICT 4

**LIQUOR LICENSE APPLICATION -
CARNICERIA LOS REYES**

Request for a Series 10, Off Sale-Beer and Wine, liquor license in an area zoned C-2. Arizona State Application 10076517.

Applicant: Edel Alcaraz, Agent
Carniceria Los Reyes
1603 North 16th Street

This request is for a new Series 10 liquor license for a convenience store that does not sell gas. This location was previously licensed for liquor sales as La Hacienda Super Carniceria #1 and is currently operating with 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 is Monday, May 19, 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 believe that having a liquor license is the same as a driver's license a priviledge so I intend to take care of it, and not do anything to jepordize anything to get it revoked or suspended and abby by the law, therefore I have the capability to do so."

5. 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.

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

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

**ITEM 7 DISTRICT 6 LIQUOR LICENSE APPLICATION - SPECIAL
EVENT - THE CEDAR
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>
6	Suzanne Sabbagh The Cedar Club Of Arizona 1702 East Northern Avenue	- <u>Event Location:</u> 1702 East Northern Avenue
	(Dinner/Dance)	- <u>Day/Date/Time:</u> Friday, May 9, 2014 8:00 p.m. to 12:30 a.m.
		- <u>Total Expected Attendance:</u> 160

Staff Recommendation - Staff recommends approval of this application.

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

ITEM 8 DISTRICT 7 LIQUOR LICENSE APPLICATION -

**JOHNSON BROTHERS LIQUOR COMPANY OF
ARIZONA**

Request for a Series 4, Wholesaler, liquor license in an area zoned A-1. Arizona State Application 04073198.

Applicant: Camila Alarcon, Agent
Johnson Brothers Liquor Company of Arizona
431 North 47th Avenue

This request is for an acquisition of control of a Series 4 liquor license for a wholesaler. 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, May 17, 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 database indicates that the applicant does not currently 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 currently 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: "Applicant's shareholders have interests in 17 other importer or wholesale licenses in South Dakota, North Dakota, Wisconsin, North Carolina, Iowa, Rhode Island, Florida, Minnesota, and Hawaii. There are also numerous affiliated companies. Applicant has operated a wholesale distribution company in Arizona since 2008 without incident. In its new structure, it will continue to be committed to adhering to all of Arizona's liquor laws."

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

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

ITEM 9

DISTRICT 8

**LIQUOR LICENSE APPLICATION - THE BREAK
ROOM BAR & GRILL**

Request for a Series 6, On Sale-All Liquor, liquor license in an area zoned C-2. Arizona State Application 06070264.

Applicant: Laurie Douthit, Agent
The Break Room Bar & Grill
4729 East McDowell Road

This request is for an ownership transfer of a Series 6 liquor license from PSN13, LLC to HTI2D, LLC for a bar. This location was previously licensed for liquor sales and is currently operating with 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 is Monday, May 19, 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 database indicates that the applicant does not currently 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 currently 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 held an Arizona Real Estate license for 14 years and have complied with all laws and have been in good standing with the State. I have attending both Basic and Management liquor law training and will secure liquor law training for my staff. I will fully comply with all City, State and County law and ordinances."

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

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

ITEM 10 **DISTRICT 8** **LIQUOR LICENSE APPLICATION - THE LOCAL**

Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned DTC-East Evans Churchill. Arizona State Application 12079848.

Applicant: Andrea Lewkowitz, Agent
 The Local
 1011 North 3rd Street, Unit A

This request is for a new Series 12 liquor license for a restaurant. This location was previously licensed for liquor sales as Scratch French Cafe until October 2012 and is currently operating with an interim permit. The operation plan filed with the application shows that the restaurant area seats 64 and the bar area seats 30. This location is within 2,000 feet of a light rail station.

The sixty-day limit for processing this application is Monday, May 19, 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: "Applicant is committed to upholding the highest standards for alcohol sales and service. Managers and staff are trained, or will be, in the techniques of legal and responsible sales and service."

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

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

ITEM 11 **DISTRICT 8** **LIQUOR LICENSE APPLICATION -**

Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-2. Arizona State Application 12079845.

Applicant: David Jung, Agent
 DJ's Wings & Pizza
 3275 East McDowell Road

This request is for a new Series 12 liquor license for a restaurant. This location was previously licensed for liquor sales as Mariscos Terra Mar until October 2011 and does not have an interim permit. The operation plan filed with the application shows that the restaurant area seats 90 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 Saturday, May 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(s):

Ebisu Sushi & Grill
 39510 North Daisy Mountain Road, #160
 Anthem, 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 - 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 already hold one at another 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: "I obey all laws including state and federal laws and liquor laws."

5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Bar	6	2	1
Beer & Wine Bar	7	1	0
Liquor Store	9	4	2
Beer & Wine Store	10	10	3
Restaurant	12	2	1

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	18.65	15.42
Property Crimes	45.04	93.95	89

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	149
Total Violations	105	361

Census 2010 Data 1/2 Mile

Block Group	2010 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1114012	2000	67%	23%	29%
1114022	2120	45%	17%	31%
1115011	2020	44%	16%	43%
1115023	1245	32%	14%	50%
1115024	1708	40%	25%	53%
1135011	2332	25%	12%	55%
1135012	1738	41%	26%	36%
1136011	1911	16%	21%	11%
1136012	1471	36%	14%	49%
1136021	1061	49%	11%	53%
Average		61%	13%	19%

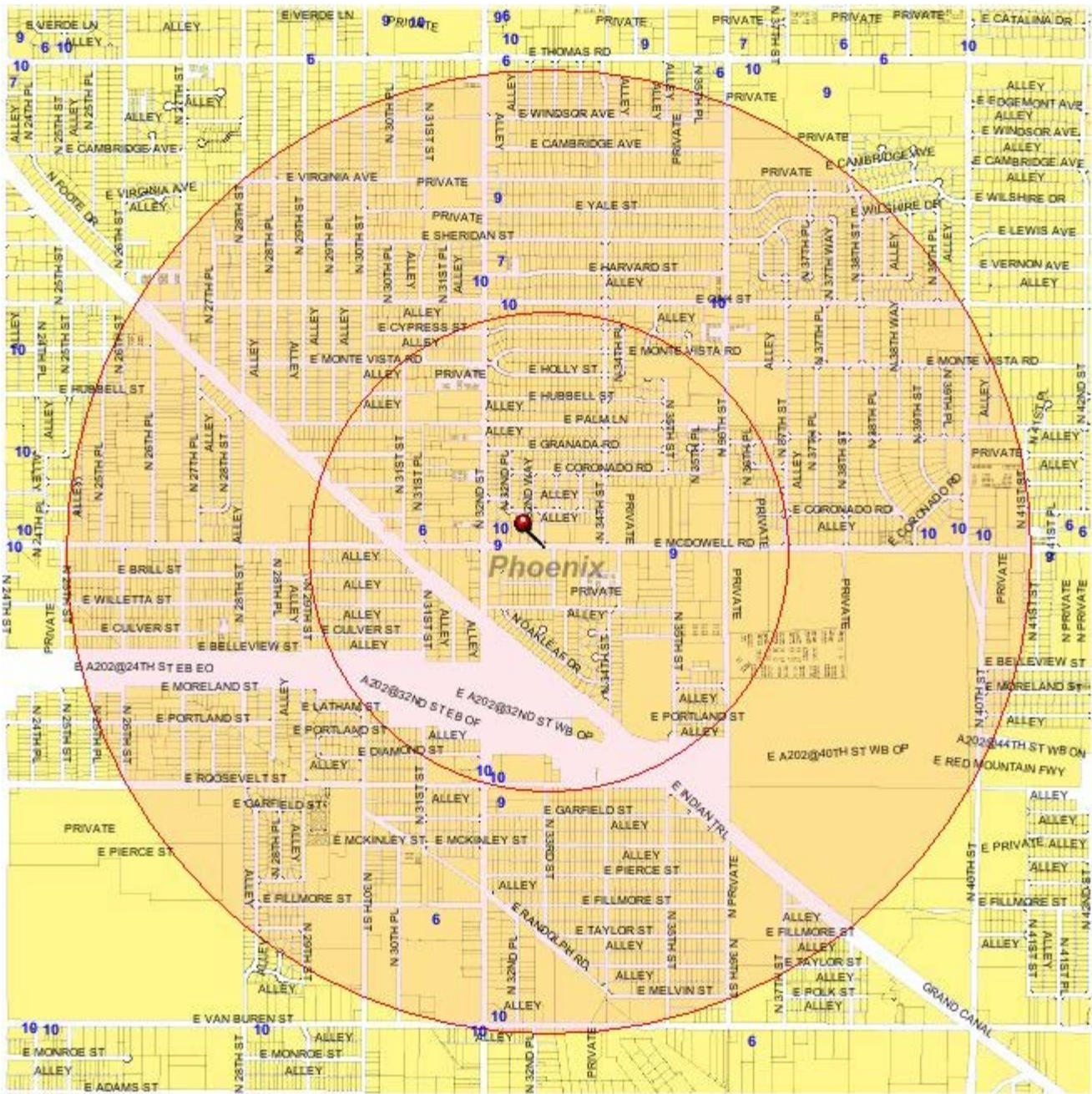
6. Staff Recommendation - Staff recommends approval of this application.

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 8

David Jung, Agent
 DJ's Wings & Pizza
 3275 East McDowell Road



PETITIONS, COMMUNICATIONS, AND PUBLIC HEARINGS

ITEM 12

DISTRICT 1

**MODIFICATION OF STIPULATION REQUESTS
FOR RATIFICATION OF PLANNING HEARING
OFFICER ACTION**

Request to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on April 16, 2014.

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

DISTRICT 1
51ST AVENUE AND BEHREND DRIVE
APPLICANT: MICHAEL NUESLE -
MPC DEVELOPMENT
OWNER: ARROWHEAD LOAN
PARTNERS, LLC
REPRESENTATIVE: BRUCE TULLY -

- A. Application: Z-78-86-2(1)
Existing Zoning: C-1
Acreage: 4.62
Location: Approximately 320 feet east of the northeast corner of 51st Avenue and Behrend Drive
Proposal: 1) Modification of Stipulation 1 regarding general conformance with the site plan dated February 8, 2012.
2) Deletion of Stipulation 6 regarding a time extension of the conditional zoning.

The Planning Hearing Officer recommended approval.

The Deer Valley Village Planning Committee did not review this request.

Stipulations

1. ~~That~~ That the property be developed in general conformance to the plan dated ~~February 8, 2012~~ ~~APRIL 7, 2014~~, for the C-1 portion of the site and in general conformance to the plan submitted on April 6, 1994, for the R-3 portion of the site (as may be modified by the development review process).
2. That West Wahalla be terminated in an acceptable manner, as approved by the Planning and Development Department.
3. That the R-3 portion have street frontage or a variance approved prior to final site plan review.
4. That the entire site be subject to Planning and Development Department review pursuant to Section 507 of the Zoning Ordinance.
5. That the applicant provide for integrated circulation with the parcel to the north, as approved by the Planning and Development Department.
- ~~6.~~ ~~That a 36 month time extension of the conditional zoning time stipulation be granted from the date of City Council final approval.~~
- ~~7-~~6. That the C-1 site provide landscaping as required per Zoning Ordinance Section 622.D.3.
- ~~8-~~7. That all units along the east property line be limited to one story in height.
- ~~9-~~8. That a 6-foot concrete masonry unit (CMU) wall be provided around the perimeter of the site.
- ~~40-~~9. That sufficient right-of-way be dedicated within one year of final City Council action to provide:
 - a) A 55-foot half street for 51st Avenue.
 - b) Additional right-of-way may be required by the Planning and Development Department. However, any additional right-of-way may be dedicated concurrently with final site plan review.
- ~~44-~~10. That development be limited to a maximum of 96 dwelling units in the R 3 portion of the site.
- ~~42-~~11. That the balance of the stipulations from Rezoning Application 78-86-1 still apply.

APPLICANT: GOLD MOUNTAIN 22, LLC
OWNER: GOLD MOUNTAIN 22, LLC
REPRESENTATIVE:
TOM KIRK

- B. Application: Z-29-03-1
Existing Zoning: R1-8 PRD
Acreage: 1.15
Location: Southeast corner of 67th Avenue alignment and the Pinnacle Vista Drive alignment (6535 West Gold Mountain Pass)
Proposal: 1) Modification of Stipulation 1 regarding the building envelope, cut line, and preservation easement boundary of Lot 24.
2) Technical corrections to Stipulations 2, 3, 7, 8, and 9.

The Planning Hearing Officer recommended approval.

The Deer Valley Village Planning Committee did not review this request.

Stipulations

1. ~~That~~ Development (building envelopes) shall not be allowed above the 20% slope line with the exception of Lots 1, 8, 24, 25, 26, 27, and 28 on the site plan dated May 4, 2004, except Lots 4 and 5 which shall be in specific conformance to the site plan date stamped April 30, 2010, with specific regard to a maximum disturbed hillside area above the 10% slope of 15,620 square feet. The building envelope for Lot 1 shall not exceed the 1525 contour line as shown on the site plan. The existing manmade disturbed areas located above this line shall be chemically treated and revegetated to blend with the surrounding desert, as approved by the PLANNING AND Development ~~Services~~ Department. This stipulation is not intended to allow any further grading for Lot 1 beyond the building envelope. Lot 8 shall be allowed to develop up to the 25% slope line. Lots ~~24~~, 25, 26, and 27 shall be allowed to develop up to the cut line as shown on the site plan. LOT 24 SHALL BE ALLOWED TO DEVELOP UP TO THE CUT LINE AS SHOWN ON THE PRESERVATION EASEMENT AREA EXCHANGE EXHIBIT DATE STAMPED FEBRUARY 28, 2014. The building envelopes for Lots 28 and 29 shall maintain a 100-foot setback from the southern property line. The total numbers of lots on the site shall not exceed 30 lots.
2. ~~That, p~~Per the Street Transportation Department:
 - a. Right-of-way dedications and street alignments for local streets within the subdivision shall be determined by the PLANNING AND Development ~~Services~~ Department at the time of Preliminary Subdivision Plat Review.
 - b. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping, and other incidentals, as per plans approved by the PLANNING AND Development ~~Services~~ Department. All improvements shall comply with all Americans with Disabilities Act accessibility standards.
3. ~~That~~ trails shall be provided as an amenity as illustrated on the site plan date stamped March 31, 2003, as approved or modified by the PLANNING AND Development ~~Services~~ Department to avoid cutting through lots. The intent is to provide central access of interior lots to the common open space
4. That lots along the south boundary of the site shall be limited to single story units.
5. That, prior to the commencement of the sale of individual lots on the property, covenants, conditions, and restrictions (CC&Rs) shall be developed and recorded with the Maricopa County Recorder's Office which, among other things, shall give notice to potential buyers of the property that there exists a quarry/mine with a special permit for a landfill in the quarry, which allows the quarry to also be used as a construction debris landfill. These uses may generate dust and traffic in near proximity to the property. The real estate report filed with the State Real Estate

Department shall also provide the same notice. The language of the notice shall be developed with the involvement of the quarry owner and the City of Phoenix Law Department.

The notice requirements shall not be amended without the consent of the quarry owner except as otherwise provided herein. Each special permit, license for a landfill, and mining permit is a separate entitlement which may permanently and separately be revoked without affecting other entitlements. Upon the permanent revocation of any one of these entitlements, the language in the CC&Rs relating to the specific entitlement may be unilaterally amended or deleted by the property owner.

6. That the subject site has the potential to contain archeological resources. The applicant shall submit an archeological survey prior to final site plan approval for review and approval by the City Archeologist (602) 495-0901.
7. That the developer shall combine Lots 4 and 5 and amend the larger Gold Mountain Subdivision site plan to show the combined lots, as approved by the PLANNING AND Development ~~Services~~ Department.
8. ~~That~~ Portions of the combined 4 and 5 lot that are already disturbed below the 10% slope line shall be revegetated, as approved by the PLANNING AND Development ~~Services~~ Department.
9. ~~That~~ the developer shall file for and pursue a grading waiver for the combined 4 and 5 lot through the PLANNING AND Development ~~Services~~ Department.

ORDINANCES AND RESOLUTIONS

ITEM 13

DISTRICT 4

ORDINANCE G-5914 - AMEND CITY CODE - REZONING APPLICATION Z-1-14-4

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-1-14-4 for the C-2 (Intermediate Commercial) zoning district located at the northwest corner of 12th Street and Campbell Avenue to allow a restaurant and wine bar.

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

ITEM 14

DISTRICT 6

ORDINANCE G-5915 - AMEND CITY CODE - REZONING APPLICATION Z-48-A-12-6

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-48-A-12-6 previously approved by Ordinance G-5793 amended by G-5852 for the PUD (Planned Unit Development) zoning district located at the southeast corner of 16th Street and Georgia Avenue.

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

ITEM 15

DISTRICT 8

ORDINANCE G-5916 - AMEND CITY CODE - REZONING APPLICATION Z-49-13-8

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-49-13-8 for the R1-10 (Single-Family Residence) zoning district located approximately 1,000 feet south of the southeast corner of 35th Avenue and Baseline Road to allow single-family residential.

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

ITEM 16

DISTRICT 8

ORDINANCE S-40695 - ALLOCATION OF GAP FUNDING FOR FUTURE PHASES OF FRANK LUKE ADDITION HOPE VI REVITALIZATION

(Continued from April 16, 2014) - Request to authorize the City Manager, or his designee, to use up to \$5,000,000 of City of Phoenix Affordable Housing Program funds and up to \$2,228,920 of 2006 General Obligation Affordable Housing and Neighborhood Revitalization (GO) Bond funds as presented to the Bond Executive Committee and approved in April 2011, for future phases of the Frank Luke Addition HOPE VI revitalization. Authorization is also requested for the City Manager to execute all necessary documents and the City Controller to disburse the funds over the life of the contract(s).

In May 2011, the U.S. Department of Housing and Urban Development awarded the City of Phoenix a \$20 million HOPE VI Grant to revitalize the former Frank Luke Addition public housing community. The 12.2-acre site is bounded by 16th and 18th Streets, and Villa and McKinley Streets. The revitalized community, now called Aeroterra, will consist of 250 mixed-income rental units built in multiple phases. Implementation of the Frank Luke Addition HOPE VI revitalization project was authorized by Ordinances S-37208, S-38087, and S 38139. The first phase of the development, Aeroterra Senior Village, a 60-unit rental housing community serving seniors and persons with disabilities, was built on 2.5 acres and completed in January 2013.

