

Agenda Downtown, Aviation, Economy and Innovation Subcommittee Meeting Location: Phoenix City Hall 200 W. Washington St. Phoenix, AZ 85003

Tuesday, March 13, 2018 at 1:30 p.m.

First Floor Assembly Rooms A, B & C

CALL TO ORDER

CALL TO THE PUBLIC

MINUTES OF MEETINGS

1 For Approval or Correction, the Minutes of the Downtown, Aviation, Page 6 Economy and Innovation Subcommittee Meeting on Feb. 7, 2018

Responsible Department

This item is submitted by Deputy City Manager Deanna Jonovich.

CONSENT ACTION (ITEMS 2-5)

2 Noise and Operations Management System - Request to Issue Page 21 Request for Proposals

This report requests the Downtown, Aviation, Economy and Innovation Subcommittee recommend City Council approval to issue a Request for Proposals for Noise and Operations Management System services at Phoenix Sky Harbor International Airport.

THIS ITEM IS FOR CONSENT ACTION.

Responsible Department

This item is submitted by Deputy City Manager Deanna Jonovich and the Aviation Department.

3 (Continuted from Feb. 7, 2018) Rental Car Center Food and Beverage Concession - Request to Issue Revenue Contract Solicitation

Page 23

This report requests the Downtown, Aviation, Economy and Innovation Subcommittee recommend City Council authorization to issue a Revenue Contract Solicitation for a Food and Beverage Concession at the Rental Car Center.

THIS ITEM IS FOR CONSENT ACTION.

Responsible Department

This item is submitted by Deputy City Manager Deanna Jonovich and the Aviation Department.

4 Warehouse/Threatened Building Grant Application for Beth Hebrew Page 25 Synagogue, 333 E. Portland St.

This report provides information to the Downtown, Aviation, Economy and Innovation Subcommittee and requests recommendation for City Council approval of a Warehouse/Threatened Building grant of up to \$280,000 for rehabilitation of the historic Beth Hebrew Synagogue, located at 333 E. Portland St. (a.k.a. 331 E. Portland St.).

THIS ITEM IS FOR CONSENT ACTION.

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Deanna Jonovich, and the Planning and Development and Community and Economic Development departments.

5 Award Lot Cleaning and Maintenance Services Contract Pa

Page 28

This report requests the Downtown, Aviation, Economy and Innovation Subcommittee recommend City Council authorization to enter into a services contract for lot cleaning and maintenance. Annual expenditure will not exceed \$550,000.

THIS ITEM IS FOR CONSENT ACTION.

Responsible Department

This item is submitted by Deputy City Manager Deanna Jonovich and the Aviation Department.

INFORMATION ONLY (ITEM 6)

6 Key Phoenix Economic Indicators Quarterly Report

Page 30

This report transmits the second quarter report on Key Phoenix Economic Indicators for fiscal year 2017-18 to the Downtown, Aviation, Economy and Innovation Subcommittee.

THIS ITEM IS FOR INFORMATION ONLY.

Responsible Department

This item is submitted by City Manager Ed Zuercher and the Budget and Research Department.

DISCUSSION AND POSSIBLE ACTION (ITEM 7)

7 **Community Facility Districts**

Page 44

This report provides background information on Community Facility Districts and recommends modification of the CFD Financial Policy Guidelines and Process as a result of the new Senate Bill 1480 (2017).

THIS ITEM IS FOR DISCUSSION AND POSSIBLE ACTION.

Responsible Department

This item is submitted by City Manager Ed Zuercher and the Finance Department.

Agenda

8 Authorization to Enter into an Intergovernmental Agreement with Page 52 Arizona State University for Development of the Thunderbird School of Global Management Facilities in Downtown Phoenix **New Item**

This report requests the Downtown, Aviation, Economy and Innovation Subcommittee recommend City Council approval to enter into an Intergovernmental Agreement with Arizona State University, and to execute any other instruments or documents necessary to facilitate ASU's development of facilities to house the ASU Thunderbird School of Global Management and other academic units on City property and to develop graduate level residential facilities in downtown Phoenix. The City will participate in the project through \$13.5 million from the Downtown Community Reinvestment Fund.

THIS ITEM IS FOR DISCUSSION AND POSSIBLE ACTION.

Responsible Department

This item is submitted by Deputy City Managers Deanna Jonovich and Karen Peters and the Community and Economic Development Department.

INFORMATION AND DISCUSSION (ITEM 8)

9 FAA Flight Path Update

Page 55

This report provides an update to the Downtown, Aviation, Economy and Innovation Subcommittee on progress made by the Aviation Department in addressing noise issues created by the Federal Aviation Administration's implementation of new flight paths at Phoenix Sky Harbor International Airport.

THIS ITEM IS FOR INFORMATION AND DISCUSSION.

Responsible Department

This item is submitted by Deputy City Manager Deanna Jonovich and the Aviation Department.

CALL TO THE PUBLIC

FUTURE AGENDA ITEMS

<u>ADJOURN</u>

For further information or to request reasonable accommodations, please call Jennifer Wingenroth, Management Assistant II, City Manager's Office at 602-262-7526. 7-1-1 Friendly

Persons paid to lobby on behalf of persons or organizations other than themselves shall register with the City Clerk prior to lobbying or within five business days thereafter, and must register annually to continue lobbying. If you have any questions about registration or whether or not you must register, please contact the City Clerk's Office at 602-262-6811.

Members:

Councilman Daniel Valenzuela, Chair Vice Mayor Laura Pastor Councilman Michael Nowakowski Councilwoman Thelda Williams



City Council Report

Agenda Date: 3/13/2018, Item No. 1

For Approval or Correction, the Minutes of the Downtown, Aviation, Economy and Innovation Subcommittee Meeting on Feb. 7, 2018

Summary

This item transmits the minutes of the Downtown, Aviation, Economy and Innovation Subcommittee Meeting on Feb. 7, 2018 for review, correction or approval by the Downtown, Aviation, Economy and Innovation Subcommittee.

The minutes are attached.

Responsible Department

This item is submitted by Deputy City Manager Deanna Jonovich.

Phoenix City Council Downtown, Aviation, Economy and Innovation Subcommittee Summary Minutes Wednesday, Feb. 7, 2018

City Council Subcommittee Room Phoenix City Hall, Assembly Rooms A, B and C 200 W. Washington St. Phoenix, Ariz.

Subcommittee Members Absent

Subcommittee Members Present Councilman Daniel Valenzuela, Chair Vice Mayor Laura Pastor Councilwoman Thelda Williams Councilman Michael Nowakowski

Call to Order

Chairman Valenzuela called the Downtown, Aviation, Economy and Innovation Subcommittee meeting to order at 10:07 a.m., with Vice Mayor Pastor, Councilwoman Williams, and Councilman Nowakowski present.

Call to the Public

None.

1. For Approval or Correction, the Minutes of the Downtown, Aviation, Economy and Innovation Subcommittee Meeting on Jan. 17, 2018

Councilwoman Williams made a motion to approve the minutes of the Downtown, Aviation, Economy and Innovation Subcommittee meeting on Jan. 17, 2018. Vice Mayor Pastor seconded the motion which passed unanimously, 4-0.

Items 2-9 were for consent action. No presentations were planned but staff was available to answer questions.

Councilwoman Williams made a motion to approve consent items 3, 5, 8 and 9. Vice Mayor Pastor seconded the motion which passed unanimously, 4-0.

2. Authorization to Issue Revenue Contract Solicitation for Exclusive Food and Beverage Provider at Phoenix Convention Center

Councilman Nowakowski asked if there is local business participation in the RFP.

John Chan, Director of the Phoenix Convention Center, said local business participation will be one of the evaluation criteria considered.

Vice Mayor Pastor asked what is meant by local business participation in the evaluation criteria.

Mr. Chan discussed local business participation as local restaurant operators participating as subcontractors underneath the proposed service provider.

Councilwoman Williams made a motion to approve consent item 2. Vice Mayor Pastor seconded the motion which passed unanimously, 4-0.

3. Request to Issue Professional Services Request for Proposals for Comprehensive Airport Security Action Plan Consulting Services

4. Parking Management Services – Request to Issue Request for Proposals

Morris Clark thanked staff for providing an instrument that allows his company some fairness in the ability to compete for the RFP as a minority parking company.

Councilwoman Williams made a motion to approve consent item 4. Vice Mayor Pastor seconded the motion which passed unanimously, 4-0.

5. KeyWatcher Key Control System Maintenance – Request to Issue an Invitation for Bid

6. Rental Car Center Food and Beverage Concession – Request to Issue Revenue Contract Solicitation

Councilman Nowakowski emphasized the importance of advocating for minority, small and local business participation. He noted the lack of local participation verbiage in the RFP and asked if there is a way to include some type of percentage of local participation in the RFP.

Christina Madsen, Deputy Aviation Director, confirmed staff can put local participation verbiage in the RFP and include it in the solicitation.

Councilman Nowakowski asked if there is a certain percentage of participation for local businesses in Aviation's RFPs.

Ms. Madsen stated Aviation is not required to have an exact percentage but local participation is something staff encourages.

Councilman Nowakowski asked when staff encourages someone, if it includes extra points for having a small or local business.