As currently planned, the future phases of Aeroterra will consist of 190 mixed-income rental units and a 6,500-square-foot Community and Early Childhood Education Resource Center. It is anticipated the units will be completed in three phases, and will be spread over the remaining 9.7 acres in 28 two- and three-story non-elevator, townhouse style buildings.

The Housing Department has allocated up to 48 Section 8 Project Based Vouchers to serve future residents of the Aeroterra community with at least 30 of those vouchers designated for chronically homeless families with a preference for veterans. Housing Community and Supportive Services (CSS) and the Human Services Department will provide a range of services to residents.

Financial Impact

There is no impact to the General Fund. GO Bond funds (\$2,228,920) and Affordable Housing funds (\$5,000,000 from Fiscal Year (FY) 2014, FY2015, and FY2016) may be utilized for future phases of the Frank Luke Addition HOPE VI Revitalization.

The Neighborhoods, Housing, and Development Subcommittee recommended approval of this request on February 18, 2014.

This item is also recommended by Ms. Jonovich and the Housing Department.

ITEM 17

CITYWIDE

**ORDINANCE S-40697 -
ADOPT AND SUBMIT 2014 2015 ANNUAL
AGENCY PLAN TO HUD AND AMEND SECTION 8
ADMINISTRATIVE PLAN AND PUBLIC HOUSING
ACOP**

(Continued from April 16, 2014) - Request to adopt the Housing Department 2014-2015 Annual Agency Plan (AAP) and authorize the City Manager to submit the AAP to the U.S. Department of Housing and Urban Development (HUD). The approved AAP must be submitted to HUD by April 15, 2014, in order for the City to be eligible for continued federal funding.

Further, request the City Council adopt the Amended Section 8 Housing Choice Voucher (HCV) Administrative Plan and the Amended Admissions and Continued Occupancy Plan (ACOP) for Public Housing. These documents provide operational and procedural details for the respective programs and have been amended to conform to changes in recent federal regulations and the AAP.

Policy changes noted in the 2014-2015 Annual Agency Plan include: the addition of up to 48 Project-Based Vouchers to the proposed unit mix for the 2010 HOPE VI grant; intention to apply for a Choice Neighborhoods Initiatives (CNI) grant (if funded by Congress); and possible discussion on a non-smoking policy for public housing. The plan may be viewed online at: http://phoenix.gov/webcms/groups/internet/@inter/@dept/@housing/@rpts/documents/web_content/draft_agency_plan_010214.pdf

The Housing Department worked with a fourteen-member Resident Advisory Board, representing the Conventional, Senior, Scattered Sites, and Section 8 Housing Choice Voucher programs to develop the Annual Agency Plan. As required by federal regulation, the document was available for public review at www.phoenix.gov/housing and at all offices of the Housing Department. The public was given 45 days to make comments and a public hearing was held on February 26, 2014, to obtain input and comments on the proposed AAP. All comments and input received have been considered in the resulting AAP.

The Neighborhoods, Housing, and Development Subcommittee recommended City Council approval of this request on March 18, 2014.

This item is also recommended by Ms. Jonovich and the Housing Department.

ITEM 18

DISTRICT 8

**ORDINANCE S-40719 -
ACQUISITION OF ONE OCCUPIED RESIDENTIAL
PROPERTY AND REALIGNMENT OF LEGAL LOT
LINES FOR THE COMMUNITY NOISE
REDUCTION PROGRAM**

(Continued from April 16 and 30, 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 execute a quit claim and lot line adjustment agreement and all other documents necessary to realign the legal lot lines with the actual lines of possession on Assessor Parcel Numbers 115-06-075, 115 06 076, 115-06-074, and 115 06 078A.

The following property owners have voluntarily asked the City to purchase their 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>
Stephen M. Vaughn and Michele M. Vaughn, husband	1918 East Madison Street APN: 115-06-075	\$48,000	AV01020438

and wife

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.

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 (CNRP) 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 19 **DISTRICT 8** **ORDINANCE S-40720 -
ACQUISITION OF EIGHT OCCUPIED
RESIDENTIAL PROPERTIES FOR THE
COMMUNITY NOISE REDUCTION PROGRAM**

(Continued from April 16 and 30, 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 properties 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 properties sufficient time to relocate, as such agreements may be necessary to, and in furtherance of, this ordinance.

The following property owners have voluntarily asked the City to purchase their properties, which are 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>
Elizabeth M. Figueroa, Larry M. Figueroa and the heirs and devisees of Fermin Figueroa, deceased, their interest being subject to the administration of the estate of said decedent in Maricopa County, Probate Case PB2013-000571, wherein Arnold Larry Figueroa is the appointed Personal Representative of said estate.	1423 South 9th Street APN: 115-44-081A	\$31,000	AV01040078
Juana Garcia, an unmarried woman and Joe Garcia, an unmarried man	1122 South 10th Street APN: 115-43-113	\$57,000	AV01040095
Cecilio Ocampo-Gonzalez, a single	1105 East Yavapai Street APN: 115-43-061	\$82,000	AV01040139

man

Hortensia Robles, an unmarried woman	1405 South 12th Place APN: 115-42-109	\$29,000	AV01040229
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Mary J. Ocano, a married woman; Elvira Joya, a married woman; Robert Joya, an unmarried man; Eliodoro Joya, a married man; Ruben Joya, a married man; George Joya, an unmarried man; Margaret Castillo, a widow; Cruzita Joya, a single woman; Emily Zarate, a widow; Leo Joya, III, a single man; Leona Gutierrez, an unmarried woman; and Pearl Kelly, an unmarried woman	1127 South 13th Street APN: 115-42-012	\$48,000	AV01040251
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Jesus Suarez, a married man	1013 East Cocopah Street APN: 115-46-130	\$53,000	AV01040587
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Eva Leyva, an unmarried woman	1019 East Durango Street APN: 115-47-003	\$43,000	AV01050272
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Amanda F. Garcia, an unmarried woman and Eusebio G. Gonzalez, an unmarried man	1223 East Durango Street APN: 115-37-044A	\$67,000	AV01050289
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Further request authorization for the City Controller to disburse funds necessary to purchase the properties 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 (CNRP) 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 20**DISTRICT 8****ORDINANCE S-40721 -
ACQUISITION OF ELEVEN OCCUPIED
RESIDENTIAL PROPERTIES FOR THE
COMMUNITY NOISE REDUCTION PROGRAM**

(Continued from April 16 and 30, 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 properties listed below for the Aviation Department's Community Noise Reduction Program.

The following property owners have voluntarily asked the City to purchase their properties, which are 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>
Manuel E. Yrique, a married man	3342 East Jefferson Street APN: 121-22-026	\$52,000	AV01000237
Rudy C. Betancourt and Christina S. Betancourt, husband and wife	1028 South 8th Place APN: 116-38-040	\$36,000	AV01030249
Cecilio Ocampo- Gonzalez aka Cecilio O. Campo aka Cesilio O. Campo, a single man	1109 East Yavapai Street APN: 115-43-062	\$61,000	AV01040140
Francisco J. Rojas, a single man	1426 South 14th Street APN: 115-42-092	\$50,000	AV01040339
Gloria Padilla, a widow	1418 South 14th Street APN: 115-42-094	\$35,000	AV01040341
Francisca McKnight, an unmarried woman	1113 East Mohave Street APN: 115-46-170	\$38,000	AV01050039
Tomas Alberto Sanchez, a single man	1317 East Mohave Street APN: 115-40-079A	\$61,000	AV01050058
Evangelina Alcantar, a widow	932 East Durango Street APN: 115-45-044	\$52,000	AV01050244
Eva Leyva, a single woman	1021 East Durango Street aka 1019 East Durango Street APN: 115-47-002	\$44,000	AV01050273
National Apartments, Inc., an Arizona Corporation	1313 East Hess Street aka 1313 East Hess Avenue APN: 115-37-066A	\$78,000	AV01050378
Walter M. Estrada,	2300 South 15th Place	\$58,000	AV01060269

a married man

APN: 115-35-002

Further request authorization for the City Controller to disburse funds necessary to purchase the properties at the City's appraised value, plus usual and customary closing costs.

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 (CNRP) 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 21

CITYWIDE

**ORDINANCE S-40784 -
PAYMENT ORDINANCE**

(Continued from April 30, 2014) - Request to authorize the City Controller to disburse funds in an aggregate amount not to exceed \$10,284.68 for the purpose of paying vendors, contractors, claimants, and others; and providing additional payment authority under certain existing City contracts.

- \$ 10,284.68 a) To Arizona Public Service, for payment of electric construction services provided in support of the 7th Avenue Melrose Gateway Feature project, for the Street Transportation Department. Funding sources for this expense are the Capital Construction Fund and the Arizona Highway User Revenue Fund Capital Reserve.

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

ITEM 22

CITYWIDE

**ORDINANCE S-40785 -
PAYMENT ORDINANCE**

Request to authorize the City Controller to disburse funds in an aggregate amount not to exceed \$3,005,366.63 for the purpose of paying vendors, contractors, claimants, and others; and providing additional payment authority under certain existing City contracts.

- \$ 30,615.32 a) To Abbey Home Elevator of Arizona, LLC, to provide and install a replacement wheelchair lift at the Phoenix Municipal Stadium to meeting Americans with Disabilities Act specifications, for the Parks and Recreation Department.
- 29,409.95 b) To Cem-Tec Corporation, for the purchase of rebar cages utilized for the installation of traffic signals, for the Street Transportation Department.
- 28,590.00 c) To Empire West, Inc., for the purchase of fire hydrant replacement parts for various models of fire hydrants that service the City of Phoenix' Water Distribution system, for the Water Services Department.
- 15,362.27 d) To Enterprise Network Solutions, to provide maintenance support for the Fire Department's computer data storage system, a Dell Compellant Storage Area Network, through February 28, 2015, for the Fire Department.
- 10,802.84 e) To Integrated Support System, for payment of the maintenance and service agreement through March 31, 2015, for the uninterruptible power supply system located at the Information Technology Operations Center (ITOC), for the Information Technology Services Department.

\$ 8,750.00	f)	To Korem Corporation, Agreement 136029, for payment of the end-user license renewal agreement for the MWM 2.1 application used by the Oracle Realtime Scheduler (ORS) to perform the field activity routing and scheduling, for the Water Services Department.
49,092.60	g)	To Lawmens & Shooters Supply, Inc., for the purchase of 58 ballistic helmets and night vision shrouds providing the Special Assignments Unit enhanced safety while conducting SWAT operations during critical situations, funded by the Urban Area Security Initiative (UASI) grant, for the Police Department.
14,347.59	h)	To LN Curtis & Sons, for the purchase of replacement equipment required to repair multiple exhaust fans utilized at fire scenes for ventilation, for the Fire Department.
10,409.00	i)	To McCarthy Integrated Systems, Inc., for the purchase of four vacuum regulators utilized in the water treatment process, to replace existing equipment that has reached the end of its useful life, for the Water Services Department.
16,240.00	j)	To Med-Eng, LLC, for the purchase of a replacement bomb suit utilized to provide tactical response to large-scale emergencies, terrorist events, and other disasters as part of the Phoenix area Rapid Response Team, funded by the Urban Area Security Initiative (UASI) grant, for the Police Department.
10,775.85	k)	To Moore Tool & Equipment, for the purchase of a vertical milling machine to be utilized at the 91st Avenue Wastewater Treatment Plant, to replace existing equipment that has reached the end of its useful life, for the Water Services Department.
28,044.00	l)	To Phoenix Pumps, Inc., for the purchase of a vertical turbine pump and water lube assembly, to replace existing equipment that has reached the end of its useful life, utilized to provide water for the chlorine injection system to ensure compliance with state and federal environmental regulations, for the Water Services Department.
\$ 19,548.15	m)	To Richlind Machinery, Inc., dba Adams Machinery, for the purchase of an engine lathe machine utilized to perform various functions to maintain pumps and related equipment at the 91st Avenue Wastewater Treatment Plant, for the Water Services Department.
10,748.78	n)	To Ross Equipment Rentals & Sales, for the purchase of an aerial lift utilized at the 24th Street Water Plant, for the Water Services Department.
9,378.56	o)	To Russell Sigler, Inc., for the purchase of a heat pump utilized at the Union Hills Water Treatment Plant, to replace existing equipment that has reached the end of its useful life, for the Water Services Department.
22,009.92	p)	To Starkweather Roofing, Inc., to provide all labor, materials, and equipment to perform roofing and waterproofing services at City of Phoenix, Fire Station 37, located at 16602 North 40th Street, for the Fire Department.

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

\$ 20,000.00	q)	To Adobe Energy Management Company, to exercise an option to extend Agreement P-09174-12/129181 awarded by IFB 10-177, through May 31, 2014, to continue to provide plumbing and roofer service for
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City-owned properties on an as-needed basis, for the Housing Department.

25,000.00	r)	To Arizona Generator Technology, Inc., Agreement MW12-00084, awarded by RFQ 12-084, to provide generator maintenance, inspection, and repair services, through May 31, 2015, for the Water Services and Phoenix Convention Center Department.
20,000.00	s)	To Midstate Mechanical, Inc., to exercise an option to extend Agreement MW13-00015 awarded by RFQ 13-015, through July 31, 2014, to continue to provide chiller and boiler system services for City Public Housing facilities, on an as-needed basis, for the Housing Department.
\$ 166,311.00	t)	To Sonora Quest Laboratories, LLC, to exercise an option to extend Agreement P-09382-13/131093 awarded by IFB 11-122, through May 31, 2015, to continue to supply medical laboratory testing services, for the Fire Department.
1,980,000.00	u)	To Synagro of California, Inc., to exercise an option to extend Agreement P-09591-13/133389, awarded by IFB 12-106, through May 31, 2015, to continue to provide biosolids removal services on an as-needed basis, for the Water Services Department.
72,000.00	v)	To the following vendors to exercise an option to extend agreements through May 31, 2014, awarded by IFB 09-125, to continue to provide chiller maintenance and repair services for the Aviation and Public Works Departments: \$40,800.00 Johnson Controls, Inc., P 08875 10/125756 31,200.00 Climatec Building Technologies Group, P-08876-10/125757
30,293.00	w)	To Vehicle Lighting Solutions, to supply safety lighting parts and accessories on an as-needed basis, under agreement P-09942-14/136614, awarded by IFB 14-001, through August 31, 2014, for the Fire Department.
304,685.00	x)	To Vogel Traffic System, Inc., dba EZ-Liner Industries, to exercise an option to extend Agreement P-09327-12/130780 awarded by IFB 11 060, through March 31, 2015, for a paint striping truck for the Public Works 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:

\$ 12,952.80	y)	To Joseph, Helen Lee and Martinez Lerma, Tomas 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.
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Notice is hereby given of the payment of funds from the Risk Management Trust Fund pursuant to Phoenix City Code Section 42-13.

\$ 35,000.00	z)	To Industrial Commission of Arizona, for payment of settlement agreement dated April 17, 2014, pursuant to Inspection Number R1538-317154078, for the Fire Department.
25,000.00	aa)	To Helena Harper, for payment of settlement agreement dated April 17, 2014, pursuant to Inspection Number R1538-317154078, for the Fire

Department.

\$ 3,005,366.63

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

ITEM 23

DISTRICT 8

**ORDINANCE S-40786 -
ACCESS AGREEMENT WITH EWING
IRRIGATION PRODUCTS, INC.**

Request to authorize the City Manager, or his designee, to enter into a reciprocal property access agreement with Ewing Irrigation Products, Inc., a California corporation.

Ewing Irrigation Products, Inc. (Ewing) owns approximately 4.7 acres along the south bank of the Salt River, including a 33-acre lake near Phoenix Sky Harbor International Airport. Since 2009, Ewing and the City have entered into agreements whereby Ewing may cross adjacent City-owned land to access its lake. In exchange, Ewing provides the City with access to its lake for wildlife and mitigation activities. The current agreement expires in May 2014.

Subject to City Council approval, the agreement would include the following terms and conditions:

1. The term will be for 10 years.
2. Neither party will pay any fee to the other party to travel across, through, or over the other party's real property.
3. Ewing will provide a certificate of insurance.
4. Either party may cancel the agreement with a 90-day written notice.
5. Ewing shall not assign or transfer all or any portion of its interest under the agreement.
6. At Ewing's sole cost and subject to City approval and permitting processes, Ewing may construct a 20-foot by 324-foot paved roadway over the City's adjacent real property for future ingress and egress. Ewing shall be responsible for all maintenance costs for the roadway. All improvements constructed on the City property will vest to the City after construction.
7. The agreement may contain other terms and conditions deemed necessary or appropriate by the Aviation Director.

This item is recommended by Ms. Takata and the Aviation Department.

ITEM 24

CITYWIDE

**ORDINANCE S-40787 -
SECOND EXTENSION TO SOFTWARE
MAINTENANCE AGREEMENT 136025 -
CGI TECHNOLOGIES AND SOLUTIONS, INC.**

Request to authorize the City Manager, or his designee, to exercise the second year of a five-year software license agreement (136025) with CGI Technologies and Solutions, Inc. (CGI) for ongoing support of the City's budget software, Budget Reporting and Analysis Support System (BRASS); and further authorizing the City Controller to disburse funds. This extension is for the period July 1, 2014 through June 30, 2015.

The City has used BRASS for preparing the annual budget since 1997 including the projection of annual salary and benefit costs. At present, the City has approximately 250 BRASS users under a site license. Without the site license, staff would be limited in its ability to accurately and effectively address budgetary issues.

This licensing agreement includes the delivery of all future software upgrades throughout the life of the agreement. CGI periodically releases BRASS upgrades that further enhance reporting capabilities of the system and allow system users to more effectively utilize budget data. Extension of this agreement will insure that the City continues to receive BRASS upgrades and subsequent technical support from CGI.

Financial Impact

The total cost for 2014-2015 (including tax) is \$96,761. Funding is available in the Finance Department's E-Procurement Transparency/Budget Integration Capital Improvement Project.

This item is recommended by Mr. Zuercher and the Budget and Research Department.

ITEM 25

CITYWIDE

**ORDINANCE S-40788 -
CALLING A SPECIAL ELECTION FOR THE
PENSION REFORM INITIATIVE TO BE HELD ON
NOVEMBER 4, 2014**

Request to call a Special Election in the city of Phoenix on November 4, 2014, for the purpose of submitting a Charter amendment proposed by Initiative Petition I 1-14 pertaining to pension reform, to the qualified electors of the city of Phoenix for their approval or rejection. The Special Election on this date is required by the City Charter.

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

ITEM 26

CITYWIDE

**ORDINANCE S-40789 -
CONTRACT WITH BUCK CONSULTANTS, LLC
FOR PENSION REFORM RELATED
PROFESSIONAL CONSULTING SERVICES**

Request to authorize the City Manager, or his designee, to enter into a contract with Buck Consultants, LLC for pension reform related professional consulting services in an amount not to exceed \$38,000. Further request authorization for the City Controller to disburse funds for this contract.

The Human Resources Department issued a Request for Qualifications (RFQ) on December 24, 2013, to establish a Qualified Vendor List (QVL) to allow the City to engage one or more qualified, non-attorney vendors to provide professional services for labor and pension consultation services on an as-needed basis. Responses to the RFQ were due on January 8, 2014.

Responses were received from Buck Consultants, LLC; and Kelly Garfinkle Strategic Restructuring, LLC (KGSR). Each proposal was reviewed based on the following criteria: experience in pension consulting, including any experience with City of Phoenix Employees' Retirement System (COPERS) and/or Public Safety Personnel Retirement System (PSPRS); experience with reviewing and advising on labor negotiations as they relate to pensions; other qualifications related to the services required; and cost estimate for services.

The evaluation committee, consisting of staff from the Human Resources Department, determined that both proposals met the minimum qualifications to be placed on the QVL, and the City Council approved the QVL on February 25, 2014.

On April 24, 2014, the City Manager's Office issued a request for professional pension consulting services to both QVL respondents. Two proposals were received and reviewed by an evaluation panel. The panel recommended Buck Consultants, LLC.

Pension reform professional consulting services provided under this contract may include research and analysis on contemporary pension reform in Arizona and nationwide, and development and evaluation of proposals for future pension reform alternatives.

Funding is available in the Human Resources Department budget and will be funded through General, Special Revenue, and Enterprise funds.

This item is recommended by Mr. Naimark and the City Manager's Office.

ITEM 27

CITYWIDE

**ORDINANCE S-40790 -
CONTRACT WITH THE SEGAL COMPANY FOR
PENSION RELATED PROFESSIONAL
CONSULTING SERVICES**

Request to authorize the City Manager, or his designee, to enter into a contract with The Segal Company for professional consulting services related to future potential pension reform alternatives in an amount not to exceed \$65,000 for a one-year term. Further request authorization for the City Controller to disburse funds for this contract.

From May 2011 through September 2012, under Contract 131392, The Segal Company (Segal) provided professional consulting services in support of the City's Pension Reform Task Force and the City Council's work in relation to the Task Force recommendations.

In addition, from September through October 2013, Segal provided actuNo Font modeling services to the City related to the work and recommendations of the Pension Fairness and Spiking Elimination Ad Hoc Subcommittee adopted by the City Council on October 31, 2014 (Contract 137067).

The City desires to continue to evaluate additional future potential pension reform alternatives. In addition, Initiative Petition I-1-14 was filed with the City Clerk on March 11, 2014, and will result in a special election related to pension reform. In order to analyze the potential costs and savings associated with various future pension reform alternatives, actuNo Font consulting services are necessary. This is a sole source contract, as it will be most cost and time effective to update actuNo Font modeling based on previous work conducted by Segal during prior pension reform processes.

Funding is available in the Human Resources Department budget and will be funded through General, Special Revenue, and Enterprise funds.

This item is recommended by Mr. Naimark and the City Manager's Office.

ITEM 28

DISTRICT 7

**ORDINANCE S-40791 -
PROFESSIONAL BUILDING REDEVELOPMENT -
HOTEL MONROE**

Request to authorize the City Manager, or his designee, to enter into a Development Agreement, lease, and related documents with CSM Phoenix Downtown, LLC (CSM) or City-approved designee for the preservation and redevelopment of the historic Professional Building at 15 East Monroe Street in downtown Phoenix as a hotel; to take all actions and execute all instruments and documents, including licenses, easements, and permissions, in connection with the development of the hotel under the lease; and for the City Treasurer to accept monies for deposit into the Downtown Community Reinvestment Fund.

On January 27, 2014, CSM submitted a proposal to the City pursuant to a Request for Proposals seeking private development or redevelopment of urban and/or mixed-use projects in downtown Phoenix. The City convened a panel to review the proposal and make a recommendation. The panel, which consisted of representatives from Historic Preservation, Community and Economic Development (CED), Roosevelt Action Association, Orpheum Lofts HOA, Downtown Phoenix Partnership, an unrelated private developer and the Phoenix Convention Center, unanimously recommended the City pursue negotiations with CSM for the redevelopment of the historic Professional Building as a hotel.

On March 6, 2014, CED executed a Letter of Intent with CSM, containing the following key business terms:

- CSM will, at its cost, design, construct, finance, and manage an approximately 165-room hotel by redeveloping the vacant 150,571 square foot Professional Building at 15 E Monroe Street, while maintaining the historical character of the property and creating an active, pedestrian-friendly streetscape environment.
- After completing the project, CSM may convey the land and improvements to the City, at no cost to the City. City would then lease the property back to CSM for up to 20 years, applying Government Property Lease Excise Tax (GPLET) status to the project pursuant to state law. Excise taxes would be abated the first eight years.
- CSM will pay the City annual lease payments beginning one year after project completion with rates starting at \$10,000 and growing to \$75,000 per year, which would result in a total of \$850,000 in lease payments to the City over 20 years.
- City will lease or license approximately 50 to 100 parking stalls in City garages to CSM at market-rate.
- CSM will provide the City final construction plans and evidence of financing for the project within 60 days of signing a Development Agreement with the City and complete construction within 18 months of commencing construction.

The agreements will include the above terms and such other terms and conditions as the City Manager, or his designee, consider necessary or appropriate that are not inconsistent with, or do not materially change, or are more favorable to the City than the above terms.

This project is anticipated to generate more than \$17 million in state, county, and city revenues during its first 10 years. CSM's investment in the downtown community will remove blight, energize this long-vacant structure and preserve its historical integrity. Additionally, this project will create about 144 construction jobs and 105 additional new jobs once operational. Overall, an annual direct economic impact of nearly \$13 million is anticipated due to this project, which grows to approximately \$24 million annually including induced/indirect economic impact.

Financial Impact

There will be no cost to the General Fund as a result of this authorization.

This item is recommended by Mr. Blue and the Community and Economic Development Department; and was scheduled to be heard by the Downtown, Aviation, and Redevelopment Subcommittee at its May 7, 2014 meeting, and an updated recommendation can be provided to the Council at the Formal meeting.

ITEM 29

CITYWIDE

**ORDINANCE S-40792 -
ANNUAL MAINTENANCE CONTRACT FOR TAX
MANTRA**

Request to authorize the City Manager, or his designee, to enter into an agreement with TaTa America International Corporation to provide support and maintenance service of the Tax Mantra software for the City of Phoenix; and further authorizing the City Controller to accept and disburse funds not to exceed \$417,500 annually for a total of \$835,000 over the life of the contract.

The primary function of this contract is to provide standard support services for maintenance of the City's Tax Mantra system (Tax Mantra). Tax Mantra is used for receiving the City's sales taxes and is only supported by TaTa America International Corporation. The price for services and maintenance in this contract will be slightly less than the previous contract. The system has fully integrated processes that supports sale tax collections and related business processes. The city of Phoenix taxpayers utilize services including tax filings, payments, taxpayer updates, and interfaces with an internet-based solution. The Tax Mantra system is also used for collection activities on past due accounts.

The term of the contract is from April 2014 through June 2015, with a one-year option to renew. The need and level of annual support services for Tax Mantra will be evaluated in relation to the implementation of the State's Tax Simplification project.

Financial Impact

The contract value for all option years will not exceed \$835,000, with an estimated annual expenditure of \$417,500. Funds are available through the Finance Department's operation and maintenance budget.

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

ITEM 30

CITYWIDE

**ORDINANCE S-40793 -
IFB 13-004A - HALE PUMPS REPLACEMENT,
REPAIR, RE BUILD, AND NEW -
REQUIREMENTS CONTRACT**

Request to authorize the City Manager, or his designee, to authorize additional expenditures for Contract 134464 with Freightliner Sterling Western Star of AZ in the amount of \$517,670 for the Fire Department. Further request to authorize the City Controller to disburse these additional funds in an amount not to exceed \$1,017,670 over the remaining life of the contract.

This contract is one of three contracts awarded by Formal Council action on September 5, 2012, as a result of IFB 13-004. The initial terms of the contracts were one year with four, one-year renewal options. The total aggregate value authorized for the contracts is \$500,000, if the renewal options are exercised.

The additional funds are necessary to cover the purchase of two new Hale fire pumps for the Fire Department. These pumps are funded by the 2013 Arizona State Homeland Security Grant Program and will be utilized as a part of a system to respond to bulk fuel facility and transportation fires.

Financial Impact

With the \$517,670 in additional funds, the revised aggregate value is now \$1,017,670. The \$100,000 annual expenditure for the remainder of the option years will remain the same. Funds are available in the Fire Department operating budget.

This item is recommended by Ms. Takata and the Acting Fire Chief.

ITEM 31

CITYWIDE

**ORDINANCE S-40794 -
IFB 14-122 - STANDBY GENERATORS**

Request to authorize the City Manager, or his designee, to enter into a contract with Arizona Generator Technology, dba Gen-Tech. Authorization is also requested for the City Controller to disburse the funds for the project in an amount not to exceed \$206,800.

Solicitation IFB 14-122 was conducted in accordance with Administrative Regulation 3.10. Report of two bids received by the Procurement Division on March 7, 2014, for the purchase of one standby generator with Modular Power System (MPS) and one standby generator only for the Public Works Department. The generators will be installed at the Union Hills Service Center, and the generators will insure the operation of the facility and fueling of the trucks will not be interrupted in the event of a power outage.

Following is a tabulation of the two bids received:

<u>Bidder</u>	<u>Line Item 1</u>	<u>Line Item 2</u>	<u>Total Bid Price</u>
Arizona Generator Technology*	\$ 98,000	\$ 90,000	\$188,000
Cummins Rocky Mountain	\$146,000	\$146,000	\$292,000

It is recommended by the Deputy Finance Director that Arizona Generator Technology, as asterisked, be accepted as the lowest responsive and responsible bidder.

Financial Impact

The total cost, including applicable tax, is \$206,800. Funds are available in the Public Works Department operating budget.

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

ITEM 32

CITYWIDE

**ORDINANCE S-40795 -
IFB 14-124 - FIRE ALARM AND SUPPRESSION
SYSTEMS SERVICE AND REPAIR -
REQUIREMENTS CONTRACT**

Request to authorize the City Manager, or his designee, to enter into agreements with Aero Automatic Sprinkler Company (Aero); Alliance Fire Protection Co. (Alliance); American Fire Equipment Sales and Service Corporation (American Fire); Desert Fire Services, LLC (Desert Fire); IEC Commercial (IES); Intelligrated Communications, Inc. (ICI); and RCI Systems, Inc. (RCI) on an as needed basis during a one-year initial period beginning May 1, 2014 and ending April 30, 2015. Authorization is also requested for the City Controller to disburse funds for the duration of the contracts in an agreement amount not to exceed \$2,500,000.

Solicitation IFB 14-124 was conducted in accordance with Administrative Regulation 3.10. Eight bids were received and opened on March 14, 2014.

Following is a tabulation of the lowest bids received:

<u>Fire Alarm Systems</u>	<u>On-Site Labor Price: Normal Business Hours</u>	<u>On-Site Labor Price: Non-Normal Business Hours</u>
Notifier		
American Fire*	\$ 76.50/hour	\$ 98.00/hour
Copperstate Fire Protection	\$ 82.45/hour	\$123.68/hour
Siemens		
Aero*	\$ 90.00/hour	\$126.00/hour
Desert Fire*	\$ 99.00/hour	\$148.00/hour

Edwards - EST (only 1 bid received)		
IES*	\$ 72.00/hour	\$100.00/hour
Pyrotronics (only 1 bid received)		
Desert Fire*	\$ 99.00/hour	\$148.00/hour
Silent Knight		
ICI*	\$ 60.00/hour	\$ 75.00/hour
RCI*	\$ 58.20/hour	\$106.70/hour
American Fire*	\$ 76.50/hour	\$ 98.00/hour
Firelight		
ICI*	\$ 60.00/hour	\$ 75.00/hour
American Fire*	\$ 76.50/hour	\$ 98.00/hour
Ademco		
RCI*	\$ 58.20/hour	\$106.70/hour
ICI*	\$ 60.00/hour	\$ 75.00/hour
American Fire*	\$ 76.50/hour	\$ 98.00/hour
Gamewell (only 1 bid received)		
Alliance*	\$105.00/hour	\$125.00/hour

Fire Suppression Systems	On-Site Labor Price: Normal Business Hours	On-Site Labor Price: Non-Normal Business Hours
Potter Systems		
RCI*	\$ 58.20/hour	\$106.70/hour
American Fire*	\$ 76.50/hour	\$ 98.00/hour
Kidde (only 1 bid received)		
American Fire*	\$ 76.50/hour	\$ 98.00/hour
ChemTron (only 1 bid received)		
Alliance*	\$105.00/hour	\$125.00/hour
Viking		
RCI*	\$ 58.20/hour	\$106.70/ hour
American Fire*	\$ 76.50/hour	\$ 98.00/hour
Amerex (only 1 bid received)		
American Fire*	\$ 76.50/hour	\$ 98.00/hour
Ansul Systems (only 1 bid received)		
American Fire*	\$ 76.50/hour	\$ 98.00/hour

It is recommended by the Deputy Finance Director that the bids of Aero, Alliance, American Fire, Desert Fire, IES, ICI, and RCI, as asterisked, be accepted as the lowest responsive and responsible bidders.

Multiple awards are recommended as the City requires the services of multiple contractors to meet the volume and variety of needs outlined in the contract. City of Phoenix staff will use the most cost effective contract to meet its needs whenever possible.

This 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.

Financial Impact

The aggregate value of the contracts for all options shall not exceed \$2,500,000, with an estimated annual expenditure of \$500,000. Funds are available in the Public Works Department budget.

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. Naimark and the Public Works Director.

ITEM 33

DISTRICTS 7 AND 8

**ORDINANCE S-40796 -
IFB 14-131 - PHOENIX CONVENTION CENTER
SOUTH BALLROOM SPEAKER CLUSTER
SYSTEM**

Request to authorize the City Manager, or his designee, to enter into a contract with Audio Video Resources and EAR Professional Audio/Video to purchase amplifiers and digital signal processing for the Phoenix Convention Center South Ballroom Speaker Cluster System. Authorization is also requested for the City Controller to disburse funds for the life of the project in an amount not to exceed \$61,020, which includes the bid price of \$56,344 plus tax of \$4,676.

Solicitation IFB 14-131 was conducted in accordance with Administrative Regulation 3.10. Four bids were received by the Procurement Division on March 28, 2014, for the purchase of amplifiers and digital signal processing system. The current speaker cluster system is 16 years old, and many components are failing. Due to the advances in technology, repair parts are no longer available. The design of the new system allows users easy access control and the ability to interface with newer technology. The new system has an estimated life span of 15 years.

Following is tabulation of the lowest responsive and responsible bids received for amplifiers and processors (Group I) and additional hardware and components (Group II).

Bidder	Group I	Group II
Audio Video Resources	\$48,526*	\$9,072
EAR Professional Audio/Video	\$55,348	\$7,818*

It is recommended by the Deputy Finance Director that the bids submitted by Audio Video Resources and EAR Professional Audio/Video, as asterisked, be accepted as the lowest responsive and responsible bidders.

Financial Impact

The contract value shall not exceed \$61,020, including tax. Funds are available in the Phoenix Convention Center operating budget.

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

ITEM 34

CITYWIDE

**ORDINANCE S-40797 -
IFB 14-133 - VEHICLE GLASS SUPPLY,
INSTALL, AND WINDOW TINTING -
REQUIREMENTS CONTRACT**

Request to authorize the City Manager, or his designee, to enter into an agreement with Select Glass, Inc.; Auto Glass Direct, LLC; and Real Cool Window Tinting & Glass, LLC for vehicle glass supply, installation, and window tinting services on an as-needed basis during a one-year contract period beginning on or about July 1, 2014 and ending June 30, 2015. Authorization is also requested for the City Controller to disburse funds for the life of the contract in an amount not to exceed \$825,000.

Solicitation IFB 14-133 was conducted in accordance with Administrative Regulation 3.10. Five bids were received and opened on March 28, 2014. One bid for Group II - Window Tinting was deemed non-responsive.

Following is a tabulation of the lowest bids received:

Description	Select Glass, Inc.	Auto Glass Direct, LLC	Real Cool Window Tinting & Glass, LLC.	Safelite Auto Glass	Reliable Auto Glass
Group I - Replacement and Repair Services	\$659.95*	\$714.99*	\$1,235.00	\$744.95	\$715.00
Group II - Window Tinting	\$760.00*	Not Applicable	\$760.00*	No Bid	\$785.00

It is recommended by the Deputy Finance Director that the bids of Select Glass, Inc.; Auto Glass Direct, LLC; and Real Cool Window Tinting & Glass, LLC; as asterisked, be accepted as the lowest priced responsive and responsible bidders.

Financial Impact

The aggregate contract value for all option years will not exceed \$825,000, with an annual expenditure of \$165,000. Funds are

available in the Public Works Department budget.

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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. Naimark and the Public Works Director.

ITEM 35

CITYWIDE

**ORDINANCE S-40798 -
RFA 14-051 - STEP VAN MOUNTED CCTV
INSPECTION SYSTEM**

Request to authorize the City Manager, or his designee, to make purchases against the Houston-Galveston Area Council of Governments (HGAC) Contract SC01-12 with CUES, Inc. Authorization is also requested for the City Controller to disburse funds for the purchase in an amount not to exceed \$287,834.

The Public Works Department is purchasing the step van with a proprietary software system for the Water Services Department. This purchase will provide a step van with a mounted digital closed circuit television (CCTV) inspection system and the proprietary Granite software to inspect storm drains throughout the city.

The Water Services Department approved proprietary Granite brand software manufactured by CUES, Inc. is currently in use with other camera vehicles within the City, and is necessary to avoid software compatibility conflicts. This software has the ability to map, measure, record, and track faults, breaks, and illegal taps from inspection data. The majority of cost for this vehicle is attributed to the specialized inspection equipment and software therein equipped for operation.