Jim Bennett, Aviation Director, explained how the solicitations are governed by the FAA requirements, so staff encourages local participation but is not in a position to use it as a scoring instrument in the solicitations. He said the industry understands Aviation's desire to have local participation.

Councilman Nowakowski emphasized the impact the local restaurants at Sky Harbor have made for all the customers flying into Phoenix. He asked if staff can see if there is a percentage to include in the scoring instrument for local businesses.

Mr. Bennett confirmed staff can come back with more information.

Vice Mayor Pastor noted the importance of having a reflection of the community within the contract and also abiding by the federal contracts, such as the FAA.

Vice Mayor Pastor made a motion to continue the item to the next Subcommittee meeting. Councilman Nowakowski seconded the motion which passed unanimously, 4-0.

7. Authorization to Assign and Amend City Contract 135145 for Development of 200 W. Monroe St.

Vice Mayor Pastor asked to amend the contract to include Planning and Development.

Chris Mackay, Community and Economic Development Director, ensured staff will make that modification and include it as the item moves forward.

Brent Kleinman expressed excitement about the empty lot getting developed, but spoke about his concern regarding the 2018 development of a contract from 2012. He suggested staff analyze the 2012 contract with the new developer.

Ms. Mackay explained how staff went back to the initial development agreement with the new developer and brought in new data to make the contract current to the 2018 market.

Vice Mayor Pastor asked if there was a GPLET placed on this project in 2012. She also asked if staff recalculated how the GPLET was going to affect the community and the project, and if it still benefited the City.

Ms. Mackay confirmed there was a GPLET placed in 2012 and staff recalculated how it would affect the community. She stated this program still offers a benefit to the City.

Vice Mayor Pastor asked if there is going to be a community space, and if there is any type of workforce or affordability in the project.

Ms. Mackay described the entire ground floor is planned as a community space with multiple functions and how the pool floor will also be a community space. She stated there is not any workforce or affordability in this project. She said the open ground

floor space, public amenities, and public spaces provided the community with more benefit than the workforce or affordable housing for this project.

Vice Mayor Pastor made a motion to approve consent item 7. Councilwoman Williams seconded the motion which passed unanimously, 4-0.

8. The Health InnoVention Fab Program Sponsorship with the University of Arizona Health Sciences on the Phoenix Biomedical Campus

9. Authorization to Enter into a Development Agreement with HPPC, LLC

10. Aviation Department Five-Year Capital Improvement Program

This item is for information only. No Councilmember requested additional information.

11. Authorization to Enter into Development Agreement with VisionGate, Inc.

Chris Mackay, Community and Economic Development Director, introduced Scarlett Spring, president of VisionGate, a company who has committed to growing in the Phoenix market on the downtown biosciences campus. She discussed how the City purchased two pieces of equipment so VisionGate could conduct research and validation of their product, and how the equipment will be donated back to a biosciences high school or community college. She said VisionGate is now a fully commercialized company with a very useful product, a sputum test that can detect early stage lung cancer in individuals and move forward to treatment. She discussed how VisionGate is helping to grow a biosciences workforce in Phoenix and offering educational training to develop the City's workforce. She mentioned staff's proposal of a development agreement with VisionGate, to maintain their corporate headquarters and research development in Phoenix, create 125 new high-wage jobs in the Phoenix market, and the City reimbursing them \$1,000 per job from the Strategic Economic Development Fund. She said the Workforce Innovation Act funding will help the opportunity youth, dislocated workers, among others, to train in biosciences, med tech, lab tech, and bio tech fields.

Councilman Nowakowski left the meeting at 10:32 a.m.

Councilwoman Williams asked if there is a cap on the number of employees or training the City will reimburse.

Ms. Mackay said the City would have a cap of \$250,000 which is already accounted for in the Strategic Economic Development Fund.

Councilman Nowakowski returned at 10:35 a.m.

Chairman Valenzuela thanked Ms. Spring for keeping students and talents in Phoenix, and for developing a thriving workforce to attract more high-wage jobs in Phoenix.

Ms. Spring discussed how VisionGate started at Gateway Community College with one employee and has grown into a permanent space with 45 employees and creating more high-wage jobs. She detailed the future of VisionGate, including moving into other cancers and the recent development of a drug. She stated VisionGate is also working with Arizona State University, the bio design team, and the bioengineers to recruit young talent and develop them.

Councilwoman Williams made a motion to approve item 11. Vice Mayor Pastor seconded the motion which passed unanimously, 4-0.

12. (Continued from Jan. 17, 2018) West Ground Transportation Center Request for Qualifications and Request for Proposals

Vice Mayor Pastor left the meeting at 10:40 a.m.

Jim Bennett, Aviation Director, introduced the plan for the West Ground Transportation Center and the proposal expansion to include commercial, hotel, and retail opportunities. He introduced Jay DeWitt, Deputy Aviation Director, to discuss the process undergone to date and options for concession, and Larry Belinsky, the financial advisor from Frasca & Associates, to discuss the recommended option. He said with the completion of Terminal 3 renovation and expansion, and the demolition of Terminal 2, the Sky Harbor airport will lose 3,700 west side parking spaces.

Vice Mayor Pastor returned at 10:42 a.m.

Mr. Bennett continued to present on the need to replace those west side parking spaces as well as provide similar commercial, hotel and retail opportunities for the residents of Phoenix and the west valley. He said the West Ground Transportation Center only has about five acres available for non-parking development. He explained the site limitations for land uses as its proximity to the runways include height limitations, noise impacts, and close proximity to airfield safety areas. Other considerations include the freeway access improvements, the Sky Train project, and expected Federal Highway Administration improvements. He stated how all of these factors help define which land use types provide compatibility to include the opportunity for a mix of retail, office, hotel and specialty uses.

Mr. DeWitt presented a visual concept of what the West Ground Transportation Center might look like once completed. He detailed the hotel adjacent to the current Aviation office building with some retail and restaurant opportunity in the development, all centered around the Sky Train station. He said the location has the potential to be a dense commercial environment for residents and a great development opportunity with the Sky Train connection. He stated a request for information was issued to private developers to confirm this vision.

Councilman Nowakowski asked if the Request for Information was focused on parking or focused on developing the site in general.

Mr. DeWitt stated the Request for Information was focused on both, looking for a development concept for the entire site which included parking and commercial.

Councilman Nowakowski inquired about the verbiage of the request.

Mr. DeWitt explained how the request for information asked developers to consider Aviation's idea and vision for the area, and provide input and concepts as a response. He continued to present on the three basic development options considered. He said the first option would be to invest approximately \$200 million in a new parking facility and another \$100 million for a new commercial development. The second would be to have the airport pursue private investment for the new development and negotiate a parking concession. The last option would be to avoid the new development altogether, which would decrease the airport's parking revenue. He stated staff's recommendation to pursue private investment in the West Ground Transportation Center development and negotiate a new parking concession.

Mr. Belinsky detailed how the West Ground Transportation Center development aligns with what other airports are doing around the country. He said staff is looking at a 30-year term with an upfront payment and ongoing lease payments for the land provided to the developer, with the objective to preserve and protect future parking revenues, and find the best-value procurement.

Mr. Bennett requested members of the Subcommittee recommend to the City Council the start of the solicitation process by issuing a request for qualification and then a subsequent revenue contract solicitation for the concession for development opportunities.

Councilwoman Williams asked if the contractor would need to do all maintenance and repairs throughout the 30-year period as part of the development agreement. Mr. Bennett confirmed that is correct.

Councilwoman Williams asked if the concession and retail operations would be required to follow the same practice done at the airport now, where it would be on a 10-year contract to ensure local businesses are included. Mr. Bennett confirmed that is correct.

Councilwoman Williams shared support of option two and expressed appreciation for expansion efforts on the west side.

Brent Kleinman shared concerns about the already limited space available at Sky Harbor airport and the need for parking lessening over time with the increase in mass transportation, possible self-driving cars, Uber, Lyft, and other services. Chairman Valenzuela asked staff to clarify the project calling for new parking when parking is down.

Mr. Bennett said renovations are eliminating 3,700 parking spaces out of the current inventory, so the project's intent is to replace those spaces and also have the opportunity to grow if demand warranted the addition beyond those spaces.

Chairman Valenzuela discussed the question of investing in more parking when there is Uber, Lyft, taxi services, and so on.

Mr. Belinsky said the investment in parking is common in airport projects around the country because there is still a need for parking. He said autonomous vehicles could be 10 or 20 years away but there is still a great demand for parking, particularly at airports.

Chairman Valenzuela asked if staff is going to do the same as the current parking agreements.

Mr. Bennett said the staff recommendation is to do a concession for the entire airport parking business, very similar to how current concession and all other consumer-facing business lines are done. He said the contract would concession all the existing parking and add a new garage development.

Chairman Valenzuela discussed the conceptual plan for the hotel and the prioritization of a meeting space the business traveler or local resident would appreciate.

Mr. Belinsky said many of the groups who were interested in this project talked about a meeting space at the hotel to make it a destination for travelers in an entrepreneurial, innovative way.

Councilman Nowakowski asked how old the Aviation Department offices are.

Mr. Bennett stated the Aviation Department offices became operational in November 2016 as part of the Terminal 3 redevelopment.