The HGAC contract was awarded on January 1, 2012, and will end on December 31, 2014. Request authorization for current award period and any optional extensions available through the Houston-Galveston Area contract.

Under the Intergovernmental Agreement with the HGAC, 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 \$287,834. Funds are available in the Water Services Department budget.

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

ITEM 36

CITYWIDE

**ORDINANCE S-40799 -
RFP 14-012 - HAZARDOUS AND NON-
HAZARDOUS MATERIAL REMOVAL AND
DISPOSAL - REQUIREMENTS CONTRACT**

Request to authorize the City Manager, or his designee, to enter into agreements with Environmental Response, Inc.; Kary Environmental Services, Inc.; and Clean Harbors Environmental Services, Inc. on an as-needed basis beginning on or about May 1, 2014 and ending on April 30, 2017. The City may, at its sole option, extend the period of this contract up to two additional years, in increments of up to one year. Authorization is also requested for the City Controller to disburse funds over the life of the contract in an amount not to exceed \$6,000,000.

Solicitation RFP 14-012 was conducted in accordance with Administrative Regulation 3.10. Seven offers were received and opened on February 21, 2014.

The contracts will provide hazardous and non-hazardous material removal and disposal services to Citywide departments.

The offers were scored by a five-member evaluation committee based on the following criteria: experience with similar municipal or government accounts; emergency response experience and capability; HHW collection experience (250 points); relative capacity and capability of offeror (250 points); cost to the City-service fee/pricing schedule (250 points); response and compliance to terms and conditions and instructions (250 points).

Following is a tabulation of responsive and responsible proposals received:

Proposer	Propoer Score
Environmental Response, Inc.	934
Kary Environmental Services, Inc.	865
Clean Harbors Environmental Services, Inc.	754

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.

It is recommended by the Deputy Finance Director that the offers from Environmental Response, Inc.; Kary Environmental Services, Inc.; and Clean Harbors Environmental Services, Inc. be accepted as the most responsive and responsible.

Multiple awards are recommended as the City requires three contractors to meet the volume and variety of service needs outlined in the contract. City of Phoenix staff will use the most cost effective contract to meet its needs whenever possible.

Financial Impact

The aggregate contract value for all option years will not exceed \$6,000,000, with an estimated annual expenditure of \$1,200,000. Funds are available in the Citywide departmental budgets.

This item is recommended by Mr. Zuercher and the Chief Financial Officer.

ITEM 37 **CITYWIDE** **ORDINANCE S-40800 -
STATE OF ARIZONA CONTRACT ADSP011-
011057 - PROCESS, COURT FILING, AND
MESSENGER SERVICES**

Request to authorize the City Manager, or his designee, to make purchases against the State of Arizona contract with Executive Process, LLC, dba EZ Messenger, resulting from State of Arizona Solicitation ADSP011-00000697. Authorization is also requested for the City Controller to disburse funds over the life of the contract in an amount not to exceed \$100,000.

This contract will provide the Law Department with critical services, including but not limited to, daily court filings, messenger services, and service of process.

The State of Arizona contract was awarded August 26, 2011, and will end on August 25, 2014, with the option for two, one-year extensions through August 26, 2016. Authorization is also requested for the current award period and any optional extensions that the State of Arizona may approve.

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

Financial Impact

The aggregate contract value for all option years will not exceed \$100,000, with an estimated annual expenditure of \$50,000. Funds are available in various departmental budgets whose work requires these services.

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

ITEM 38 **CITYWIDE** **ORDINANCE S-40801 -
STATE OF ARIZONA CONTRACT ASPO12-
009454 (IBM SERVICES)**

Request to authorize the City Manager, or his designee, to acquire professional services from IBM using the contract established by the State of Arizona. Authorization is also requested for the City Controller to disburse funds over the duration of the contract in an aggregate amount not to exceed \$400,000.

The contract was awarded on July 14, 2011 and ends on July 13, 2014. Provisions of the agreement include an option to extend the contracts up to two additional years, in one-year increments, which will be exercised if considered in the City's best interest to do so.

The Police Department uses COPLINK, a law enforcement data sharing system that facilitates the interagency sharing of criminal history information. IBM will be providing professional services to customize the existing COPLINK nodes which will result in enhancements to the system.

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.

Financial Impact

The total aggregate amount, including all option years, shall not exceed \$400,000, with an estimated annual amount of \$200,000. Funds are available in the Police Department budget.

This request is made by the Deputy Finance Director and the Police Chief.

This item is also recommended by Mr. Dohoney.

ITEM 39 **CITYWIDE** **ORDINANCE S-40802 -
STATE OF ARIZONA SOLICITATION
ADSP013-00002899 - HEAVY EQUIPMENT
RENTAL**

Request to authorize the City Manager, or his designee, to make purchases against a State of Arizona heavy equipment rental contract for the period of May 30, 2013 through May 29, 2015, with RDO Construction Equipment Company; Hertz Equipment Rental Corp; Empire Southwest, LLC; Earhart Equipment Corp; Qualex Construction, Inc.; Sunbelt Rentals, Inc.; and NEFF Rental, LLC resulting from State of Arizona Solicitation ADSP013-00002899. Authorization is also requested for the City Controller to disburse funds over the life of the contract in an amount not to exceed \$1,000,000.

These contracts will provide City departments with heavy equipment rentals on an as-needed basis. These agreements are necessary for Citywide departments to maintain their operations.

The State of Arizona contract was awarded on May 22, 2013, with the option for one-year extensions through May 29, 2018. Request authorization for the current award period and any optional extensions that the State of Arizona may approve.

By adopting the State of Arizona contracts, the City's potential savings from the 20 percent discount off equipment are approximately \$50,000 annually.

Under the Intergovernmental Agreement with the State of Arizona, the City of Phoenix will use its agreements when it is beneficial for the City to do so. The Procurement Division has reviewed offers and determined the prices to be fair and reasonable. The State of Arizona heavy equipment rental contracts provide the City of Phoenix with statewide pricing; this is a much deeper discount than the City could obtain on its own.

<u>State of Arizona Contract</u>	<u>Contractor</u>
ADSP013-048528	RDO Construction Equipment Company
ADSP013-048529	Hertz Equipment Rental Corp
ADSP013-048530	Empire Southwest, LLC
ADSP013-048531	Earhart Equipment Corp
ADSP013-048532	Qualex Construction, Inc.
ADSP013-048533	Sunbelt Rentals, Inc.
ADSP013-048534	NEFF Rental, LLC

Financial Impact

The total aggregate amount, including all option years, shall not exceed \$1,000,000, with an estimated annual amount of \$250,000. Funds are available in Citywide department budgets.

This item is recommended by Mr. Zuercher and the Deputy Finance Director.

ITEM 40 **DISTRICT 3** **ORDINANCE S-40803 -
SELL CITY-OWNED PROPERTY LOCATED AT
2222 WEST GREENWAY TO DEL PUEBLO
COMMUNITIES, LLC**

Request to authorize the City Manager, or his designee, to sell City-owned property located at 2222 West Greenway Road to Del Pueblo Communities, LLC and/or its related nominee at a purchase price based on the City's appraised value.

Further request authorization for the City Treasurer to accept funds related to the sale of the property.

This bears the recommendation of the Chief of Police and Deputy Finance Director.

This item is also recommended by Mr. Dohoney.

ITEM 41

DISTRICT 7

**ORDINANCE S-40804 -
AMEND LEASE 124448 WITH ARIZONA
FEDERAL CREDIT UNION AT 300 WEST
JEFFERSON STREET TO EXTEND TERM**

Request to authorize the City Manager, or his designee, to amend Lease 124448 between the City of Phoenix and Arizona Federal Credit Union (AZFCU), a federally-chartered credit union.

AZFCU currently leases approximately 4,750 square feet of interior office space, located at 300 West Jefferson, from the City of Phoenix. The current lease expires August 31, 2014. The proposed amendment will provide AZFCU with two additional one-year options to extend, which will be exercised by staff if considered in the City's best interest.

All other terms and conditions shall remain unchanged.

This bears the recommendation of the Public Works Director and the Deputy Finance Director.

This item is also recommended by Mr. Naimark.

ITEM 42

CITYWIDE

**ORDINANCE S-40805 -
COMPUTER AIDED DISPATCH SERVICES FEES
AND REGIONAL WIRELESS NETWORK
INFRASTRUCTURE CHARGES FOR FISCAL
YEAR 2014-2015**

Request to authorize the City Manager to adopt the Fiscal Year 2014-2015 Computer Aided Dispatch (CAD) fees and Regional Wireless Network 800 MHz Infrastructure payments to be charged to: (1) the Cities of Avondale, Buckeye, Chandler, El Mirage, Glendale, Goodyear, Maricopa, Mesa, Peoria, Scottsdale, Surprise, Tempe, and Tolleson; (2) the Fire Districts of Buckeye Valley, Daisy Mountain, Harquahala, Sun City, Sun City West, and Sun Lakes; (3) the Towns of Guadalupe and Paradise Valley; and (4) Southwest Ambulance. Authorization is also requested to allow the City Treasurer to receive these funds.

In 2003, the City Council approved standing Intergovernmental Agreements (IGAs) with each of the above fire jurisdictions which included CAD fees and charges to be updated annually as reflected in Exhibit A below.

The City of Phoenix (City) has Automatic and/or Mutual Aid Agreements with these jurisdictions and provides dispatching for their fire and emergency medical units. Each CAD partner pays a dispatching fee for each call dispatched as well as charges for equipment replacement and maintenance. Buckeye Valley Fire District will be billed dispatch fees for services provided in the City of Buckeye, the Harquahala Fire District, and Tonopah. Southwest Ambulance will be billed dispatch fees for services provided in El Mirage, Glendale, Goodyear, Litchfield Park, Maricopa, Sun City, Surprise, Tolleson, and Youngtown. The Regional Wireless Network 800 MHz Infrastructure payments go toward the implementation of the regional public safety radio system.

The General Fund revenue to be generated from these IGAs for Fiscal Year 2014-2015 is estimated at \$5,887,626.96, and is intended to offset part of the operating costs of the City's Regional Dispatch Center, including salaries of Dispatch Center staff. The balance of the funding collected pays for communications system maintenance and scheduled equipment replacement, Regional Wireless access fees and Regional Wireless Network Infrastructure costs as follows:

Regional Dispatch Center Operating Costs	\$ 5,887,626.96
CAD System Maintenance and Scheduled Replacement	\$ 4,905,404.20
Portable Radio Maintenance	\$ 120,120.00
MCT Lite Wireless Connection Fees	\$ 16,800.00
	<hr/>
	\$10,929,951.16

Phoenix Fire Department
 Fiscal Year 2014-2015 Projected Total CAD Revenues
 Exhibit A Fees for Technical Services

Department	Total
City of Avondale	\$ 423,478.45
City of Buckeye	\$ 351,404.73
Buckeye Valley Fire District	\$ 331,456.05
City of Chandler	\$ 1,075,269.31
Daisy Mountain Fire District	\$ 297,085.30
City of El Mirage	\$ 138,701.81
City of Glendale	\$ 1,228,829.32
City of Goodyear and Litchfield Park	\$ 397,424.19
Town of Guadalupe	\$ 76,605.44
Harquahala Fire District and Tonopah	\$ 66,148.08
City of Maricopa	\$ 239,670.99
City of Mesa	\$ 960.00
Town of Paradise Valley	\$ 70,614.15
City of Peoria	\$ 974,117.28
City of Scottsdale	\$ 1,555,442.27
Sun City Fire District and Youngtown	\$ 436,678.75
Sun City West Fire District	\$ 359,255.92
Sun Lakes Fire District	\$ 202,115.12
City of Surprise	\$ 639,433.28
City of Tempe	\$ 1,151,899.73
City of Tolleson	\$ 105,890.83
Southwest Ambulance	\$ 807,470.16
Total Fiscal Year 2014-2015	\$10,929,951.16

This item is recommended by Ms. Takata and the Fire Department.

ITEM 43

DISTRICT 4

**ORDINANCE S-40806 -
 LOAN OF HOME FUNDS -
 NILE HOUSING PARTNERS, LP**

Request to authorize the City Manager, or his designee, to loan up to \$600,000 in HOME Investment Partnership Program (HOME) funds to Nile Housing Partners, LP, or its City-approved nominee, pursuant to terms and conditions that are consistent with the City's Affordable Housing Loan Program and Underwriting Guidelines and to take all necessary actions and execute all necessary documents to complete the loan. The funds will assist with the acquisition and development of Cielo Apartments. Authorization is also requested for the City Controller to disburse funds.

Nile Housing Partners, LP, a subsidiary of the Cesar Chavez Foundation, will use the HOME funds to construct a 50-unit

multifamily housing complex that will serve lower-income residents. The 50 units will be comprised of 35 two-bedroom units and 15 three-bedroom units. The proposed project will be a 100 percent affordable community with all of the units serving households at or below 60 percent of the area median income. Of the 50 units, five will be set aside for survivors of domestic violence earning less than 50 percent area median income.

The Cesar Chavez Foundation has partnered with Jewish Family and Children's Services (JFCS) to offer supportive services and housing information. JFCS will have a coordinator on site up to 40 hours per month to work with clients.

The award of funds is based on the Housing Department's issuance of a Call for Interest seeking proposals of new construction, acquisition, and/or rehabilitation of housing to serve homeless or special needs populations and provide supportive services.

Financial Impact

This action is 100 percent federally-funded with no impact on the City's General Fund. Funding is available in the Housing Department's Capital Improvement Program budget using 2013 HOME funds.

The Neighborhoods, Housing, and Development Subcommittee recommended approval of this item on March 18, 2014.

This item is also recommended by Ms. Jonovich and the Housing Department.

ITEM 44

DISTRICT 4

**ORDINANCE S-40807 -
LOAN OF HOME FUNDS - VIRGINIA HOUSING,
LP**

Request to authorize the City Manager, or his designee, to loan up to \$2,000,000 in HOME Investment Partnership Program (HOME) funds to Virginia Housing, LP, or its City-approved nominee, pursuant to terms and conditions that are consistent with the City's Affordable Housing Loan Program and Underwriting Guidelines and to take all necessary actions and execute all necessary documents to complete the loan. The funds will assist in the development of Virginia at 3rd Apartments, located at 333 East Virginia in Phoenix. Authorization is also requested for the City Controller to disburse funds.

Virginia Housing, LP, a subsidiary of Native American Connections, will use HOME funds for the construction of a 74-unit affordable multifamily housing complex that will serve lower-income residents. The 74 units will be comprised of 14 studio units, 21 one-bedroom units, 16 two-bedroom units, and 23 three-bedroom units, and will serve households with incomes below 60 percent of the area median income. Eighteen of the units will be set aside for chronic substance abusers with supportive services.

Native American Connections (NAC) will provide residents with access to the following services: education/vocational opportunities, weekly Alcoholics Anonymous & Narcotics Anonymous support groups, recreational and socialization opportunities, life skills, as well as access to any of NAC's outpatient services.

The award of funds is based on the Housing Department's issuance of a Call for Interest seeking proposals of new construction, acquisition, and/or rehabilitation of housing to serve homeless or special needs populations and provide supportive services.

Financial Impact

This action is 100 percent federally-funded with no impact on the City's General Fund. Funding is available in the Housing Department's Capital Improvement Program budget using 2012 and 2013 HOME funds.

The Neighborhoods, Housing, and Development Subcommittee recommended approval of this request on March 18, 2014.

This item is also recommended by Ms. Jonovich and the Housing Department.

ITEM 45

CITYWIDE

**ORDINANCE S-40808 -
CONTRACT WITH CORVEL CORPORATION FOR
WORKERS' COMPENSATION BILL REVIEW
SERVICES**

Request to authorize the City Manager, or his designee, to enter into a contract with CorVel Corporation to review and re-price bills associated with medical and indemnity benefits payments for City of Phoenix (City) employees who have sustained an injury arising out of or in the course of their work, while employed with the City. Authorization is also requested for the City Controller to disburse funds throughout the life of the contract, as necessary. The initial contract term will be three years, with two optional one-year extensions exercised at the City's discretion.

The City currently contracts with York Risk Services Group for Workers Compensation Third Party Administration Services (TPA). Within the current TPA contract, York provides Bill Review services through Wellcomp, a subsidiary of York Risk Services Group. The contract with York terminates on June 30, 2014.

A stand-alone Request for Proposal (RFP) for Bill Review services was issued on December 19, 2013, with a deadline of January 28, 2014, to submit responses for the un-bundled bill review services. The RFP included performance guarantees that will allow for this contract to be more tightly managed. Additionally, the un-bundled approach coupled with the performance guarantees should allow for the City to realize greater savings per bill.

Eight proposal responses were received for Bill Review services, with one deemed unresponsive as it was submitted after the closing date and time.

Seven proposals were forwarded to a five-member evaluation committee which consisted of two representatives from Human Resources, one representative from Police, one representative from IAFF 493, and one representative from AFSCME 2384. The evaluation committee participated in consensus scoring of the written proposals based on the following criteria as outlined in the RFP: percentage of savings over the Arizona Fee Schedule; bill review processing; transparent reporting practices; and longevity and commitment to local market.

The proposals ranged in cost per bill reviewed from \$4.00 to \$7.10; and Preferred Provider Organization (PPO) fees below Arizona Industrial Fee Schedule ranged from 10 percent to 30 percent of cost savings. After a best and final offer request, CorVel's proposal provides the lowest cost to the City of Phoenix with a combined PPO fee percentage of 9.5 percent of cost savings and per bill review cost of \$4.00 while assuring quality services and administrative accountability.

Financial Impact

The annual projected cost for Bill Review per year is \$1,200,000. Funds are available in the Workers' Compensation Program Trust Account.

This item is recommended by Mr. Zuercher and the Human Resources Department.

ITEM 46

CITYWIDE

ORDINANCE S-40809 - CONTRACT WITH YORK RISK SERVICES GROUP, INC. FOR CLAIMS MANAGEMENT SERVICES

Request to authorize the City Manager, or his designee, to enter into a contract with York Risk Services Group, Inc. to provide claims management services; to cover medical and indemnity benefits for City of Phoenix (City) employees who have sustained an injury that arose out of or in the course of their work, while employed with the City. Authorization is also requested for the City Controller to disburse funds throughout the life of the contract, as necessary. The initial contract term will be three years, with two optional one-year extensions exercised at the City's discretion.

The City currently contracts with York Risk Services Group, Inc. for Workers Compensation Third Party Administration of Claims Management. The contract with York Risk Services Group terminates on June 30, 2014.