Councilman Nowakowski asked about the Greyhound bus stop and the car rental locations on the map.

Mr. Bennett said the Greyhound bus facility is to the west of 24th Street and south of Buckeye Road. He said there are also some support facilities in the area as part of the Sky Train development, necessary for a power distribution center for the west side of the airport, just south of the bus station.

Councilman Nowakowski asked if the City owns that property. Mr. Bennett confirmed he is correct.

Councilman Nowakowski discussed the 130 acres still available on the west side without a development plan. He suggested working with different departments to come together and create a master plan for the whole area. He wanted to ensure the RFP for the West Ground Transportation Center, similar to the RFI, would include hotel, retail and parking.

Mr. Bennett stated staff's recommendation includes soliciting for all those developments.

Vice Mayor Pastor asked about the parking concession renewal every 10 years and what the financial value is.

Mr. Bennett explained the current management contract where there is a concession every few years to supply the staff to operate the parking for the City. He said this recommendation would change it to a long-term revenue contract concession where the private sector will finance, operate, maintain and take all risk associated with the entire parking concession for the 30-year period, and also make the \$200 million capital investment in the new west side parking facility.

Mr. Belinsky described the benefits of the 30-year concession agreement for the City and the airport, including the development team making an up-front payment, the airport protecting the earnings on an annual basis, and transferring the demand to the private sector.

City Manager, Ed Zuercher, added a reminder that the recommendation will give staff the ability to evaluate the option and issue a call for responses.

Councilwoman Williams asked if the airport would have control over what the retail and commercial uses would be.

Mr. Bennett stated the retail and commercial uses would be subject to the airport's approval.

Councilwoman Williams asked if parking rates would also still be under the airport's approval and if they would be standard whether on the east or west side.

Mr. Bennett said there would be a provision in the agreement with respect to parking rates and how those rates would be controlled over the term of the agreement.

Councilman Nowakowski asked if the Community and Economic Development department could be included in the recommendation.

Mr. Zuercher said staff will ensure the Community and Economic Development department is part of the development of the RFP and also on the evaluation panel.

Councilwoman Williams made a motion to approve option two. Vice Mayor Pastor seconded the motion which passed unanimously, 4-0.

13. Terminal 3 Food and Beverage and Retail Revenue Contract Solicitation Award Recommendation

Jim Bennett, Aviation Director, introduced the recommendation for the portfolio of concessions for the new Terminal 3. He introduced Charlene Reynolds, Assistant Aviation Director, and Christina Madsen, Deputy Aviation Director.

Ms. Madsen presented on the Terminal 3 modernization project with the request to award the new concession agreement for Terminal 3. She said the Terminal 2 and 3 sales revenues in 2016 totaled over \$32 million and are anticipated to increase to \$63 million annually upon completion of all the concession locations in Terminal 3. She presented the contract award recommendations for those concession locations, including two retail packages and two food and beverage packages. She mentioned the Aviation department request of recommending to the full City Council to award Terminal 3 concession agreements as presented.

Lachele Mangum thanked staff, as a small business owner, for the hard work put into ensuring the inclusion of small businesses.

Gregory Torrez discussed the small business component at the airport in the past and how the food and beverage concessions program came to be. He complimented the program and seminars at the airport, and congratulated all the winning proposers on their success.

Councilman Nowakowski asked Mr. Torrez to share with the small businesses who are new at the airport about getting involved with Sky Harbor and participating in the community.

Mr. Torrez said he determines what the community needs before joining a partnership because he thinks it is paramount for all small businesses to give back.

Chairman Valenzuela complimented Mr. Torres for supporting the successful bidders.

Vice Mayor Pastor discussed the benefits of local eateries at Sky Harbor airport, such as money staying within the local economy, creating jobs, giving back to the community, and attracting visitors to local venues.

Chairman Valenzuela said small businesses at the airport proves the City of Phoenix shops local when spending tax dollars. He discussed the U.S. Department of

Transportation reporting in fiscal year 2012, Sky Harbor airport being number one in the nation for having the most small businesses in the airport.

Councilwoman Williams made a motion to approve item 13. Vice Mayor Pastor seconded the motion which passed unanimously, 4-0.

14. FAA Flight Path Update

Jim Bennett, Aviation Director, mentioned the FAA public workshops and introduced the update to report to Council on the status of the flight path changes.

Jordan Feld, Deputy Aviation Director, presented the updates, including the updated project website, workshop handouts and all the draft NEPA documents. He said the FAA has been coordinating with the City, State, and Tribal Historic Preservation Officers, and all parties met with both the Gila River Indian Community and the Salt River Pima Maricopa Community. He also discussed the three community meetings facilitated by the FAA, with the first open house resulting in about 50 or 60 attendees. He stated the FAA's goal of implementing the new departure routes for the old departure corridors by April 1, 2018.

Brent Kleinman discussed the importance of processing the comments made in step one to ensure the final flight paths implemented in step two are what the City and community wants.

Vice Mayor Pastor asked for an explanation of the second step for clarification for the neighbors. She also asked how the community input will be seen and what the next steps with the FAA will be.

Mr. Feld explained how step one community meetings will be held to discuss going back to the old departure corridor and receive feedback from the community about any airspace issues they have had. The feedback received will generate the step two process. He said the FAA will share the input with the community and provide responses on the website.

Vice Mayor Pastor asked if this is the period where the community needs to make comments in order for the FAA to review them. Mr. Feld confirmed that is correct.

Councilman Nowakowski discussed resident feedback of wanting the new routes to go down the 202 highway instead of flying over the community. He asked if there is a way the City can hold a community meeting where it is hosted by one of the Councilmembers and City staff to gather that information and give it to the FAA, since residents are not trusting the FAA.

Mr. Feld said staff is always available to participate with a Council district community meeting, and said staff can provide that information and show the freeway proposal.

Deborah Ostreicher, Assistant Aviation Director, added the community meetings are open to everyone, and comments can also be submitted online through Feb. 16, and skyharbor.com has a direct link so residents do not have to attend the meetings in order to make comments.

Councilman Nowakowski asked if there is a way for staff to get that information out to residents, either through a water bill or social media.

City Manager, Ed Zuercher, stated the social media tools of Sky Harbor, the City, and Council offices would be an effective and immediate way to communicate that information. He said staff will ensure the Council offices have the link to share with their constituents.

Vice Mayor Pastor also suggested using Nextdoor since it is one of the tools the City purchased.

Call to the Public

None.

Future Agenda Items

Vice Mayor Pastor requested a five-year master plan of all the property surrounding the airport and what the future is going to look like for the whole area, including the development of a unified business sector around the light rail.

Councilman Nowakowski asked staff to meet with ASU and look at the possibility of building a new home for the Thunderbird School of Global Management graduate program and executive program.

Adjournment

Chairman Valenzuela adjourned the meeting at 11:52 a.m.

Respectfully submitted, Ryley Buchanan Management Intern

DOWNTOWN, AVIATION, ECONOMY AND INNOVATION SUBCOMMITTEE Wednesday, February 7, 2018 PHOENIX CITY COUNCIL Assembly Rooms A, B, C PLEASE SIGN-IN

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PHOENIX CITY COUNCIL DOWNTOWN, AVIATION, ECONOMY AND INNOVATION SUBCOMMITTEE Wednesday, February 7, 2018 Assembly Rooms A, B, C

PHOENIX CITY COUNCIL DOWNTOWN, AVIATION, ECONOMY AND INNOVATION SUBCOMMITTEE Wednesday, February 7, 2018 Assembly Rooms A, B, C PLEASE SIGN-IN

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**City Council Report** 

Agenda Date: 3/13/2018, Item No. 2

## Noise and Operations Management System - Request to Issue Request for Proposals

This report requests the Downtown, Aviation, Economy and Innovation Subcommittee recommend City Council approval to issue a Request for Proposals for Noise and Operations Management System (NOMS) services at Phoenix Sky Harbor International Airport (PHX).

## THIS ITEM IS FOR CONSENT ACTION.

## Summary

The Aviation Department's current NOMS is comprised of 20 physical devices and one portable noise monitoring device located around PHX, and software system which allows staff to analyze flight tracks and monitor noise abatement procedure compliance as required in the Phoenix and Tempe Intergovernmental Agreement (IGA), as well as respond to noise complaints from concerned community members. The current NOMS services contract will expire on July 31, 2018.

## **Procurement Information**

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

- Method of Approach (0-350 points).
- Company Experience and Qualifications (0-300 points).
- Price Proposal (0-250 points).
- References (0-100 points).

The highest ranked Respondent will be recommended for contract award.

## Contract Term

The initial term will be three years, with the option to extend for an additional two years, which shall be exercised at the sole discretion of the Aviation Director.

## Location

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

Council District: 8

## **Responsible Department**

This item is submitted by Deputy City Manager Deanna Jonovich and the Aviation Department.



**City Council Report** 

Agenda Date: 3/13/2018, Item No. 3

## (Continuted from Feb. 7, 2018) Rental Car Center Food and Beverage Concession - Request to Issue Revenue Contract Solicitation

This report requests the Downtown, Aviation, Economy and Innovation Subcommittee recommend City Council authorization to issue a Revenue Contract Solicitation for a Food and Beverage Concession at the Rental Car Center.

## THIS ITEM IS FOR CONSENT ACTION.

### Summary

The Phoenix Sky Harbor International Airport Rental Car Center (RCC) is in the process of a reconfiguration and tenant relocation project that impacts the entire facility. This includes construction in the lobby area where the RCC food and beverage concession is located. The existing food and beverage lease was extended until Dec. 31, 2018, to accommodate this disruption.

The 1,094 square foot space provides a unique concession opportunity located in the Rental Car Center lobby. In addition to providing food and beverage offerings, the successful respondent will provide beverage vending machines in predetermined locations, and will have the opportunity to expand concessions offerings to include retail items traditionally found in an airport newsstand. The City expects that this concession will meet customer demand for food, beverage, and retail at the RCC. However, due to limited cooking capabilities within the space (venting, gas, etc.), the menu will be limited and will feature prepackaged snacks, meals, gourmet coffee, and beverages.

## **Procurement Information**

With approval, the Aviation Department will conduct a Revenue Contract Solicitation to select an operator for this contract. Responsive and Responsible Respondents will be evaluated according to the following evaluation criteria:

- Qualifications and Experience of Proposer (0-300 points)
- Concessions Concept and Menu (0-300 points)
- Management, Marketing, and Operations Plan (0-250 points)
- Financial Capability and Revenues to the City (0-150 points)

The highest ranked Respondent will be recommended for the concession lease award.

## Contract Term

This lease will have a primary term of seven years, with one, three-year renewal option to be exercised at the sole discretion of the Aviation Director.

## **Financial Impact**

Rent will be either the Minimum Annual Guarantee (MAG), which will be set initially at \$40,000 or 10 percent of gross sales, whichever is greater.

## **Concurrence/Previous Council Action**

This item was recommended for approval by the Phoenix Aviation Advisory Board on Jan. 18, 2018.

## **Public Outreach**

With approval, the Aviation Department will conduct a Revenue Contract Solicitation to select an operator for this contract. This process will include all standard and required outreach efforts.

## Location

Phoenix Sky Harbor International Airport Rental Car Center, 1805 E. Sky Harbor Circle South.

Council District: 8

## **Responsible Department**

This item is submitted by Deputy City Manager Deanna Jonovich and the Aviation Department.



**City Council Report** 

Agenda Date: 3/13/2018, Item No. 4

# Warehouse/Threatened Building Grant Application for Beth Hebrew Synagogue, 333 E. Portland St.

This report provides information to the Downtown, Aviation, Economy and Innovation Subcommittee and requests recommendation for City Council approval of a Warehouse/Threatened Building grant of up to \$280,000 for rehabilitation of the historic Beth Hebrew Synagogue, located at 333 E. Portland St. (a.k.a. 331 E. Portland St.).

## THIS ITEM IS FOR CONSENT ACTION.

## Summary

Constructed in 1955, Beth Hebrew Synagogue was designed by architect Max Kaufmann and built by Mardian Construction. It is nationally recognized as an outstanding example of modern synagogue architecture. The building is also significant for housing Phoenix's first Orthodox Jewish congregation. It was constructed by Holocaust survivors and World War II French Resistance fighters, including Elias Loewy, who is recognized as a "Jewish Schindler" for helping Jews escape concentration camps during World War II. The building is also where movie director Steven Spielberg had his bar mitzvah. Used as a synagogue from 1955-1977, Beth Hebrew later became the Outpour Centro de Los Milagros Church from 1978-1980, and finally the home of the Black Theater Troupe from 1983-2001. It was nearly demolished and sat vacant for several years before the current owner acquired it in 2015.

The property is not currently listed on either the Phoenix Historic Property Register or National Register of Historic Places but has been recommended eligible for listing on both registers. The Historic Preservation (HP) Commission initiated HP zoning for the property on April 20, 2015. A hearing before the HP Commission is currently scheduled for March 19, 2018, with City Council action anticipated in June 2018.

On Jan. 29, 2018, Michael Levine, acting on behalf of the property owner, Nihao Feng, LLC, submitted a grant application to the City of Phoenix Historic Preservation Office. Mr. Levine is requesting funding assistance to rehabilitate the subject property. The request covers some work already completed, as well as items scheduled in the future.

Work items include the following:

- 1. Restore original door and window openings.
- 2. Reverse alterations.
- 3. Perform structural stabilization.
- 4. Remove nonhistoric stucco and paint.
- 5. Repaint masonry.
- 6. Repair roofing, coping, flashing, gutters, fascia, and soffits.
- 7. Stabilize and repair joists.
- 8. Restore stained glass window system.
- 9. Reimburse for architectural and engineering expenses.
- 10.Complete other miscellaneous work items.

Some of these items have already been completed, while others are scheduled for the future. Upon completion of all work items, the former synagogue will be occupied and used as was originally intended--as a religious and cultural resource--as well as a community and educational space, and as a tourist destination.

## **Financial Impact**

The total cost of eligible items is estimated to be over \$400,000. The total request of funds from the City totals \$280,000. The applicant has requested that \$140,000 in HP Bond funds previously approved for the rehabilitation of the Phoenix Seed & Feed Company Warehouse be transferred to this project. That structure is also owned by an LLC of which Mr. Levine is the manager, and the Seed & Feed rehabilitation is not ready to move forward. An additional \$140,000 in Community and Economic Development funds may potentially be available for authorization if the applicant provides sufficient information on the economic impact of the property, and such information is verified and approved by the Community and Economic Development Department. The source and fiscal year availability of those funds from the Community and Economic provides sufficient acceptable information. The applicant would also provide an estimated match of over \$500,000. Expenses would include reimbursement for materials and sweat equity by the applicant.

In exchange for the grant funds, the City will receive a 30-year conservation easement on the property. Because some of the proposed work is on the interior of the building, the easement will cover the interior public space as well as the exterior of the building. The conservation easement will require that the historic character of the property be preserved and that the property be insured and maintained in good condition. Because the property is not currently listed on the Phoenix Historic Property Register, no grant funds will be disbursed until after the HP zoning application is approved by the City Council.

## **Concurrence/Previous Council Action**

The Historic Preservation Commission recommended approval of this item on Feb. 12, 2018.

## Location

333 E. Portland St. (a.k.a. 331 E. Portland St.) District 8

## **Responsible Department**

This item is submitted by Deputy City Managers Mario Paniagua and Deanna Jonovich, and the Planning and Development and Community and Economic Development departments.



**City Council Report** 

Agenda Date: 3/13/2018, Item No. 5

## Award Lot Cleaning and Maintenance Services Contract

This report requests the Downtown, Aviation, Economy and Innovation Subcommittee recommend City Council authorization to enter into a services contract for lot cleaning and maintenance. Annual expenditure will not exceed \$550,000.

## THIS ITEM IS FOR CONSENT ACTION.

### Summary

The Aviation Department owns 810 land parcels around the west end of Phoenix Sky Harbor International Airport which were acquired through the Community Noise Reduction Program. These parcels are undeveloped, vacant lots located in residential and industrial areas. To ensure Aviation remains a responsible neighbor to the community, Aviation contracts with a maintenance provider to upkeep the parcels. The current contract will expire March 31, 2018.

## **Procurement Information**

On Oct. 18, 2017, Phoenix City Council approved Aviation to issue a Request for Proposals (RFP) to award a new contract for lot cleaning and maintenance services. Aviation received seven responses, one was deemed non-responsive. The Responses were evaluated by a panel according to the following criteria established in the RFP:

- Experience (0-300 points).
- Approach to Work and Business Operations (0-350 points).
- References (0-100 points).
- Proposed Price (0-250 points).

The panel recommendation, reached by consensus in consideration of the above criteria, is to award the lot cleaning and maintenance services contract to Berry Realty and Associates.

## Contract Term

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

## **Financial Impact**

Annual expenditure will not exceed \$550,000. The total amount not to be exceeded over the life of the contract is \$2,750,000. Funds are available in the Aviation budget.

## **Concurrence/Previous Council Action**

This item was recommended unanimously by the Phoenix Aviation Advisory Board on Thursday, Feb. 15, 2018.

## Location

The parcels are located west of Phoenix Sky Harbor International Airport. Council District: 8

### **Responsible Department**

This item is submitted by Deputy City Manager Deanna Jonovich and the Aviation Department.



**City Council Report** 

Agenda Date: 3/13/2018, Item No. 6

## Key Phoenix Economic Indicators Quarterly Report

This report transmits the second quarter report on Key Phoenix Economic Indicators for fiscal year 2017-18 to the Downtown, Aviation, Economy and Innovation Subcommittee.

## THIS ITEM IS FOR INFORMATION ONLY.

## Summary

As part of efforts to continuously improve budget forecasting and reporting, the Budget and Research Department compiles 19 key Phoenix economic indicators into the attached quarterly report. The data is collected with the assistance of the Aviation, Planning and Development, Public Works and Water Services Departments. The attached report provides insightful data that, when reviewed collectively, can reveal a helpful overall picture of recent economic activity trends specifically within Phoenix. Although outside sources of economic data are also available, most of that information covers the entire Greater Phoenix region or the State of Arizona. However, with the exception of two statewide measures, the indicators in the attached report relate to data specifically within City of Phoenix boundaries, which may differ from the region or state. The indicators attached to this report **(Attachment A)** are for review by this Subcommittee.