A Request for Proposals (RFP) for Claims Management was issued on December 19, 2013, with a deadline of January 28, 2014, to submit responses. The bid process included additional performance guarantees and vendor staffing levels that should allow this contract to be more tightly managed and potentially reduce costs. Bill Review services were previously bundled with the Claims Management services but have been un-bundled to allow for greater scrutiny of bills and increased cost savings to the City.

Two proposal responses were received for Claims Management services and forwarded to a five-member selection committee which consisted of two representatives from Human Resources, one representative from Police, one representative from IAFF 493, and one representative from AFSCME 2384. The evaluation committee participated in consensus scoring of the written proposals based on the following criteria as outlined in the RFP: overall cost; staffing experience with public employers; management support through internal incentive programs; hardware and software compatibility with City infrastructure; and longevity and commitment to local market.

The RFP was written with significant emphasis on customer service and cost reduction efficiencies. Robust performance guarantees were also added. Overall, with a response generated to meet the stringent requirements of the proposal, York Risk Services Group's proposal provides the lowest cost to the City of Phoenix while continuing to ensure quality services and

administrative accountability.

Financial Impact

The annual projected cost for Claims Management per year is \$1,300,000. Funds are available in the Workers' Compensation Program Trust Account.

This item is recommended by Mr. Zuercher and the Human Resources Department.

ITEM 47

CITYWIDE

**ORDINANCE S-40810 -
AMEND CONTRACT 129847
TO ACCEPT ADDITIONAL
DES FUNDING AND EXTEND CONTRACT TERM**

Request to authorize the City Manager to amend Contract 129847 with the Department of Economic Security (DES) to accept funding in the amount of \$7,878,976, increasing the contract ceiling to \$51,008,915, and extend the contract term for the period of July 1, 2014 through June 30, 2015.

Authorization is also requested for the City Treasurer to accept the funds and for the City Controller to disburse the necessary funds and pay all claims against the City associated with this contract amendment.

Funds provided to the City of Phoenix through this Intergovernmental Agreement (IGA) will be from the following fund sources:

<u>Fund</u>	<u>Allocation</u>
Social Services Block Grant (SSBG)	\$ 563,745
Temporary Assistance to Needy Families (TANF)	\$1,012,131
Low-Income Home Energy Assistance Program (LIHEAP)	\$5,029,762
Neighbors Helping Neighbors (NHN)	\$ 9,999
Century Link	\$ 28,564
Community Services Block Grant (CSBG)	\$1,234,775

Program Impact

The funding will allow the City of Phoenix to assist approximately 15,885 households with case management, emergency assistance, and information and referral services.

Financial Impact

There are no matching fund requirements.

This item is recommended by Ms. Jonovich and the Human Services Department.

ITEM 48

CITYWIDE

**ORDINANCE S-40811 -
RENEW CONTRACT FOR ESG MOVING
SERVICES**

Request to authorize the City Manager, or his designee, to amend Contract 133846 with Elontec Moving Services to add funding for up to \$45,000, increasing the contract ceiling to \$135,000, and extend the contract term for the period of July 1, 2014 through June 30, 2015. This is the second of four renewal options.

Authorization is also requested for the City Controller to disburse all funds for payment of services performed under this contract.

Elontec Moving Services was selected in accordance with the Request for Proposals process established in Administrative Regulation 3.10.

Program Impact

HUD guidelines provide moving cost assistance as an eligible rapid re-housing activity under the Emergency Solutions Grant (ESG) program for homeless participants served by the Human Services Department. This contract is expected to provide moving services for up to 100 participants annually.

Financial Impact

No General Funds are required. Funding is available through ESG program funds.

This item is recommended by Ms. Jonovich and the Human Services Department.

ITEM 49

CITYWIDE

**ORDINANCE S-40812 -
RENEW CONTRACT FOR HOME INSPECTION
SERVICES**

Request to authorize the City Manager, or his designee, to amend Contract 133847 with B-Sure Home Inspection to increase funding in an amount up to \$15,000, increasing the contract ceiling to \$45,000, and extend the term of the contract for the period of July 1, 2014 through June 30, 2015. This is the second of four renewal periods.

Authorization is also requested for the City Controller to disburse all funds for payment of services performed under this contract.

B-Sure Home Inspection was selected in accordance with the Request for Proposals process established in Administrative Regulation 3.10.

Program Impact

The U.S. Department of Housing and Urban Development (HUD) Emergency Solutions Grant (ESG) guidelines require Housing Quality Standards and Habitability Inspections for single-family and multifamily residences prior to providing rental assistance to program participants. It is estimated approximately 120 housing inspections will be completed annually for ESG program participants served by the Human Services Department.

Financial Impact

No General Funds are required. Funding is available through ESG program funds.

This item is recommended by Ms. Jonovich and the Human Services Department.

ITEM 50

CITYWIDE

**ORDINANCE S-40813 -
RENEW HEAD START CONTRACTS**

Request to authorize the City Manager, or his designee, to amend the contracts with the service providers listed below for the Head Start program to exercise the extension options and increase funding in a cumulative amount not to exceed \$111,800 for the fiscal period July 1, 2014 through June 30, 2015.

Authorization is also requested for the City Controller to disburse all funds for payment of services performed under this contract.

The service providers were selected in accordance with the Request for Proposals and Qualifications process established in Administrative Regulation 3.10.

Service Provider	Service Description	Contract	Ordinance/ Date	Renewal Funding	New Contract Ceiling	Renewal Option
Burns & Associates, Inc.	Community Assessment	134415	S-39732 4/3/13	\$ 11,760	\$122,080	2 of 2
Poggi Designs	Staff Training	131592	S39732 4/3/13	\$ 15,000	\$ 65,000	3 of 4
Teaching Strategies, LLC	On-line Assessment Tool	130565	S-39732 4/3/13	\$ 35,040	\$220,580	4 of 4
Southwest Human Development	CLASS Mentoring	134977	S-39732 4/3/13	\$ 50,000	\$200,000	2 of 2
Total				\$111,800	\$607,660	

Program Impact

The Head Start Program is a comprehensive preschool program for low-income children ages three to five years. The program currently serves 2,904 children and their families providing educational opportunities and support and resources in the areas of

disabilities, mental health, nutrition, and physical health. Services provided by contracted providers assist Head Start staff in meeting federal requirements and delivering high quality early childhood education and supportive services.

Financial Impact

No General Funds are required. Funding is available in the Head Start budget.

This item is recommended by Ms. Jonovich and the Human Services Department.

ITEM 51

CITYWIDE

**ORDINANCE S-40814 -
RENEW EARLY HEAD START CONTRACTS**

Request to authorize the City Manager, or his designee, to amend the contracts with the service providers listed below for the Early Head Start program to increase funding in a cumulative amount up to \$119,394, and extend the contract term for the period of July 1, 2014 through June 30, 2015. These contracts are necessary for the Early Head Start program to provide home-visiting and socialization services.

Authorization is also requested for the City Controller to disburse all funds for payment of services performed under these contracts.

The service providers were selected in accordance with the Request for Proposals process established in Administrative Regulation 3.10.

Service Provider	Service Description	Contract	Ordinance/ Date	Renewal Funding	New Contract Ceiling	Renewal Option
AZ School Meals	Catering Service for Socialization	131941	S-40432 12/4/13	\$ 20,000	\$ 91,000	3 of 4
Language Banc	Translation Services	131593	S-39732 4/3/13	\$ 50,000	\$228,000	3 of 4
Southwest Human Development	Mental Health Consultation	131983	S-39732 4/3/13	\$ 32,394	\$214,042	3 of 4
Total Transit	Cab service for Clients	131942	S-39732 4/3/13	\$ 17,000	\$133,000	3 of 4
Total				\$119,394	\$666,042	

Program Impact

The Early Head Start program is a comprehensive, home-based, social service program providing child development, education, and social services to 300 families with children under the age of three, and pregnant mothers. Socializations are an important part of the development process for children and parents. Socializations are offered to families twice a month at a location close to the families' homes. Nutritious snacks and transportation to socializations are provided through contracted providers. Translation services are provided to refugee and other non-English speaking parents during home-visits.

Financial Impact

No General Funds are required. Funding is available in the Early Head Start budget.

This item is recommended by Ms. Jonovich and the Human Services Department.

ITEM 52

CITYWIDE

**ORDINANCE S-40815 -
RENEW EARLY HEAD START/ HEAD START
DENTAL CONTRACTS**

Request to authorize the City Manager, or his designee, to amend the contracts with the dental providers listed below for the Head Start and Early Head Start programs to increase funding in an aggregate amount not to exceed \$36,000, and extend the contracts for one year beginning July 1, 2014 and ending June 30, 2015. This is the first of four renewal options.

Authorization is also requested for the City Controller to disburse all funds for payment of services performed under these contracts.

The dental providers were selected in accordance with the Request for Proposals process established in Administrative Regulation 3.10.

<u>Dental Provider</u>	<u>Contract</u>	<u>Ordinance</u>
Community Dental Services of Arizona	136371	
Cute Smiles for Kids	136373	
Desert Mission, Inc.	136377	
Forever Smiles	136372	S-40042
Glendale Gentle Dentistry	136374	6/19/2013
Magic Smiles Dental Care for Kids	136369	
My Kidz Dentist	136375	
Native American Community Center	136376	

Program Impact

The Head Start and Early Head Start programs provide comprehensive services to children zero to five years, and pregnant mothers, which includes dental services. When children or pregnant mothers are uninsured or underinsured, the contracted dental providers provide dental services at the current AHCCCS rate. The children and pregnant mothers are able to receive needed dental services, which is crucial to their overall well-being.

Financial Impact

No General Funds are required. Funding is available in the Head Start and Early Head Start budget.

This item is recommended by Ms. Jonovich and the Human Services Department.

ITEM 53

CITYWIDE

**ORDINANCE S-40816 -
CONTRACT WITH ACAA AND ACCEPT
EMERGENCY ASSISTANCE FUNDING**

Request to authorize the City Manager to enter into contract with the Arizona Community Action Association (ACAA) for Fiscal Year 2014-2015, and for the City Treasurer to accept funds in the amount of \$593,806. Authorization is also requested for the City Controller to disburse the necessary funds and pay all claims against the City associated with this contract.

Funds provided to the City of Phoenix through this contract will be from the following fund sources:

<u>Fund</u>	<u>Allocation</u>
Home Energy Assistance Fund (HEAF)	\$ 52,083
Utility, Repair, Replacement, and Deposit (URRD) Program	\$ 200,000
Arizona Public Service (APS) Rate Case Bill Assistance	\$ 97,000
Southwest Gas (SWG) Bill Assistance	\$ 51,320
Salt River Project (SRP) Bill Assistance	\$ 193,403

Program Impact

The funding will allow the City of Phoenix to assist approximately 1,943 households with case management, emergency assistance, and information and referral services.

Financial Impact

There are no matching fund requirements.

This item is recommended by Ms. Jonovich and the Human Services Department.

ITEM 54

CITYWIDE

**ORDINANCE S-40817 -
ESG-CDBG HOMELESS SERVICES CONTRACTS**

Request to authorize the City Manager, or his designee, to amend contracts with homeless service providers in an amount up to \$559,948, increasing the cumulative ceiling to \$1,134,610, for the period of July 1, 2014 through June 30, 2015. This is the first of four renewal periods for all contracts.

Authorization is also requested for the City Controller to disburse all funds for payment of services performed under this contract.

The contractors were selected in accordance with the Request for Proposal (RFP) process established in Administrative Regulation 3.10. An RFP was issued on December 18, 2012.

Organization	Contract	Service Area	Fund Source	Renewal Funding	New Contract Ceiling
The Salvation Army	136159	Emergency Shelter	ESG	\$ 38,750	\$ 77,500
Tumbleweed - Open Hands	136234	Emergency Shelter	ESG CDBG	\$ 64,267 \$ 30,920	\$128,534 \$ 61,840
UMOM - New Day Centers	136160	Emergency Shelter	CDBG	\$120,725	\$241,450
One n Ten, Inc.	136273	Outreach Services	ESG	\$ 14,000	\$ 28,000
		Re-Housing Services	ESG	\$ 50,000	\$100,000
Tumbleweed Center for Youth Development	136271	Outreach Services	ESG	\$ 14,000	\$ 28,000
		Re-Housing Services	ESG	\$ 50,000	\$ 100,000
Southwest Behavioral Health	136272	Outreach Services	ESG	\$ 42,000	\$ 84,000
		Re-Housing Services	ESG	\$135,286	\$ 285,286
Total				\$559,948	\$1,134,610

Financial Impact

No General Funds are required. Funding is available through the ESG and CDBG program budgets.

This item is recommended by Ms. Jonovich and the Human Services Department.

ITEM 55

CITYWIDE

**ORDINANCE S-40818 -
NEIGHBORHOOD SERVICES DEPARTMENT
HOUSING REHABILITATION PROGRAMS**

Request to authorize the City Manager, or his designee, to fund individual grants and loans for agreements with eligible Neighborhood Services Department (NSD) Housing Rehabilitation contractors, the sum of which will not exceed the Housing Rehabilitation, Weatherization, and Lead Hazard Control programs' allocations, totaling \$5,840,000 million from various federal, state, and private sources.

Further request authorization for the City Controller to accept and disburse funds up to the total program allocations through a continuing payment authority.

NSD Housing Rehabilitation is awarded funding as a result of a competitive grant application process through the U.S. Department of Housing and Urban Development (HUD), along with other annual allocations such as HOME funds through HUD, the Department of Energy (DOE), Community Development Block Grant (CDBG), various utility providers, and Arizona Community Action Association. The Housing Rehab section continues efforts to enhance the quality of life for low-income residents by rehabilitating single-family and multifamily housing units, while addressing health and safety hazards, promoting conservation, sustainability, and energy efficiencies to help support and revitalize neighborhoods and communities.

Currently, Housing Rehab has 86 active contractors on a Qualified Vendors List (QVL) which have met the minimum requirements and are eligible to perform work on housing rehabilitation projects. Each job is competitively bid among the qualified contractors. The department makes no guarantee as to the number of bid opportunities or awarded bids that will be made to the contractors which are deemed eligible as part of the QVL.

Financial Impact

No General Funds are required. Funding is available from various federal, state, and private sources.

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

ITEM 56

CITYWIDE

**ORDINANCE S-40819 -
WEATHERIZATION LOW INCOME ASSISTANCE
CONTRACT WITH ARIZONA GOVERNOR'S
OFFICE OF ENERGY POLICY**

Request to authorize the City Manager, or his designee, to enter into contract with the State of Arizona, Governor's Office of Energy Policy (AGOEP) to accept funding in an amount not to exceed \$1,800,000 for weatherization low-income assistance. Authorization is also requested for the City Controller to disburse funds over the duration of the contract.

Funding will be used during a two-year period beginning July 1, 2014 and ending on June 30, 2016. Funds are provided by:

<u>Funding</u>	<u>Contract Limit</u>
Southwest Gas (SWG) Corporation Low-Income Energy Conservation Program	\$ 400,000
U.S Department of Energy (DOE) Low-Income Weatherization Assistance Program	\$ 400,000
U.S. Department of Health and Human Services Low Income Home Energy Assistance Program (LIHEAP)	\$1,000,000

Funds from the Governor's Office, in conjunction with other funding sources, are used by the Neighborhood Services Department to support the Weatherization Assistance Program (WAP) in households that meet poverty level income guidelines. WAP provides energy efficiency retrofit activities such as attic insulation, sun screens, duct sealing, room pressure balancing, and repair/ replacement of heating and cooling systems.

Financial Impact

Funding is available through grant funds through AGOEP. The total cost over the life of the contract will not exceed \$1,800,000, with an estimated annual expenditure of \$900,000.

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

ITEM 57

DISTRICT 6

**ORDINANCE S-40820 -
IGA WITH ARIZONA STATE UNIVERSITY FOR
THE OPERATION AND MAINTENANCE OF
PAPAGO GOLF COURSE**

Request authorization to execute an Intergovernmental Agreement (IGA) with Arizona State University (ASU) for the operation and maintenance of Papago Golf Course. Approval of this item would relieve the City of operating obligations while paying the City golf program a share of revenues.

Under the proposed agreement, Papago would become the home to the ASU Men's and Women's Golf Program. ASU would manage and maintain the course as a municipal golf facility and be responsible for all future capital improvements, including the development of a new clubhouse and entry drive.

The following are the recommended terms of the proposed IGA:

- 30-year IGA Operating Agreement.
- ASU would facilitate the creation of a non-profit golf foundation to manage the golf course (similar structure as the management at ASU-Karsten) and develop the capital improvements. The current operator will continue through the transition.
- The non-profit foundation would cover all operating and capital expenses.
- The non-profit foundation will construct a new clubhouse within three years or the agreement may be

terminated.

- Green fees for resident card holders would be no greater than the current fee model approved by City Council. Any future change in the model would require Council approval.
- Resident Card Holders would have access to 50 percent of all rounds to be distributed evenly between weekday and weekend and by month.
- Papago Men's and Ladies Clubs will maintain tournament and event access similar to today's operations.
- ASU would have access to the course (at no charge) for team practices and up to two NCAA tournaments per year. One ASU Golf fundraising event per year and one Pac-12 Men and Women's tournament.
- The non-profit foundation will pay the City rent of \$200,000 annually. At the completion of the new clubhouse, rent will be reduced to \$100,000 for the next three years and then increased to \$200,000, or 20 percent of net revenue, whichever is greater.
- The Papago Golf Course name will be maintained, but ASU will have naming rights to the new clubhouse.
- The non-profit foundation, with City approval will create a new entrance, access road off Galvin Parkway, and additional parking for the golf course. The clubhouse will be built at its prior location between the Number 1 tee and the 18th green.

This item was recommended as part of the 2013 Golf Fund Balancing Plan, approved by City Council on March 6, 2013. The plan was developed based upon public input and was recommended for Council approval by the Parks, Arts, and Families Subcommittee on February 20, 2013. In addition, this request was recommended for approval by the Phoenix Parks and Recreation Board on June 27, 2013.

This item is also recommended by Ms. Takata, Mr. Naimark, and the Parks and Recreation Department.

ITEM 58

DISTRICT 2

**ORDINANCE S-40821 -
PA75150046 - CAREFREE HIGHWAY
TRAILHEAD - CMAR - DESIGN-PHASE
CONTRACT AWARD**

Request to authorize the City Manager, or his designee, to enter into an agreement with Valley Rain Construction Corporation, Tempe, Arizona, to provide Construction Manager at Risk (CMAR) design phase services for the Carefree Highway Trailhead project located at the southwest corner of 7th Avenue and Carefree Highway. Further request to authorize the City Controller to disburse the funds for purpose of this ordinance.