The 19 Phoenix data measures include:

**Sky Harbor International Airport Passengers**: This measure indicates regional tourism and business activity.

**Phoenix Water Service Accounts**: This measure may indicate changes in Phoenix population and commercial and residential property development.

**New Phoenix Single Family Home Construction Permits Issued**: This measure may indicate Phoenix population growth and shifts in housing preferences or demographics, as well as spill over benefits to other economic sectors such as construction, retail, manufacturing, and utilities.

**New Phoenix Multifamily Units Permitted**: Like single family permits, this measure may indicate Phoenix population growth and shifts in housing preferences or demographics, as well as spill over benefits to other economic sectors such as construction, retail, manufacturing, and utilities.

**Total Value of Permitted Phoenix Activity**: Along with other factors, this measure may provide an indication of Phoenix property market values and development, as well as overall strength for commercial and residential markets.

**Phoenix Solid Waste Total Tonnage Collected**: This measure may indicate changes in Phoenix population, development, economic activity or environmental factors.

**Phoenix Solid Waste Recycling Tonnage Collected**: Although significantly affected by shifts in consumer behavior, this measure may also indicate changes in Phoenix population, development, economic activity or environmental factors.

**City of Phoenix Overall Sales Tax**: This measure indicates overall economic activity related to all categories of taxable sales within Phoenix.

**City of Phoenix Retail Sales Tax**: This measure indicates economic activity related to taxable retail sales and consumer spending levels within Phoenix.

**City of Phoenix Hotel/Motel Sales Tax**: This measure indicates economic activity related to tourism within Phoenix.

**City of Phoenix Restaurants/Bars Sales Tax**: This measure indicates economic strength, population changes, and tourism activity within Phoenix.

**City of Phoenix Contracting Sales Tax**: This measure indicates economic activity related to taxable commercial and residential construction in Phoenix. However, the effectiveness of this measure as an economic indicator may be lessened due to the state's recent Transaction Privilege Tax reform measures relating to contracting.

**State Overall Sales Tax**: This measure indicates economic activity related to all categories of taxable sales within the state of Arizona.

**State Vehicle License Tax**: This measure indicates vehicle sales activity within the state of Arizona.

Phoenix Assessed Property Valuation: This measure is based on the Primary Net

Assessed Valuation, which provides the basis for City of Phoenix property tax revenue.

**Phoenix Full Cash Property Value**: This measure indicates the market value of residential and commercial property within Phoenix and is an important economic indicator relating to the overall commercial and residential property markets.

**Phoenix Median Household Income**: This annually updated measure provides the mid-level household income within Phoenix, an important indicator of job and wage activity levels.

**Phoenix Unemployment Rate**: This annually updated measure shows the percentage of the active labor force currently unemployed within Phoenix, an important indicator of overall economic health.

**Phoenix Labor Force Participation**: Another measure of employment levels, this annually updated measure shows the percentage of the population aged 16 and older currently in the Phoenix labor force, which can help account for "discouraged workers" not captured in the unemployment rate.

Each measure provides the year-to-date totals and year to date growth rates compared to the prior year; prior three-year average, and peak year (when the peak year differs from the current year).

The current quarterly report is also prominently posted online on the Budget and Research webpage at phoenix.gov/budget.

#### **Responsible Department**

This item is submitted by City Manager Ed Zuercher and the Budget and Research Department.

Attachment A



Phoenix Economic Indicators Report Second Quarter FY2017-18

## **Executive Summary**

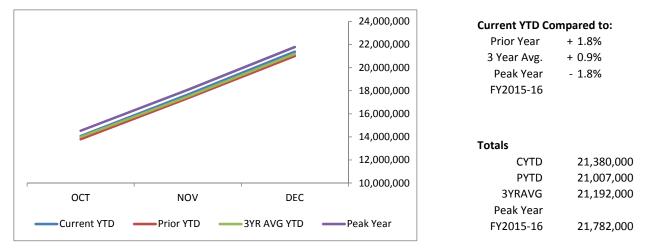
Economic indicators, such as those included in this report, provide measurements for evaluating the health of our economy, the latest business cycles, and how consumers are spending and generally faring. Included in this report are aviation, utility, new development, state and local sales tax, vehicle sales, property values, and employment statistics. Each statistic is shown through a graph presenting current year-to-date data (for data available on a monthly basis), prior year-to-date, prior three year average of year-to-date data, and peak year data (if current year is not the peak year) for a quarter of the current fiscal year (July 1 - June 30). Each indicator has its own peak year where performance was at its highest since 2000. Each graph is accompanied by a description of the significance of the measure as an economic indicator, and a statement about the current year data in relation to prior years. Many of the statistics are measures on a monthly basis, but a few are only available quarterly or annually.

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#### Phoenix Sky Harbor Airport Total Passengers

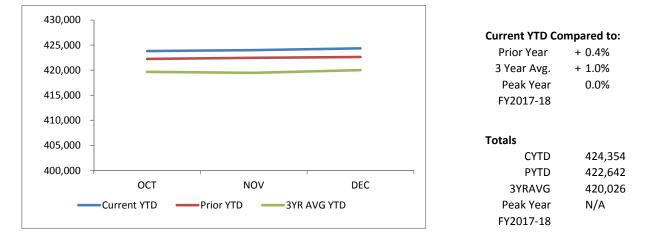
<u>Significance</u>: The number of passengers utilizing the Phoenix Sky Harbor airport can be an indicator for regional tourism and business activity.



Current Year: Passenger Traffic for the month of December increased 1.8% as compared with December of the previous year and is 0.9% higher than the three year average. Industry data lags two months.

#### Water Service Accounts

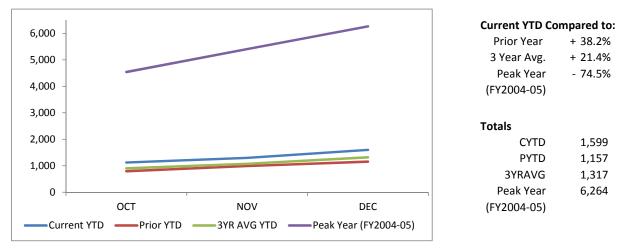
Significance: The number of water service accounts can be an indicator of changes in population and development.



<u>Current Year</u>: Although the trend continues upward, this month's increase was slight. Peak year is N/A because the current fiscal year is the peak year for December data.

#### **New Home Construction Permits Issued**

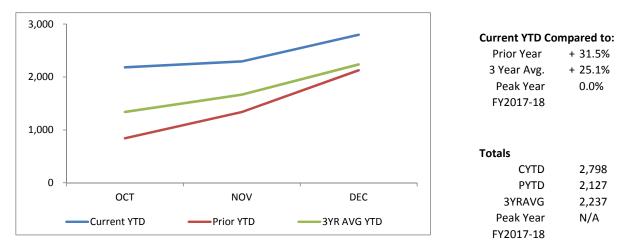
<u>Significance</u>: New single family homes are a key economic indicator, reflecting local population growth as well as spill over benefits to other sectors of the economy such as demand for construction labor/materials, retail, manufacturing and utilities.



<u>Current Year</u>: Planning and Development is projecting continued strength in residential construction permits in 2017-18, based on projections of 2% population growth for Maricopa County and increased single family lots in the planning stage.

#### **New Multifamily Units Permitted**

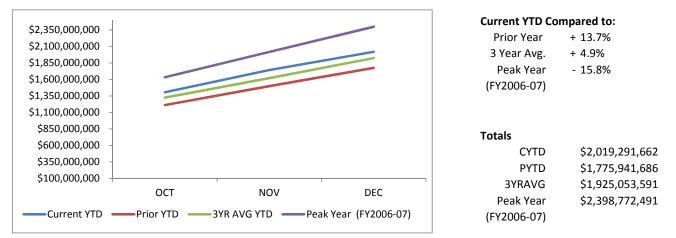
<u>Significance</u>: New multi-family construction is a key economic indicator of local population growth or shifts in housing preferences and its spill over benefits to other sectors of the economy such as demand for construction labor/materials, retail, manufacturing and utilities.



<u>Current Year</u>: Planning and Development is projecting continued strength in multi-family residential permits in 2017-18 based on state projections of 2% population growth for Maricopa County, and interest in urban and infill residential development. Peak year is N/A because the current fiscal year is the peak year for December data.

#### Total Value of Permitted Activity

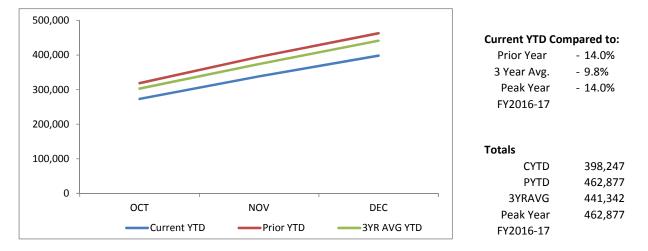
<u>Significance</u>: The valuation of new construction can be an indicator of one facet of Phoenix's economic strength because it reflects the permit value of new construction projects.



<u>Current Year</u>: Planning and Development is projecting a slight decrease in overall construction permit valuation for 2017-18 versus the prior year due to the large number of major projects started in 2016-17. Valuations are predicted to remain above the three year average based on state projections of 2% population growth in Maricopa County and continued recovery of the residential market.

#### Solid Waste - Total Tonnage Collected

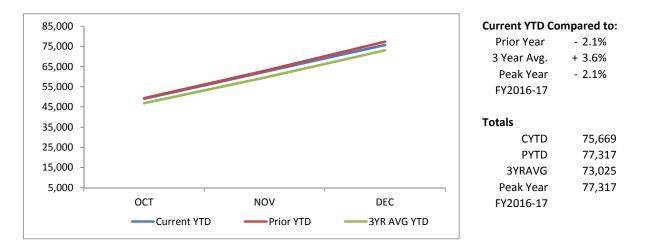
Significance: Tonnage is an indicator of growth within the City of Phoenix or environmental factors such as storms.



<u>Current Year</u>: The current year total tonnage is trending down from the prior year due to a vendor who was purchased by one of the City's competitors. This caused a decrease in total Refuse Tonnage brought to the City's Transfer Stations.

#### Solid Waste - Recycling Tonnage Collected

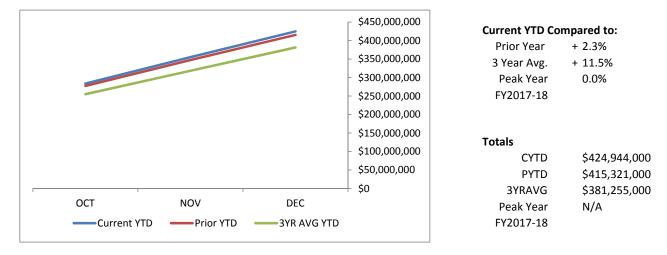
<u>Significance</u>: Recycle tonnage is one measurement of revenue generated through diversion and increased understanding by residents about how or what to recycle.



<u>Current Year</u>: Recycling tonnage is slightly lower than the prior year and but above the three year average. Stronger enforcement is in demand to keep contaminates down in order to provide a consistent resale value from prior years.

### City Sales Tax - Total

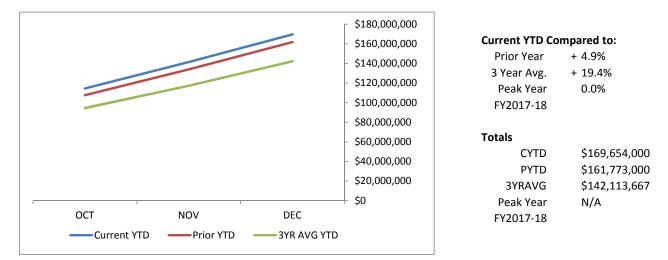
<u>Significance</u>: City sales tax (all funds including: General Fund, T2050, Public Safety, 3PI, Convention Center, Sports Facilities, and Capital Construction) represents overall local economic activity related to taxable sales.



<u>Current Year</u>: The three year average includes revenue from the sales tax on food. The sales tax on food was reduced from 2% to 1% effective January 2014, which began impacting reported revenue in February 2014. The sales tax on food was eliminated effective April 2015, which began impacting reported revenue in May 2015. Peak year is N/A because the current fiscal year is the peak year for December data which represents the highest total without sales tax on food. Prior year values have not been adjusted for inflation.

### City Sales Tax - Retail

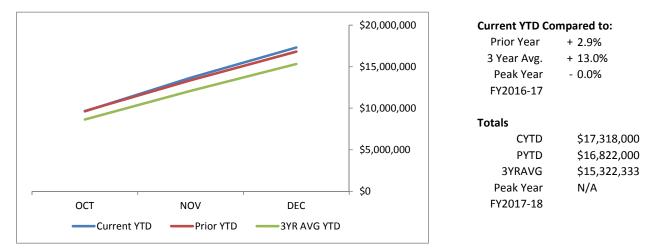
Significance: Retail sales tax represents retail sales, not including the sales tax on food.



<u>Current Year</u>: Peak year is N/A because the current fiscal year is the peak year for December data. Prior year values have not been adjusted for inflation.

#### **City Sales Tax - Hotel/Motel**

<u>Significance</u>: Hotel/Motel sales tax revenue represents taxable sales for these businesses and is an indicator of tourism activity.



<u>Current Year</u>: There is a slight current YTD increase (2.9%) compared to previous year, and 13% higher than three year average. Prior year values have not been adjusted for inflation. Peak year is N/A because the current fiscal year is the peak year for December data.

### **City Sales Tax - Restaurants/Bars**

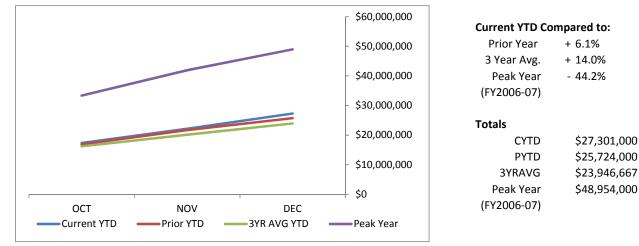
<u>Significance</u>: Restaurants/Bars sales tax revenue represents taxable sales for these businesses and is an indicator of economic strength, population growth, and tourism.



<u>Current Year</u>: Peak year is N/A because the current fiscal year is the peak year for December data. Prior year values have not been adjusted for inflation.

### **City Sales Tax - Contracting**

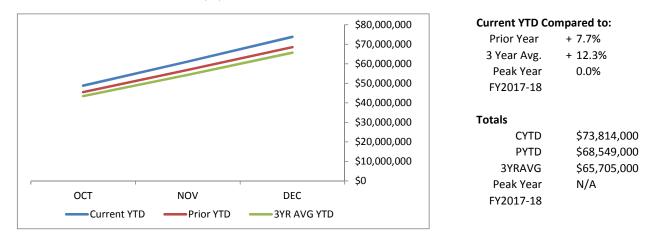
<u>Significance</u>: Contracting sales tax revenue presents activity in the commercial, retail and residential construction markets.



Current Year: Prior year values have not been adjusted for inflation.

### State Sales Tax - Total

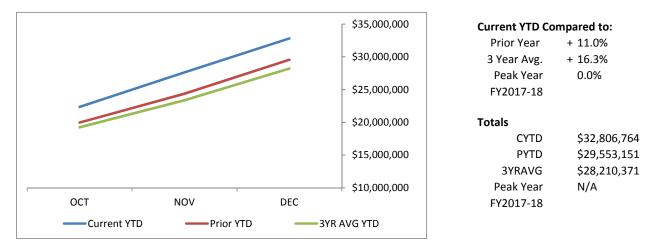
<u>Significance</u>: State Sales Tax accounts for approximately 36.5% of Total State Shared Revenues based on the FY 2017-18 Budget. Total State Shared revenue is approximately 35.8% of total General Fund Revenue. State shared sales tax revenues are distributed to cities and towns based on relative population share in Arizona. The population share in FY 2000-01 was 33.7% and the current population share in FY 2017-18 is 29.4%.



<u>Current Year</u>: December year-to-date 2017-18 State sales tax was \$73.8 million, representing 7.7% growth over 2016-17. Peak year is N/A because the current fiscal year is the peak year for December data. Prior year values have not been adjusted for inflation.

### State Vehicle License Tax

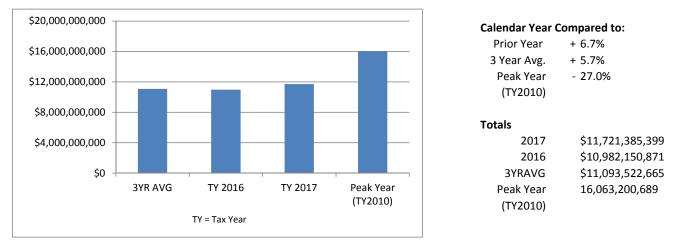
Significance: State Vehicle License tax accounts for approximately 15.4% of Total State Shared Revenues based on the FY 2017-18 Budget. Total State Shared revenue is approximately 35.8% of total General Fund Revenue. State shared vehicle license tax revenues are distributed to cities and towns in Maricopa County based on their relative population share of Maricopa County. The city of Phoenix's population share in FY 2000-01 was 48.5%, and the current population share in FY 2017-18 is 41.0%.



<u>Current Year</u>: Peak year is N/A because the current fiscal year is the peak year for December data. Prior year values have not been adjusted for inflation.

#### Phoenix Assessed Valuation

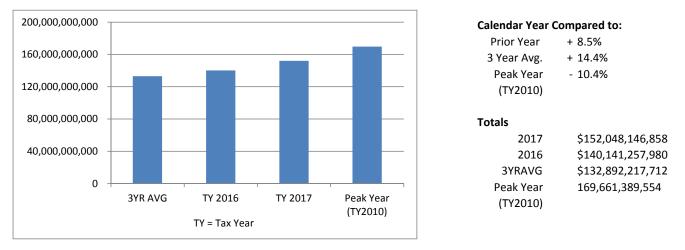
<u>Significance</u>: Phoenix's assessed valuation is based on the Primary Net Assessed Value (PNAV) which beginning in FY2015-16 is the single value used for calculating both Primary Property Taxes and Secondary Property Taxes. The assessed valuation provides an indicator of the basis for City property tax revenue.