Valley Rain Construction Corporation was chosen for this project using a qualifications-based selection process authorized by Title 34 of the Arizona Revised Statutes.

This project will include the construction of a new trailhead to provide trailhead amenities including, but not limited to: parking lot, restroom building, ramada, gates, paths, electrical systems, landscape salvage/installation, irrigation, right of way work to the intersection of 7th Avenue and Carefree Highway, and related elements. The CMAR design phase services include, but are not limited to: project management, constructability review, value engineering, design document review, project scheduling, cost estimation, subcontractor bidding, and Guaranteed Maximum Price (GMP) preparation. The CMAR's fee for design phase services is \$23,314.29. The total estimated construction cost for this project is \$2.2 million.

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

Financial Impact

The CMAR's fee for design phase services shall not exceed \$23,314.29, which includes all subconsultant, subcontractor, and reimbursable costs. Funds are available from the Parks and Recreation Department Capital Improvement Program budget utilizing Impact Fees.

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

The Parks and Recreation Department concurs with this request.

This item is also recommended by Ms. Takata and the Street Transportation Department.

ITEM 59

DISTRICT 2

**ORDINANCE S-40822 -
WS85050008 - TRENCHING AGREEMENT AND
LINE EXTENSION WITH ARIZONA PUBLIC
SERVICE FOR LONE MOUNTAIN BOOSTER
STATION**

Request to authorize the City Manager, or his designee, to enter into a power line extension and trenching agreement with Arizona Public Service (APS). The purpose of this agreement is to allow the construction of electric distribution facilities to provide electrical service for the City of Phoenix Concrete Reservoir project located at 32625 North 56th Street. Further request authorization for the City Controller to disburse funds for the purpose of this ordinance.

The Reservoir Facility will be located at the 56th Street Alignment and Pinnacle Peak Road (32625 North 56th Street). The reservoir is part of the Water Master Plan to address reliability and future growth in the area. The project includes a single 3 million gallon partially buried concrete reservoir, a disinfection building, and a recirculation pump station.

Financial Impact

Funding for this agreement in the amount of \$43,773.82 is available through the Water Capital Improvement Program.

This item is recommended by Mr. Naimark, and the Street Transportation and Water Services Departments.

ITEM 60

DISTRICT 2

**ORDINANCE S-40823 -
WS85050047 - UNION HILLS WATER
TREATMENT PLANT FINISHED WATER
RESERVOIR 3D-ES2 REHABILITATION STUDY**

Request to authorize the City Manager, or his designee, to enter into an agreement with Wilson Engineers, LLC, Phoenix, Arizona, to conduct a study and provide possible design and construction administration services for the rehabilitation of the Union Hills Water Treatment Plant (WTP) Finished Water Reservoir. Further request to authorize the City Controller to disburse the funds for the purpose 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 Union Hills WTP is located at 2001 East Deer Valley Road. The existing reservoir, built in 1983, is a 40 million gallon finished water reservoir located within the confines of the Union Hills WTP. In order to design and rehabilitate the reservoir, an evaluation is required to determine how to maintain operation of the Union Hills WTP and the City of Phoenix water distribution system during the complete or partial shutdown of the reservoir. This project is multi-phased and may include design, construction administration, and inspection services, dependent on the outcome of the study. The engineer's services include, but are not limited to: research, evaluation and data collection; development of a conceptual design report, phasing, and cost estimates; and development of a conceptual demolition plan for rehabilitation and construction.

Financial Impact

The engineer's fee for study services shall not exceed \$207,473, including all subconsultant and allowable costs. Funding for these services is available in the Water Services Department Capital Improvement Program using Water Revenue (Fund 0051).

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

The Water Services Department concurs with this request.

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

ITEM 61

DISTRICT 6

**ORDINANCE S-40824 -
WS85500126 - ZONE 4S INTEGRATION -
CHANDLER BOULEVARD/DESERT FOOTHILLS
PARKWAY - DESIGN-BID-BUILD**

Request to authorize the City Manager, or his designee, to accept Sellers & Sons, Inc., Avondale, Arizona, as the lowest priced responsive and responsible bidder and to enter into a contract with Sellers & Sons, Inc. for construction services. Further request authorization for the City Controller to disburse the necessary funds for the purpose of this ordinance in an amount not to exceed \$1,111,142.70

Report of 11 bids received in compliance with Arizona Revised Statutes, Title 34 by the Street Transportation Department on March 25, 2014, to provide construction services in support of the Zone 4S Integration - Chandler Boulevard/Desert Foothills Parkway construction project. This project will increase water flows in the area by constructing approximately 7050 linear feet of 12-inch water main from a booster pump station located at 19th Street north of Chandler Boulevard south to Chandler Boulevard, west on Chandler Boulevard to Desert Foothills Parkway and north on Desert Foothills Parkway to another booster pump station located at Desert Foothills Parkway North of Chandler Boulevard. The lowest five bids were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and general contractor responsiveness in meeting the project's Small Business Enterprise (SBE) goal. All five bidders were found responsive.

Bids ranged from a low of \$1,111,142.70 to a high of \$1,883,717.17. The engineer's estimate, second lowest responsive bidder, and the lowest responsive and responsible bidder, indicated by an asterisk, are listed below:



	<u>Total</u>	<u>SBE Goal</u>
Engineer's Estimate	\$1,519,164.00	12.00%
Kincaid Civil Construction, Inc.	\$1,148,413.55	15.87%
Sellers & Sons, Inc*	\$1,111,142.70	12.01%

Recommendation

The Street Transportation Department recommends award of the base bid to the lowest responsible bidder, Sellers & Sons, Inc., in an amount not to exceed \$1,111,142.70

Financial Impact

Funding is available in the Water Services Department Capital Improvement Program budget as follows:

<u>Project</u>	<u>Funding</u>	<u>Total</u>
WS85500126	Fund 0051 (Water Revenue)	\$1,111,142.70

Previous City Council Action

There has been no previous City Council action.

Citizen Notification

A public information service firm will be used during the construction phase to keep the property owners and residents informed of the construction activities.



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

This item is also recommended by Mr. Naimark, and the Street Transportation and Water Services Departments.

ITEM 62

DISTRICTS 5 AND 7

**ORDINANCE S-40825 -
WS85500385 - SOUTHWEST ZONE 1 WATER
TRANSMISSION MAIN - CMAR - CONSTRUCTION
CONTRACT AWARD**

Request to authorize the City Manager, or his designee, to enter into an agreement with Achen-Gardner Construction, LLC, Chandler, Arizona, to provide Construction Manager at Risk (CMAR) construction phase services in support of the Southwest Zone 1 Water Transmission Main project. Further request to authorize the City Controller to disburse funds for the purpose of this ordinance.

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

The project will install new distribution and transmission mains on Buckeye Road between 59th and 67th Avenues in the southwest part of Zone 1, providing redundancy to an existing large water transmission main. This request for CMAR services is for Guaranteed Maximum Price (GMP) No. 1, which includes the installation of new 36-inch water main.

Financial Impact

The CMAR's construction fee shall not exceed \$13,700,000, including all subconsultant, subcontractor, and reimbursable costs. Funding for these services is available from the Water Services Department Water Capital Improvement Program using, Water Revenue (Fund 0051) funds.

Previous City Council Action

The City Council approved CMAR design-phase services on October 17, 2012.

SBE Report

A Small Business Enterprise (SBE) subcontractor utilization goal of 12 percent has been established for this project.

Citizen Notification

On November 1, 2013, a Construction Notice was distributed for 35th Avenue/ Buckeye Road Investigative Pothole Work.

On or about May 1, 2014, a business walk with notification and Variable Message Boards will be posted (date tentative).

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

The item is recommended by Mr. Naimark, and the Street Transportation and Water Services Departments.

ITEM 63

DISTRICTS 7 AND 8

**ORDINANCE S-40826 -
ST85100259 - AVENIDA RIO
SALADO/BROADWAY ROAD - 51ST AVENUE TO
7TH STREET - CMAR CONSTRUCTION
CONTRACT AMENDMENT**

Request to authorize the City Manager, or his designee, to amend Construction Manager at Risk (CMAR) Contract 136961 with Kiewit Infrastructure West Company, Phoenix, Arizona, to provide additional construction phase services for the Avenida Rio Salado (ARS)/Broadway Road: 51st Avenue to 7th Street project; and further authorize the City Controller to disburse the funds for the purpose of this ordinance.

GMP No. 2 will provide construction for Segment 4 of the project, which encompasses Broadway Road from 51st to 43rd Avenue. A new arterial roadway will be constructed from 51st Avenue to 43rd Avenue to provide three lanes of travel in each direction with a raised median. These improvements include widening 51st Avenue and constructing the 51st Avenue and ARS intersection improvements. A bus bay will be constructed on the southeast corner of 51st Avenue. This section will include installing a new storm drain system, including catch basins, laterals, and storm drain trunk line, and LED street lighting between 51st and 43rd Avenue.

Financial Impact

This encumbrance for GMP No. 2 services shall not exceed \$4,561,006, including all subcontractor, supplier, and allowable costs. This encumbrance will be supplemented by a cost savings of \$5,638,994 negotiated from GMP No. 1, bringing the total GMP No. 2 construction cost to \$10.2 million. This encumbrance increases the contract capacity to \$26,040,574. Funding for GMP No. 2 services is available from Federal Aid and through the Street Transportation Department Capital Improvement Program funds, as follows:

<u>Fund Center</u>	<u>Fund Title</u>	<u>Fund</u>	<u>Amount</u>
ST85100259-2	Federal Aid	1020	\$7,140,000
ST85100259-5	Impact Fee	2653	\$2,804,458
ST85100359-1	AHUR Reserve	1393	\$ 255,542

Previous Council Action

City Council approved Design Services Contract 128722 with Project Engineering Consultants, Ltd. on June 9, 2010.

The City Council approved Contract 135751 for CMAR design phase services on April 17, 2013.

The City Council approved Contract 136961 for GMP No. 1 on September 18, 2013.

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

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

ITEM 64

CITYWIDE

**ORDINANCE S-40827 -
4108JOC120 - STREET TRANSPORTATION
DEPARTMENT SIDEWALK RAMP RETROFIT JOB
ORDER CONTRACT**

Request to authorize the City Manager, or his designee, to enter into an agreement with Talis Corporation, Tempe, Arizona, to provide Sidewalk Ramp Retrofit Job Order Contracting (JOC) services and to execute contract options as necessary. The contract may contain other terms and conditions deemed necessary or appropriate by the City Manager, or his designee. Additionally, authorization is requested allowing the City Controller to disburse funds over the life of the contract including extensions.

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

The JOC contract will be for a 36-month period and a total initial contract amount of \$6,000,000, with an option to renew based on the contractor's satisfactory performance, the City's need for additional services, and funding availability. The contract will have the option to renew for an additional 24-month term and \$4,000,000, or the balance of the maximum contract amount of \$10,000,000 including all JOC amendments. Authorization is requested to execute job order/project agreements performed under this JOC for up to \$2,000,000 each in construction costs and in no event will any job order exceed this limit unless approved by the City Council to specifically change expenditure limits.

The JOC contractor services under this contract will involve the performance of construction/replacement services related to setting up and taking down of traffic control devices in accordance with the City of Phoenix Traffic Barricade Manual; evacuating, preparing subgrade, forming, placing, and finishing Americans with Disabilities Act compliant concrete sidewalk ramps including the installation of detectable warning strips (truncated domes); removing and replacing damaged sidewalk, curb and gutter, valley gutter aprons adjacent to sidewalk ramps, and installing new sidewalk; repairing brick paver sidewalk ramps; adjusting utility junction boxes, man hole covers, and hand hole covers.

The JOC has limits that herein establish contracting capacity, rather than encumbrance of funds. The encumbrance of funds against each JOC occurs as contract services are identified and negotiated for a specific project/job order.

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

Financial Impact

General, enterprise, capital improvement, bond, grant funds, and/or various other funds may be used. Budget and Research will approve the availability of funds prior to issuing any job order.

Citizen Notification

The public will be notified on each project/job order if notification is required.

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

The Acting City Engineer concurs with this request.

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

ITEM 65**CITYWIDE****ORDINANCE S-40828 -
AMENDMENT 3 TO AGREEMENTS FOR
ENVIRONMENTAL PROJECT SPECIALIST
SERVICES**

Request to authorize the City Manager, or his designee, to exercise the option to extend the agreements with Logan Simpson Design and RW Staffing Solutions, LLC. Further request authorization for the City Controller to disburse funds for payment of services performed under these agreements. Funds are disbursed as approved services are conducted.

On June 1, 2011, the City Council approved contract awards for two firms to establish a pool of vendors to supply temporary environmental project specialists on an as-needed basis in four separate environmental categories. The categories are cultural, National Environmental Policy Act (NEPA), biology, and permitting. Contracts were issued with a maximum amount of \$600,000 for the period of July 1, 2011 through June 30, 2012, and four one-year options to extend the agreements.

This request is to exercise the third of four options and extend the agreements with Logan Simpson Design and RW Staffing Solutions, LLC for another year from July 1, 2014 to June 30, 2015, with no additional funding.

Previous Council Action

On June 1, 2011, the Council approved Ordinance S-37952, which awarded the contracts for a one-year period, with an option to extend for four additional one year periods and allowed a total contract capacity of \$600,000.

On June 6, 2012, the Council approved Ordinance S-38932, which extended the contracts for an additional year from June 30, 2012 to June 30, 2013.

On June 19, 2013, the Council approved Ordinance S-40063, which extended the contracts for an additional year from June 30, 2013 to June 30, 2014.

Financial Impact

No additional funds are being added to the contract capacity. Funds are available in various Capital Improvement Program projects from each City department utilizing these services.

Citizen Notification

The public will be notified on each project if notification is required.

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

ITEM 66**CITYWIDE****ORDINANCE S-40829 -
ENGINEERING/CONSULTING ON-CALL
SERVICES FOR CALENDAR YEARS 2012-2014
CONTRACT AMENDMENT**

Request to authorize the City Manager, or his designee, to enter into separate contract amendments with seven firms to increase the limit of their engineering/consulting on-call services 2012-2014 contracts and, to further authorize the City Controller to disburse funds for the purpose of this ordinance.

These annual services contracts provide for on-call engineering and consulting services to City departments. Project assignments to these firms have included studies, design services, and project management. Project fees for these services, current work, and potential future assignments will exceed the amount that is currently available under the contract period of service.

This amendment increases contract limits for Contracts 133252, 133272, 133280, and 133298 by \$300,000 to a total of \$1,100,000 each; increases contract limits for Contract 133291 by \$350,000 to a total of \$1,100,000; and increases contract limits for Contracts 133295 and 133299 by \$300,000 to a total of \$800,000 each.

The firms will be compensated in accordance with the City-approved fee schedule, and all charges will be made to the specific project assignments. All firms were selected through a qualification-based selection process in accordance with Title 34 of the Arizona Revised Statutes.

The consultants will be utilized on an as-needed basis to provide various professional services to client departments for projects.

The firms include the following:

- Water/Wastewater Services (increase of \$300,000 for a contract total of \$1,100,000):
Black & Veatch Corporation (Contract 133252)
- Civil Engineering Services (increase of \$300,000 for a contract total of \$1,100,000):
Gavan & Barker, Inc. (Contract 133272)
Stanley Consultants, Inc. (Contract 133280)
- Mechanical/Plumbing Services (increase of \$300,000 for a contract total of \$1,100,000):
Smithgroup JJR (Contract 133298)
- Project Management Services (increase of \$350,000 for a contract total of \$1,100,000):
Jacobs Engineering Group, Inc. (Contract 133291)
- Landscape Architecture Services (increase of \$300,000 for a contract total of \$800,000):
J2 Engineering & Environmental Design, LLC (Contract 133295)
- Mechanical/Plumbing Services (increase of \$300,000 for a contract total of \$800,000):
Taylor Rymar Corporation (Contract 133299)

Financial Impact

Funding is available in various Capital Improvement Program projects from each City department utilizing these services.

Previous City Council Action

The City Council approved Contracts 133252, 133272, and 133280 for the amount of \$800,000; and Contracts 133295 and 133299 for the amount of \$500,000 on May 2, 2012, to provide on-call services.

The City Council approved Contract 133291 for the amount of \$500,000 on May 2, 2012, to provide on-call services; and on April 3, 2013, approved an increase of \$250,000 to total contract of \$750,000.

The City Council approved Contract 133298 for the amount of \$500,000 on May 2, 2012, to provide on-call services; and on December 12, 2013, approved an increase of \$300,000 to a total contract of \$800,000.

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

ITEM 67

CITYWIDE

**ORDINANCE S-40830 -
WATER TREATMENT PLANTS AND
RECLAMATION FACILITY JOC ENGINEERING
SUPPORT SERVICE - AMENDMENT 2
CORRECTION**

Request authorization to amend Ordinance S-40567, as approved on February 5, 2014, in order to correct the expiration date of a contract with Wilson Engineers, Phoenix, Arizona.

The contract with Wilson Engineers provides for design and possible construction administration services to support the work of the Job Order Contractor (JOC). The original Request for Council Action approved by City Council on June 13, 2012, established duration of contract as a one-year period with an option to extend the contract for two additional one-year periods for a maximum of three consecutive years. While staff wished to exercise the option to extend the contract for an additional one year period, the new expiration date was incorrectly identified as August 17, 2014. The correct contract expiration date for this ordinance should have read June 30, 2015.

Financial Impact

This correction does not change the financial limits of the contract.

Previous City Council Action

This contract was approved by City Council on June 13, 2012, for a one-year period with two options to renew for additional one-year periods, and with a contract limit of \$500,000. On March 20, 2013, Council approved the first option to renew the contract for a one-year period and increase the contract limit by \$600,000 to \$1,100,000. On February 5, 2014, Council approved the second and final option to extend the contract for one additional year and increase the contract value by \$1,000,000 to \$2,100,000.

The Water Services Department concurs with this request.

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

ITEM 68

DISTRICT 3

**ORDINANCE S-40831 -
AMEND ORDINANCES S-38975 AND S-40669
FOR NON POTABLE WATER AGREEMENT**

Request authorization to amend Ordinance S-38975 adopted June 13, 2012, as amended by Ordinance S-40669 adopted March 19, 2014, which authorized the City Manager to execute a development agreement to construct a non-potable water supply pipeline and associated infrastructure to the privately-owned Moon Valley Country Club Golf Course (MV) and Pointe Tapatio Lookout Mountain Golf Course (LM), and a backup non-potable supply for the City-owned Cave Creek Golf Course (CC).

This amendment replaces the proposed Phase 1 (a temporary water line from CC to MV using groundwater from the CC wells) with a water payment plan during Phase 2 design and construction. MV and/or LM may elect to pay a flat amount per month, not less than \$50,000 per month for water usage during the Phase 2 design and construction, but not for a period to exceed two years. The actual water bill may be higher or lower than the flat amount. Any amount deferred will bear interest and will be paid, or partially paid, upon Phase 2 completion from Phase 2 credits due to MV and/or LM for advancing capital costs allocable to CC for the Phase 2 infrastructure. Any remaining deferred payments will be paid over five years in pro rata monthly payments commencing one month after Phase 2 water delivery commences. Payment of the deferral will be guaranteed by a letter of credit or other security acceptable to the City. The deferral is subject to MV and/or LM making Phase 2 design and construction payments, including the advance of funds on behalf of CC.

Approval by secured lenders of the terms and conditions of the development agreement for the privately-owned golf courses is being removed as a requirement because no districts are being formed and improvement costs will be paid in cash or through letters of credit.

This item is recommended by Mr. Naimark and the Water Services Department.

ITEM 69

DISTRICT 8

**ORDINANCE S-40832 -
CONSENT TO USE AGREEMENT WITH SRP FOR
WESTERN CANAL SEWER MAIN**

Request to authorize the City Manager, or his designee, to enter into a Consent to Use Agreement with Salt River Project (SRP) for the proposed Western Canal Sewer Main Extension project, located near 20th Street and Baseline Road.

SRP currently has an easement along the western canal for existing and future electrical facilities; and requires a Consent to Use Agreement for City use and occupancy of certain areas within that existing easement for the proposed sewer main project.

Further request the City Council to grant an exception pursuant to Phoenix City 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 item is recommended by Mr. Naimark and the Water Services Department.

ITEM 70

CITYWIDE

**ORDINANCE S-40833 -
AMEND AGREEMENT 131673 WITH BIO-
AQUATIC
TESTING, INC.**

Request to authorize the City Manager, or his designee, to extend Agreement 131673 with Bio-Aquatic Testing, Inc. The contract term was awarded for three years with two, one-year renewal options. The Water Services Department (WSD) is requesting

approval to exercise the first renewal option to extend the agreement to July 31, 2015. Further request authorization for the City Controller to disburse funds over the remaining life of the contract in an amount not to exceed \$340,000.

Previous City Council Action

On June 15, 2011, the City Council approved contracting with Bio-Aquatic Testing, Inc. for laboratory testing and analysis of environmental water and wastewater samples for a three-year period, with options to extend for two years. This contract provides testing services, which include whole effluent toxicity, toxicity identification, and toxicity reduction studies to ensure compliance with Federal, State, and local water quality regulations. The consultant will perform analytical testing for which the WSD laboratory is not accredited.

Financial Impact

Fees paid shall conform to the City-approved fee schedule and shall not exceed \$170,000 per year as allocated from the Water Services Department operating budget.

This item is recommended by Mr. Naimark and the Water Services Department.

ITEM 71

CITYWIDE

**ORDINANCE S-40834 -
AMEND AGREEMENT 131691 WITH TEST
AMERICA LABORATORIES, INC.**

Request to authorize the City Manager, or his designee, to extend Agreement 131691 with Test America Laboratories, Inc. The contract was awarded for three years, with two renewal options. The Water Services Department (WSD) is requesting approval to exercise the first renewal option to extend the agreement to July 31, 2016. Further request authorization for the City Controller to disburse funds over the remaining life of the contract in an amount not to exceed \$430,000.

This contract provides laboratory analysis services to ensure compliance with several regulatory requirements. This service provides back up to in-house laboratory and conducts analytical methods for which the WSD laboratory is not accredited.

Previous City Council Action

In March 2011, Test America Laboratories, Inc. was selected for analytical services through a qualification-based selection process to provide laboratory environmental testing and analysis of water, wastewater, groundwater, and solid waste samples. The City Council approved entering into the agreement in an amount not to exceed \$215,000 per year on June 15, 2011 through July 31, 2014, with options to extend for two years.

Financial Impact

Fees paid shall conform to the City-approved fee schedule and shall not exceed \$215,000 per year as allocated from the Water Services Department operating budget.

This item is recommended by Mr. Naimark and the Water Services Department.

ITEM 72

CITYWIDE

**ORDINANCE S-40835 -
AMEND AGREEMENT 131724 WITH EUROFINS
EATON ANALYTICAL, INC.**

Request to authorize the City Manager, or his designee, to exercise an option to extend Agreement 131724 with Eurofins Eaton Analytical, Inc. The current contract term is for three years, with two one-year renewal options. The Water Services Department (WSD) is requesting approval to exercise the first renewal option to extend the agreement to July 31, 2015. Further request authorization for the City Controller to disburse funds over the remaining life of the contract in an amount not to exceed \$430,000.

In March 2011, MWH Laboratories was selected for analytical services through a qualification-based selection process to provide laboratory environmental testing and analysis of water, wastewater, and solid waste samples.

This contract provides laboratory analysis services to ensure compliance with several regulatory requirements.

This service provides back up to the department in-house laboratory, and conducts analytical methods for which the Water Services Department laboratory is not accredited.

Previous City Council Action

The City Council approved entering into the agreement for a three-year term with MWH Laboratories in an amount not to exceed \$215,000 per year. On August 29 the City Council approved consent to assignment of the contract to Eurofins Eaton Analytical,

Inc.

Financial Impact

Fees paid shall conform to the City-approved fee schedule and shall not exceed \$215,000 per year as allocated from the Water Services Department operating budget.

This item is recommended by Mr. Naimark and the Water Services Department.

ITEM 73

CITYWIDE

**ORDINANCE S-40836 -
JOINT FUNDING AGREEMENT WITH U.S.
DEPARTMENT OF THE INTERIOR,
U.S. GEOLOGICAL SURVEY FOR STORMWATER
MONITORING SERVICES**

Request to authorize the City Manager, or his designee, to enter into a joint funding agreement with the U. S. Department of the Interior, U.S. Geological Survey for stormwater monitoring services. Further request to authorize the City Controller to disburse funds for the purpose of this ordinance.

Under the terms of the Arizona Pollutant Discharge Elimination System (AZPDES) Permit AZS000003, the City is required to sample and analyze stormwater discharges at seven outfall locations within the municipal separate storm sewer system (MS4). The U.S. Geological Survey (USGS) provides services, which include equipment maintenance and wet-weather sample collection, in support of the City's wet-weather monitoring program.

This service has been performed by the USGS on behalf of the City since September 2004. The current agreement will expire in September 2014. USGS has been actively involved with the City of Phoenix, MS4 wet-weather monitoring program since its inception in 1997. The agency has expertise in local and regional stormwater monitoring issues and protocols.

The term of the agreement will commence on October 1, 2014, for two years.

Financial Impact

The aggregate value of the contract will not exceed \$260,000 over the life of the contract, with an estimated annual cost of \$130,000. Funding is allocated from the Water Services Department operating budget.

This item is recommended by Mr. Naimark and the Water Services Department.

ITEM 74

DISTRICT 6

**RESOLUTION 21222 -
ABANDONMENT OF RIGHT OF WAY - V -
120035A**

Request to abandon the right-of-way described below as the area is being replatted.

On October 17, 2012, the Abandonment Hearing Officer considered the application of JLB Partners, LP to abandon the 42nd Place right-of-way and cul de-sac north of East Calle Tuberia; the 16-foot alley right-of-way from north of 4228 East Calle Tuberia east to the intersecting line of 4250 East Calle Tuberia and 4827 North 43rd Street (excluding the south 8 feet adjacent to 4330 East Calle Feliz), and the alley continuing to North 44th Street; also all the public easements located on the parcels addressed 4848, 4902, 4908, 4907, and 4901 North 42nd Place, except the public utility easement/drainage easement retained per Resolution 17056 and the public utility easement retained per Resolution 16636; and all the public easements located on the parcels addressed 4228, 4236, 4242, and 4250 East Calle Tuberia; 4910, 4750/4900, 4736, and 4730 North 44th Street; and 4336 East Calle Feliz.

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

Final Plat 130031, under the name of Residences at Camelback, is to be recorded concurrently with this resolution.

The resolution of abandonment and the subdivision plat are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first; then the plat is recorded second. Recording in this manner will satisfy the stipulation to record concurrently.

A fee was also collected as part of this abandonment in the amount of \$10,000.

Following established review procedures, no objections to the Hearing Officers recommendation have been received from the City Council or other parties.

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

NEW BUSINESS

ITEM 75

CITYWIDE

**NOTICE OF LEGALLY REQUIRED PUBLIC
HEARINGS ON THE PROPOSED 2014-2015
BUDGET FOR THE CITY OF PHOENIX**

Request to authorize the City Manager to:

1. Set 3:00 p.m., Wednesday, June 4, 2014, as the time and date of the legally required public hearing on the adoption of the tentative budget ordinances for the City of Phoenix for the 2014-2015 fiscal year, including Operating Funds, Capital Funds, and Reappropriated Funds.
2. Set 3:00 p.m., Wednesday, June 4, 2014, as the time and date of the public hearing for purposes of receiving public comments on the proposed 2014-2019 Capital Improvement Program.
3. Set 3:00 p.m., Wednesday, June 18, 2014, as the time and date of the adoption of the final budget ordinances for City of Phoenix for the 2014-2015 fiscal year, including Operating Funds, Capital Funds, and Reappropriated Funds.
4. Set 1:00 p.m., Wednesday, July 2, 2014, as the time and date of the legally required public hearing on the adoption of the Property Tax Levy for the 2014-2015 fiscal year.

In addition to these legally required public hearings, from April 1 through April 22, community budget hearings that were advertised in various city newspapers and publicized on-line were held for each Council District in locations throughout the city, including an online hearing. These hearings also provided residents with several opportunities to comment on the proposed 2014-2015 budget and were video recorded for viewing on the City's YouTube page and on Channel 11. All comments and messages were summarized and forwarded in weekly City Council reports throughout April and early May.

This item is recommended by Mr. Zuercher and the Budget and Research Department.

ITEM 76

DISTRICT 1

**PROPOSED ALAMEDA ROAD AND 17TH AVENUE
ANNEXATION - FILING**

Request to authorize the City Manager to file with the Office of the County Recorder a blank petition containing a map and legal description of an area proposed to be annexed, designated as the proposed Alameda Road and 17th Avenue Annexation.

This property has a Federal Patent Easement and the annexation request is being made by the property owner to permit future water and streets infrastructure development for the City of Phoenix. The proposed annexation area includes approximately 0.25 acres (0.0004 square miles) and the population is estimated to be 0. The annexation area includes the south 33 feet of parcel 210-07-007A, located on the north side of Alameda Road east of 17th Avenue. The area will become part of the right-of-way of Alameda Road. The Waiver of Claims for Diminution in Value of Property under Proposition 207 has been executed.

This action is being requested to comply with Arizona Revised Statutes, Section 9-471. Signatures on the proposed annexation petition shall not be obtained for a waiting period of 30 days after filing the blank petition with the County Recorder's Office. A public hearing will be scheduled within the 30-day waiting period to discuss the annexation proposal.

A map accompanies this item on the following page.

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

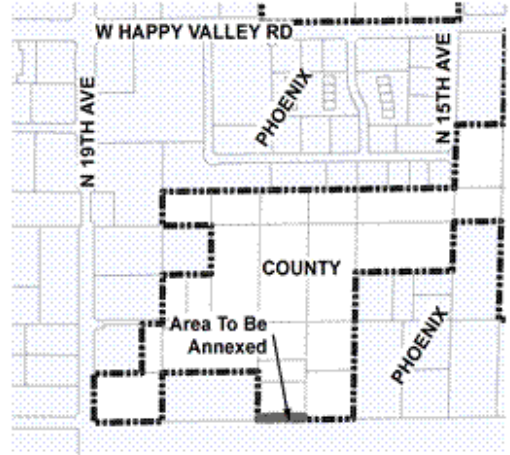
ANNEXATION MAP
ALAMEDA ROAD & 17TH AVENUE



City of Phoenix

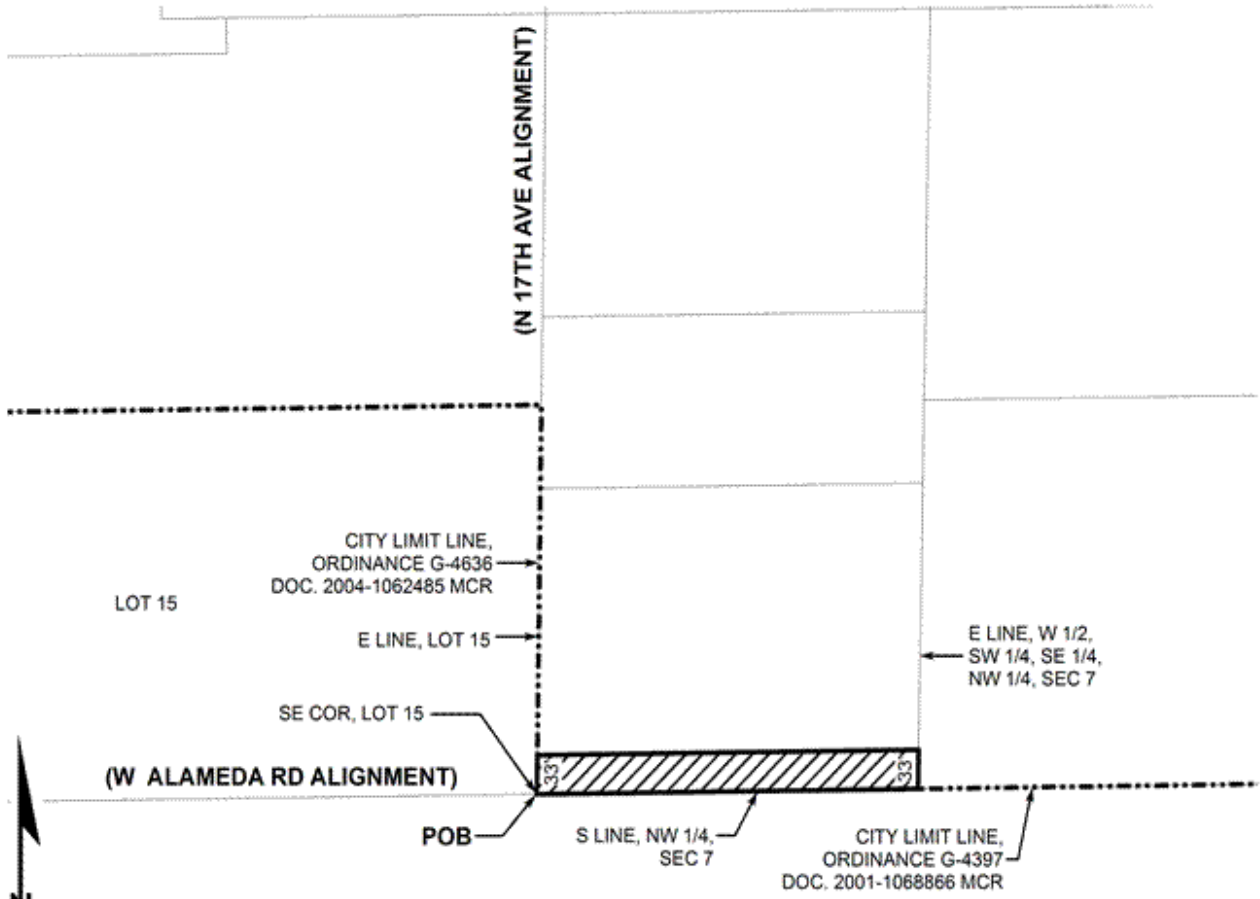
LEGAL DESCRIPTION
SECTION 7 T. 4 N., R. 3 E.
G. & S. R. B. & M.

VICINITY MAP





ANNEXATION NUMBER: XXX

AREA IN SQUARE MILES
0.0004



Legend

-  Annexation Polygon
-  Existing City Limits

Request to authorize the City Manager to file with the Office of the County Recorder blank petitions containing maps and legal descriptions for several annexations necessary to complete the Broadway Road Avenida Rio Salado Project - Areas 1 through 6.

The City of Phoenix is currently acquiring property along Broadway Road in conjunction with the Avenida Rio Salado Street Transportation project. The acquired properties will become part of the right-of-way of the improved Broadway Road. As the properties are acquired, the Street Transportation Department will request annexation, and petitions will be prepared and filed with the County Recorder for the properties. All of the proposed annexation areas will be a 7-foot strip of land on the north side of Broadway Road between 27th Avenue and 35th Avenue. Each separate proposed annexation will be brought before the City Council two times, for the required public hearing and for adoption of the annexation ordinance.

Obtaining City Council approval one time to file several petitions to annex all of the parcels in the project will avoid bringing separate requests for very small pieces of property to the City Council. It will also provide a more efficient and timely process, providing flexibility for staff to initiate the annexation process as parcels are acquired by the City.

This action is being requested to comply with Arizona Revised Statutes, Section 9-471. Signatures on the proposed annexation petition shall not be obtained for a waiting period of 30 days after filing the blank petition with the County Recorder's Office. A public hearing will be scheduled within the 30-day waiting period to discuss the annexation proposals. A Waiver of Claims for Diminution in Value of Property under Proposition 207 is not required because the City will be the owner of land to be annexed.

A map of the project areas accompanies this item on the following page.