<u>Current Year</u>: Tax Year 2017 (FY 2017-18) Primary NAV grew by 6.7% over the prior year; 2.6% is attributable to new property, and 4.1% is attributable to appreciation in previously-taxed property. Prior year values have not been adjusted for inflation.

### Phoenix Full Cash Value

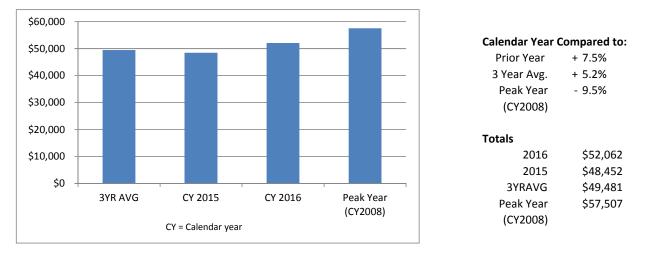
<u>Significance</u>: Full cash value is an indicator of both commercial and residential property values, an important indicator of one facet of economic health. This statistic is updated once per year in February and lag market conditions by approximately one year. Due to assessed valuation growth limits and statutory changes in assessment ratios, however, trends in full cash value do not correlate to trends in the tax base for property taxes.



<u>Current Year</u>: Tax Year 2017 (FY 2017-18) Full Cash Value grew by 8.5% over the prior year. Single and multi-family residential property values grew by 8.5%, commercial property values by 10.5%, and other property values by 6.0%. Prior year values have not been adjusted for inflation.

### Phoenix Median Household Income

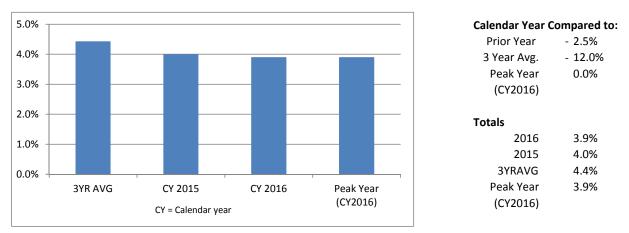
<u>Significance</u>: This measure includes the income of the householder and all other individuals 15 years old and over in the household. Median income is the amount that divides the income distribution into two equal groups, half at income levels above that amount, and half at income levels below that amount. This statistic is updated once per year in November.



<u>Current Year</u>: The increase in 2015 over prior years is an indication of the slow to moderate recovery from the 2008 recession. Data is from the American Community Survey (U.S. Census Bureau) and Peak Year reflects the highest since 2005 (the oldest readily available data set).

### **Phoenix Unemployment Rate**

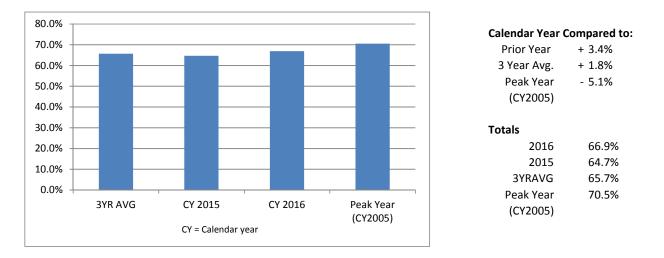
<u>Significance</u>: This measures the percentage of the labor force that are unemployed. People are classified as unemployed if they do not have a job, have actively looked for work in the prior 4 weeks, and are currently available for work. This statistic is updated once per year in November.



<u>Current Year</u>: The decrease in the unemployment rate over prior years may indicate growth in jobs and/or that fewer people who are available to work have been actively looking for work in the prior 4 weeks of the survey. Data is from the American Community Survey (U.S. Census Bureau) and Peak Year reflects the highest since 2005 (the oldest readily available data set).

### **Phoenix Labor Force Participation**

<u>Significance</u>: This measures the percentage of the population (16 and older) that is in the labor force. The labor force is defined as the total population of employed and unemployed people (16 and older). People are classified as unemployed if they do not have a job, have actively looked for work in the prior 4 weeks, and are currently available for work. This statistic is updated once per year in November.



<u>Current Year</u>: The labor force participation rate slightly decreased from 2014 indicating an decrease in the percentage of the population that is either employed or unemployed and actively looking for work. Data is from the American Community Survey (U.S. Census Bureau) and Peak Year reflects the highest since 2005 (the oldest readily available data set).



**City Council Report** 

Agenda Date: 3/13/2018, Item No. 7

# **Community Facility Districts**

This report provides background information on Community Facility Districts (CFD) and recommends modification of the CFD Financial Policy Guidelines and Process as a result of the new Senate Bill 1480 (2017).

# THIS ITEM IS FOR DISCUSSION AND POSSIBLE ACTION.

## Summary

CFDs are authorized by the Arizona Community Facilities District Act, which went into effect in September 1988, and has been amended from time to time. The law allows a municipality to establish a CFD within its boundaries to finance public infrastructure and the operation and maintenance of public infrastructure, and enhance municipal services in qualifying areas. A CFD may issue bonds to finance public infrastructure which can be repaid with annual property tax levies, special assessments, or user fees and charges, depending on the type of bonds issued. Another option is to do a private placement of non-rated bonds subject to the approval by the Finance Department.

In May 1991, the Phoenix City Council adopted a Financial Policy Guideline and Process for Community Facilities Districts. This document is intended to address certain risk, as well as practical, legal and financial requirements. Only one CFD has existed in Phoenix: the Tatum Ranch Community Facilities District which paid off its bonds was abolished in July 2017.

The Governor approved Senate Bill 1480 on April 26, 2017 which revised the law on CFDs. Key revisions to the law include:

1. The City shall hold a public hearing within sixty days to consider the formation of the CFD, on presentation of an application and a signed petition of 25% of landowners to be included in a district.

If the City Council does not adopt a resolution declaring its intention to form a CFD following the public hearing, the City must provide a written basis for not adopting the resolution including specific changes needed for the application to be approved.
Upon its formation, the governing CFD board has to include City Council and two additional members who are designated by the land owner who owns the largest

Agenda Date: 3/13/2018, Item No. 7

amount of acreage in the proposed district board. Members of the board of deemed public officers shall comply with Arizona Revised Statues Title 38 - Public Officers and Employees.

4. Fees assessed by the City in connection with the consideration of the application cannot exceed \$15,000.

5. The CFD must establish and maintain an official website that the public can access for meeting minutes, financial information and other records required by law and to include more information on the City process.

Given the above changes to the state law, the Finance Department has revised the Financial Policy Guideline and Process for the consideration of formalizing CFDs. The City will need to have clear procedures in place to meet the timelines, including having a public hearing within 60 days after the CFD application is received. **Attachment A** is the Financial Policy Guideline and Process and has only been revised to reflect changes due to SB 1480.

The Financial Policy Guideline and Process for Community Facilities Districts has been developed with the Community and Economic Development, Planning and Development, Streets Transportation, and Law Departments in accordance with state law. In January of 2018, the working group met with the development community stakeholders to solicit feedback and incorporate modifications to the draft CFD Policy.

Based on changes to the state law, the Finance Department recommends adopting the attached revised Financial Policy Guideline and Process and recommends hiring a financial advisor from the Qualified Financial Advisor Vendor list to assist the city in the case an application is received.

## **Responsible Department**

This item is submitted by City Manager Ed Zuercher and the Finance Department.

### Attachment A

### <u>CITY OF PHOENIX</u> <u>COMMUNITY FACILITIES DISTRICTS</u> <u>FINANCIAL POLICY AND PROCESS GUIDELINES</u>

{Edited to reflect certain changes made by SB1480 – Chapter 208, Laws 2017}

### **Community Facilities District Overview**

Community Facilities Districts (CFD) are special taxing districts authorized under ARS Title 48. CFDs may be created within municipalities or counties to finance the cost of certain public facilities that serve land within the boundaries of a CFD. Debt associated with a CFD is the responsibility of property owners benefiting from the public improvements, and is generally repaid through special assessments on the owner's property tax statement.

Infrastructure/improvements that can be financed by a district include: Water and wastewater facilities Drainage and flood control Streets and parking Pedestrian, equestrian and bicycling Pedestrian malls, parks and open spaces Landscaping and water features Public Buildings Lighting and traffic control systems Equipment related to items listed above

### **Financial Policy Priorities:**

The City's policy for Community Facilities Districts is to implement the City's General Plan by encouraging orderly growth and development that benefits the community. Accordingly, the following principles should be used as a guide in evaluating applications for CFDs.

- Districts should not impose a net negative fiscal impact on City operations.
- Districts should demonstrate adequate financial resources for all public improvements required to serve land within the District.
- Districts should attempt to include within District boundaries all lands benefitting from public improvements required to serve the District.
- Districts should not require repayment or other financial contributions from lands outside the District that may benefit from public improvements required to serve the District.
- Districts / developers should provide appropriate financial guarantees acceptable to the City including:
  - o security to cover debts until such time that occupancy is sufficient.
  - o security to protect against abandonment prior to completion.

- Districts should demonstrate how all public amenities and services provided within the District will meet or exceed current City standards.
- Districts should not negatively impact development of lands by reallocating existing service commitments.
- Districts should ensure that the City Council adopted General Plan Land Use Map reflects the desired land uses proposed at the onset of District formation.
- Districts should seek to build on existing infrastructure improvements in an orderly efficient manner.