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



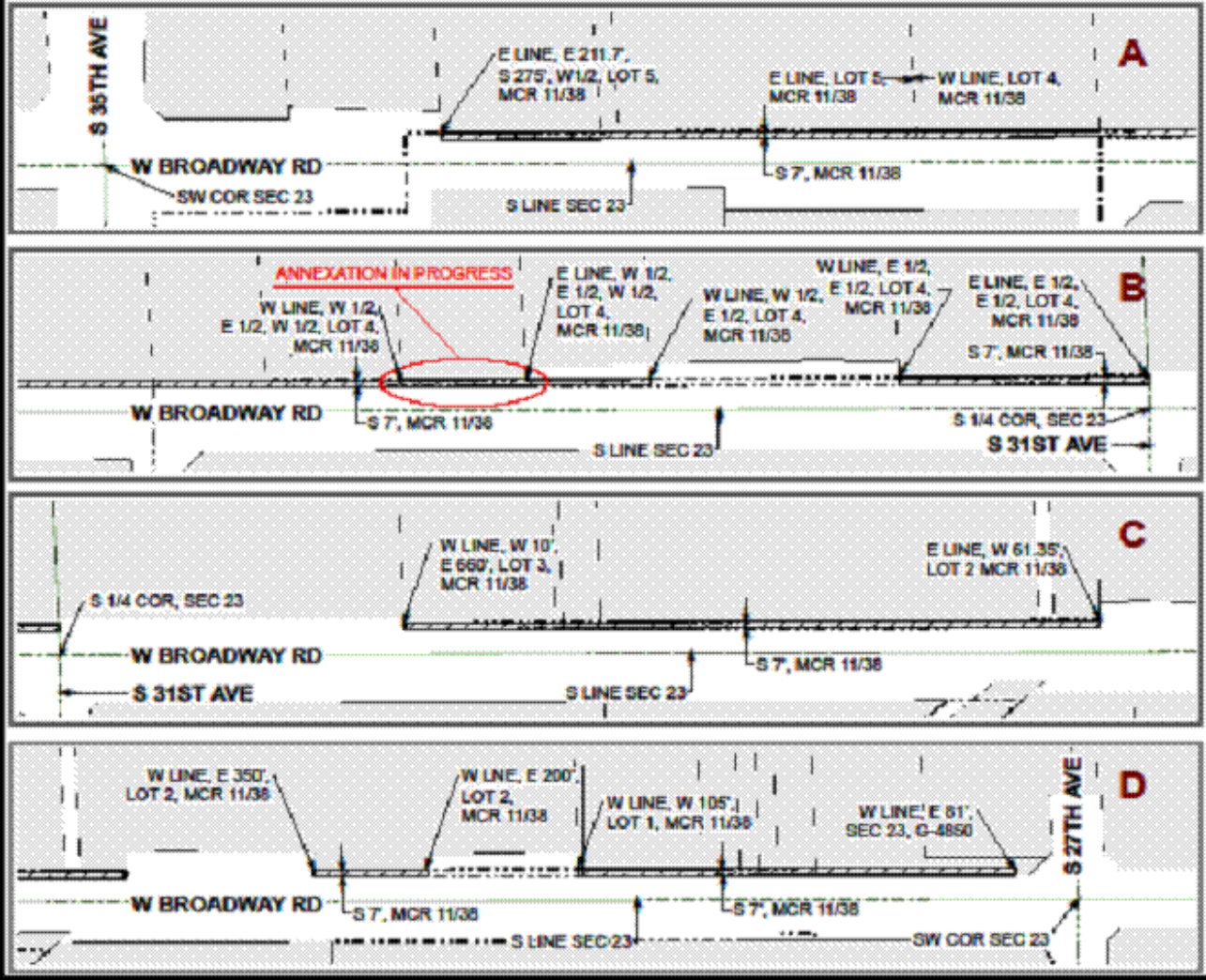
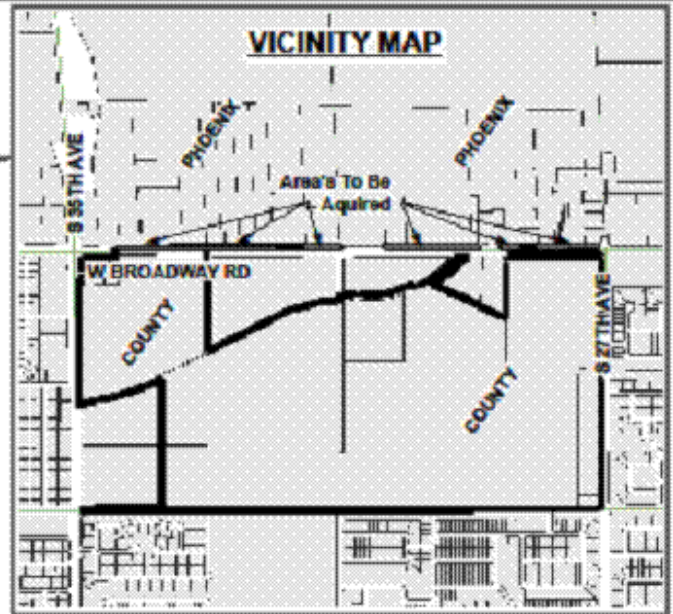
City of Phoenix

ANNEXATION AREA MAP BROADWAY RD ALIGNMENT 35TH AVE TO 27TH AVE

LEGAL DESCRIPTION
SECTION 23 T. 1 N., R. 2 E.
G. & S. R. B. & M.

Legend

- Annexation
- City Limits
- Parcel
- QS Index



Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) between the City of Phoenix, Maricopa Association of Governments (MAG), Valley Metro Rail (METRO), and the Regional Public Transportation Authority (RPTA) for transit planning, programming, and fund allocation. This replaces the previous agreement dated April 6, 2010. The agreement will remain in effect until a subsequent agreement is executed.

The purpose of the IGA is to set forth the basic structure for cooperative planning and decision making regarding transit planning and programming between MAG, METRO, RPTA, and the City of Phoenix. Phoenix is the designated recipient for federal formula funds allocated under the Federal Transportation Act for the Phoenix-Mesa Urbanized Area, and is the Direct Grant Recipient for federal formula funds allocated to the Avondale-Goodyear Urbanized Area.

Phoenix, RPTA, METRO, other transit operators, and local government agencies in the MAG region are eligible to receive Federal Transit Administration (FTA) funding for capital, operating, and planning assistance for the delivery of public transportation. The agreement describes the planning and programming relationship among those agencies that is consistent with federal law requiring the Metropolitan Planning Organization, MAG, and transit operators to work cooperatively in the development of long range transportation plans and Transportation Improvement Programs.

Financial Impact

There is no financial impact to the City for this agreement.

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

ITEM 79 **CITYWIDE** **RETROACTIVE APPROVAL
TO APPLY FOR FISCAL YEAR 2014 TIGER
DISCRETIONARY GRANT**

Request retroactive authorization for the City Manager, or his designee, to: (1) apply for the United States Department of Transportation (USDOT) Transportation Investment Generating Economic Recovery (TIGER) discretionary grant for an amount of \$16,600,000, (2) accept funds, if awarded, and (3) enter into an agreement with the USDOT for the purpose of accepting the awarded grant.

The Public Transit Department in partnership with the Street Transportation Department will seek to utilize a combination of TIGER grant and local matching funds to make multi-modal transportation improvements to the South Phoenix Transit Corridor, along Central Avenue between Jefferson Street and Dobbins Road. The improvements include projects that would enhance multi-modal connections on adjoining streets, provide bicycle infrastructure improvements, improve Americans with Disabilities Act accessibility and shade at bus stops, and complete critical upgrades to a bus operating facility that supports transit service in this high capacity transportation corridor.

The South Phoenix Transit Corridor Improvements build upon previous federal and local capital investment and planning initiatives underway in the area. It will also address the federal objectives of creating stronger connections to education and employment through additional transportation choices. Combining planning efforts and capital projects in this corridor will improve connectivity in this highly transit-dependent area of the city and help set the stage for future investment in this high capacity corridor.

The application deadline was April 28, 2014. If retroactive authorization to apply is not granted, the application will be withdrawn.

Financial Impact

Applications for TIGER grant projects located in urban areas require a minimum 20 percent non-federal cost share, with a minimum \$10 million federal grant funding request. The project's total cost is estimated to be \$33,305,000. In the grant application, Phoenix proposes using local Transit 2000 (T2000) and Street Transportation funding, for the non-federal share. The application will use a local match of approximately 50 percent to bolster the competitiveness of the application. Over the first five years of the TIGER program, local match for selected projects has averaged about 60 percent.

Approval to apply for Fiscal Year 2014 TIGER Discretionary Grant for the South Phoenix Transit Corridor Improvements project is recommended by the Acting Public Transit Director and Acting Street Transportation Director.

This item is also recommended by Mr. Naimark.

ITEM 80 **DISTRICT 8** **IGA WITH ADOT FOR GRANT STREET AND UNION
PACIFIC RAILROAD CROSSING IMPROVEMENTS**

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with Arizona Department of Transportation (ADOT) for integrating Grant Street and Union Pacific Railroad crossing improvements that include new concrete

crossing surfaces, new signs, and removal of abandoned tracks.

The future project is intended to provide a mutual benefit in improving the existing Union Pacific Railroad crossing and Grant Street.

As part of the IGA, the City and ADOT agree to save and hold harmless, defend and indemnify each other from claims resulting from either's negligent or wrongful acts or omissions. Per City Code 42-20 (B), indemnification of another public entity requires approval from the City Council.

Financial Impact

No City funds are proposed to be expended as a direct result of this agreement, other than normal City signing and striping services.

Citizen Notification

There is no public notification required with the execution of this agreement.

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

ITEM 81 **DISTRICT 1** **FINAL PLAT - THUNDERBIRD PLAZA**
MCDONALD'S - 140001

The following final plat has been 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 April 21, 2014.

Plat 140001
Project 00-8286
Name of Plat: Thunderbird Plaza McDonald's
A Two-Lot Commercial Plat
Generally located at northwest corner of 43rd Avenue and Thunderbird Road

Owner(s): ABC Surplus-O, LLC and McDonald's USA, LLC
Engineer(s): Superior Surveying Services, Inc.

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

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

ITEM 82 **DISTRICT 2** **FINAL PLAT - ESTATES AT 44TH STREET -**
130077

The following final plat has been 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 April 18, 2014.

Plat 130077
Project 05-3176
Name of Plat: Estates at 44th Street
A 44-Lot Residential Plat
Generally located at 44th Street and Dynamite Boulevard

Owner(s): The Land Holdings Investment Company, LLC
Engineer(s): M2 Group

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

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

ITEM 83 **DISTRICT 6** **FINAL PLAT - RESIDENCES AT CAMELBACK -**
130031

The following final plat has been 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 April 18, 2014.

VPC Action: Camelback East - February 4, 2013 - Approved, subject to staff stipulations.
Vote 12-0
PC Action: February 11, 2014 - Approved per the memo from Tricia Gomes dated February 11, 2014, with one additional stipulation limiting the height of development to 15 feet and one story. Vote 7-0

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 ~~January 9, 2014~~ FEBRUARY 11, 2014, except as modified by the following stipulations and approved by the Planning and Development Department.
2. The property owner shall provide a minimum 20-foot landscape setback with a minimum 3-inch caliper trees to be placed 20 feet on center or in equivalent groupings along the east property line as approved by the Planning and Development Department, WITH SPECIFIC REGARD TO THE 11 TREES ALONG THE SOUTH AND EAST PROPERTY LINES AS DEPICTED ON THE SITE PLAN DATE STAMPED FEBRUARY 11, 2014.
3. The property owner shall provide a minimum 20-foot landscape setback with a minimum 3-inch caliper trees to be placed 20 feet on center or in equivalent groupings along the south property line, as approved by the Planning and Development Department.
4. The property owner shall maintain a minimum of three trees in the front yard setback.
5. The maximum number of parking spaces allowed shall not exceed 125 percent of the City requirement.
6. The trash enclosure shall be located no closer to the street than the main building, as approved by the Planning and Development Department.
7. The property owner shall dedicate a 10-foot-wide sidewalk easement along the east side of 7th street, as approved by the Planning and Development Department.
8. THAT PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.
9. THE BUILDING HEIGHT BE LIMITED TO 1-STORY AND 15 FEET.

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

<u>ITEM 86</u>	DISTRICT 1	<u>PUBLIC HEARING -</u> RESOLUTION 21223- GPA-RV-1-14-1 - 43RD AVENUE, BETWEEN CIRCLE MOUNTAIN ROAD AND JENNY LIN ROAD
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NOTE: ITEM 86 WILL NOT BE HEARD PRIOR TO 3:00 P.M.

Request to hold a public hearing on the land use for the following item to consider adopting the Planning Commission's recommendation and the related resolution if approved.

Application: GPA-RV-1-14-1
Request: Street Classification - Map Amendment
From: Arterial
To: Collector
Location: 43rd Avenue, between Circle Mountain Road and Jenny Lin Road

Proposal: Amend the Street Classification Map to realign and reclassify 43rd Avenue from an Arterial to a Collector
Applicant: Stephen C. Earl - Earl, Curley and Lagarde, PC
Staff: Approved.
VPC Action: Rio Vista - March 24, 2014 - Approved. Vote 3-0-1
PC Action: April 8, 2014 - Approved. Vote 8-0

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

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

Upon request, the City Clerk Department will make this publication available through appropriate auxiliary aids or services to accommodate an individual with a disability by calling the Council Support Section, 602-256-3186; faxing a request to 602-495-5847; or calling TTY number 602-534-2737.

**AGENDA FOR SPECIAL MEETING
PHOENIX CITY COUNCIL
WEDNESDAY, MAY 7, 2014, 3:30 P.M.
COUNCIL CHAMBERS, 200 WEST JEFFERSON
PHOENIX, ARIZONA 85003**

**ITEM S-1 CITYWIDE PUBLIC COMMENT
PROPOSED MOU BETWEEN THE CITY OF
PHOENIX AND AFSCME LOCAL 2960
(UNIT 3)**

Request to receive public comment on the terms of the proposed MOU between the City of Phoenix and AFSCME Local 2960 (Unit 3). Section 2-218(G) of the Meet and Confer Ordinance provides that a proposed Memorandum of Understanding (MOU) be filed with the City Clerk following its ratification by the employee organization. "At the earliest practicable date thereafter the City Council of the City of Phoenix shall provide on its agenda an opportunity for public comment on the terms of the memorandum of understanding prior to the Council acting thereon."

The proposed Memorandum of Understanding between the City of Phoenix and the American Federation of State, County and Municipal Employees, AFSCME Local 2960 (Unit 3) will be on file with the City Clerk pending ratification. This item provides the required opportunity for public comment on the terms of the MOU.

This item is recommended by Mr. Zuercher and the Human Resources Department.

**ITEM S-2 CITYWIDE RESOLUTION 21224 -
MOU BETWEEN THE CITY
OF PHOENIX AND AFSCME LOCAL 2960
(UNIT 3)**

Request to approve the MOU between the City of Phoenix and AFSCME Local 2960 (Unit 3). The City of Phoenix has met and conferred with the American Federation of State, County and Municipal Employees, AFSCME Local 2960 (Unit 3), in accordance with the terms of Section 2-218 of the City Code, and a Memorandum of Understanding (MOU) is being considered by the organization's membership. A copy of the proposed MOU will be filed with the City Clerk once ratified and an opportunity for public comment has been requested as an agenda item preceding this resolution.

This item is recommended by Mr. Zuercher and the Human Resources Department.

**ITEM S-3 CITYWIDE PUBLIC COMMENT
PROPOSED MOU BETWEEN THE CITY OF
PHOENIX AND THE PHOENIX FIRE
FIGHTERS ASSOCIATION, IAFF
LOCAL 493 (UNIT 5)**

Request to receive public comment on the terms of the proposed MOU between the City of Phoenix and the Phoenix Fire Fighters Association. Section 2-218(G) of the Meet and Confer Ordinance provides that a proposed Memorandum of Understanding (MOU) be

filed with the City Clerk following its ratification by the employee organization. "At the earliest practicable date thereafter the City Council of the City of Phoenix shall provide on its agenda an opportunity for public comment on the terms of the memorandum of understanding prior to the Council acting thereon."

The proposed Memorandum of Understanding between the City of Phoenix and the Phoenix Fire Fighters Association, IAFF Local 493, will be on file with the City Clerk pending ratification. This item provides the required opportunity for public comment on the terms of the MOU.

This item is recommended by Mr. Zuercher and the Human Resources Department.

ITEM S-4 **CITYWIDE** **RESOLUTION 21225 -
MOU BETWEEN THE CITY OF PHOENIX
AND THE PHOENIX FIRE FIGHTERS
ASSOCIATION, IAFF LOCAL 493 (UNIT 5)**

Request to approve the MOU between the City of Phoenix and the Phoenix Fire Fighters Association, IAFF Local 493 (Unit 5). The City of Phoenix has met and conferred with the Phoenix Fire Fighters Association, IAFF Local 493 (Unit 5), in accordance with the terms of Section 2-218 of the City Code. A Memorandum of Understanding (MOU) is being considered by the organization's membership. A copy of the proposed MOU will be filed with the City Clerk once ratified and an opportunity for public comment has been requested as an agenda item preceding this resolution.

This item is recommended by Mr. Zuercher and the Human Resources Department.

ITEM S-5 **CITYWIDE** **RESOLUTION 21226 -
UNRESOLVED ISSUES BETWEEN THE
CITY OF PHOENIX AND AFSCME LOCAL
2384 (UNIT 2)**

Request for action on unresolved issues between the City of Phoenix and AFSCME Local 2384 (Unit 2). The City Manager and the American Federation of State, County and Municipal Employees, AFSCME Local 2384 (Unit 2), submitted written position statements to the City Council regarding all unresolved issues in dispute and a public hearing was held where the parties were given full opportunity to explain their respective positions on all unresolved issues at the April 30, 2014 City Council Formal meeting.

Section 2-218(K) of the Meet and Confer Ordinance states, "the City Council shall take such action as it deems to be in the public interest, including the interest of the public employees, public employer and the public" within ten working days following the conclusion of the public hearing. This item provides the opportunity for the City Council to take action on the unresolved issues.

This item is recommended by Mr. Zuercher and the Human Resources Department.

ITEM S-6 **CITYWIDE** **RESOLUTION 21227 -
UNRESOLVED ISSUES BETWEEN THE
CITY OF PHOENIX AND PLEA (UNIT 4)**

Request for action on unresolved issues between the City of Phoenix and PLEA (Unit 4). The City Manager and the Phoenix Law Enforcement Association, PLEA (Unit 4), submitted written position statements to the City Council regarding all unresolved issues in dispute and a public hearing was held where the parties were given full opportunity to explain their respective positions on all unresolved issues at the April 30, 2014 City Council Formal meeting.

Section 2-218(K) of the Meet and Confer Ordinance states, "the City Council shall take such action as it deems to be in the public interest, including the interest of the public employees, public employer and the public" within ten working days following the conclusion of the public hearing. This item provides the opportunity for the City Council to take action on the unresolved issues.

This item is recommended by Mr. Zuercher and the Human Resources Department.