These Guidelines will be subject to modifications based on experience and should be considered a flexible guideline intended to ensure the fiscal health of the city and interests of the general public are protected.

Developers/landowners proposing a district will be given the opportunity to propose alternative approaches with the understanding that the City's concerns will have to be adequately addressed before staff can recommend approval.

### 12-Step CFD Formation Process:

1. Developers/landowners considering the formation of a District must contact the City's Planning and Development (PDD) Director for an initial meeting that will include the Director and Chief Financial Officer along with other key staff. This meeting will provide initial guidance concerning the formation of the District. All requests for initial meetings regarding the formation of Districts shall be submitted to the Planning and Development Director who will coordinate necessary inter-departmental review of the application. This meeting will take place prior to the pre-application submittal.

2. Developers/landowners must make a Pre-application submittal based upon the above guidance to help the City/proposer create and review the proposed CFD. PDD will route the Pre-application submittal to effected departments for review and comment. Comments will be collected and a meeting will be scheduled with the proposer to review the comments and written comments will be provided after the meeting. An initial \$5,000 fee shall be paid concurrent with this submittal. The meeting will be scheduled within 30 days after the City determines that the Pre-application submittal is complete. These comments must be addressed as part of the Preliminary application submittal described below.

A Pre-application submittal shall include at least the following:

• A description of the proposer, including the corporate and organizational structure of the entity of the individual making the application, the names of all officers and directors directly related to or associated with the proposed district, the name, address and telephone number of the primary contact for the proposer, the names of any legal representatives, engineers, architects, financial consultants or other consultants significantly involved in the application and a general description of the proposer's experience with similar

types of developments. This information can be supplemented as the CFD moves forward.

• A description of the proposed District including its boundaries and identifying all landowners. The description must contain an analysis of the appropriateness of the district boundaries.

A description of how the proposed district meets the City's existing development objectives, including the degree to which the District is consistent with the goals of the City's General Plan or any adopted area plans for promoting orderly development, and the degree to which the land use plan for the District is consistent with the City's General Plan Map for the area

- A financial feasibility study for the entire project covering both the public infrastructure and the private development, that includes:
  - An analysis of how the proposed debt financing, operation and maintenance costs, and any other district costs will impact the private development in terms of property taxes and property tax rates, special assessments, fees and charges, and any other costs that would be borne by properties in the district. This should also address the impact these costs will have on the marketability of the private development.
  - ✤ A financing plan for the private development.
  - A market absorption study for the private development demonstrating the ability of the market to absorb the development as well as a market absorption calendar for the private development. This would be an overall general study that would be supplemented at the time of debt issuance.
- A general land use and infrastructure plan setting a general description of the public infrastructure for which the District is proposed to be formed, the general areas to be improved and the estimated costs of construction or acquisition by the public infrastructure to be financed, constructed or acquired by the District.
- A preliminary financing plan that includes the sources and uses of monies for the public improvements and public infrastructure, including both capital and operating costs when the infrastructure is owned and operated by the district.
- If the public improvements and public infrastructure are publicly owned the City may access a fee not to exceed thirty cents per one hundred dollars of assessed valuation for all real and personal property in the district for operation and maintenance of the public improvements and infrastructure.
- A proposed project schedule for completion of the public infrastructure and completion of the private development.

- An operating plan for the district, i.e., what functions the district would provide and how the operation and maintenance of the infrastructure and all other services in the district would be provided.
- Certification from the proposer that it has met with PDD regarding the initial feasibility, guidance, and development assessment for the district as described above, and obtained and addressed the comments received from appropriate city departments during that development assessment.
- Representation by counsel to the developer stating that the formation of the district and the implementation of any proposed financing will meet all the requirements of federal and State law.
- A process for the designation of the two additional district board members, on completion of the development of all of the property in the district.

The applying landowner/developer shall provide the City with documentation demonstrating their financial capacity to undertake the project.

Pre-application submittals that fail to include any of these required items will be returned to the proposer as incomplete.

- 3. Upon receipt of a complete Pre-application submittal and before the meeting with the proposer, the City will determine the ratio of market value to proposed debt. State law states that debt cannot exceed sixty percent of property market value, however to ensure optimal financing the City prefers:
  - A ratio of 4 to 1 would be most desirable while a ratio of 3 to 1 would be considered minimum.
  - If a 3 to 1 ratio is not achieved, staff would probably recommend scaling down the proposed debt, and phasing infrastructure construction in order to attain the 3 to 1 minimum ratio.

4. The landowner/developer shall contribute \$0.25 in public infrastructure improvement costs for each dollar of public infrastructure improvement debt financed by the district. For those districts providing special benefit to the City, this requirement could be waived upon review and approval of additional information that outlines the benefit.

5. The City will provide review comments based upon overall feasibility in meeting the financial policies and items 1-4 above at the Pre-application meeting within 21 days of initial submittal.

6. The landowner/developer shall make a Preliminary application submittal that covers the required Pre-application submittal items and staff comments from that initial submittal review and an additional \$5,000 application fee. The City shall provide

comments in the manner prescribed above within 30 days of the Preliminary application submittal.

- 7. The landowner/developer shall then provide a final application submittal, addressing the following required elements:
  - A petition signed by the owners of a least twenty-five percent of the land to be included in the District.
  - The required Pre-application submittal items in section 2 above, as modified through the Pre-application and Preliminary application process.
  - Responses to any City comments received on the Preliminary application submittal.
  - And the final \$5,000 application fee.

Once this final application submittal is deemed complete by the Chief Financial Officer, the City Council shall hold a public hearing to consider the application for the formation of the District within 60 days. Staff will prepare a written analysis of the proposal that will be circulated to the general public along with the Mayor and City Council. The analysis will include a recommendation to proceed or not to proceed with formation of the CFD.

- 8. Immediately after completion of the public hearing, the Council may adopt a resolution declaring its intention to form a CFD. If the Council does not approve the CFD, then the City will provide written basis identifying reasons for the denial.
- 9. If a District is formed and the District's general plan includes the financing of infrastructure improvements that landowners/developers already are required to provide under existing development or other agreements with the City, the City may seek to amend those agreements so that such infrastructure improvements would be provided by the District instead of those landowners/developers.
- 10. The City shall be responsible for approving and supervising the issuance of any District debt. In this capacity, the City shall approve all consultants recommended by the landowner/developer, including underwriters and bond counsel. The City shall also reserve the right to retain additional consultants in connection with any bond issuance, such as financial advisor, when it is deemed necessary to do so.
- 11. Any bonds issued by the District shall have at least an investment grade rating from Moody's Investors Service or Standard and Poor's, or Fitch ratings agencies or be credit enhanced by a financial institution or insurer rated in either of the two highest rating categories, and acceptable to the City. Alternatively, the private placement of non-rated bonds will be allowed, subject to the approval of the terms of the private placement by the Finance Department.

12. The City Council, ex officio, plus two additional district board members who are designated by the owner who owns the largest amount of privately owned land in the District shall serve as the District Board for each District, as opposed to an entirely appointed board, with day-to-day responsibilities delegated to City staff. This would help ensure the soundness of any district financing program, as well as the adequacy and legality of the legal proceedings and disclosure documents in connection with any financing.



**City Council Report** 

Agenda Date: 3/13/2018, Item No. 8

## Authorization to Enter into an Intergovernmental Agreement with Arizona State University for Development of the Thunderbird School of Global Management Facilities in Downtown Phoenix

This report requests the Downtown, Aviation, Economy and Innovation Subcommittee recommend City Council approval to enter into an Intergovernmental Agreement (IGA) with Arizona State University (ASU), and to execute any other instruments or documents necessary to facilitate ASU's development of facilities to house the ASU Thunderbird School of Global Management (Thunderbird) and other academic units on City property and to develop graduate level residential facilities in downtown Phoenix. The City will participate in the project through \$13.5 million from the Downtown Community Reinvestment Fund.

## THIS ITEM IS FOR DISCUSSION AND POSSIBLE ACTION.

## Summary

ASU proposes to develop the ASU Thunderbird school building on approximately onequarter of a block designated for facilities related to ASU's downtown Phoenix campus. The site is located at the northwest corner of 2nd Street and Polk Street on a Cityowned block, the majority of which was recently developed with the Beus Center for Law and Society which opened in 2016. ASU will be investing approximately \$100 million in downtown Phoenix for Thunderbird including \$60 million for the new educational facility, \$30 million for a graduate student housing building, and \$10 million in interim improvements for the school to locate downtown in the fall of 2018. The minimum four-story, 100,000 square foot educational facility will include the graduate and executive programs of the ASU Thunderbird School and will include office, classroom, lecture and other education related space as well as retail amenities on the ground floor.

The City will lease the property to ASU, pursuant to terms of the Master Lease (City Contract 119092). There will be no cost for the lease the first 10 years of the term; after which ASU shall begin to remit the City \$110,000 annually for 15 years to repay the City for the portion of land not purchased with ASU-related 2006 General Obligation bond funds.

ASU shall provide the City with all necessary prerequisites for development of the Thunderbird facility by Jan. 31, 2019, and will commence construction by Aug. 31, 2019. ASU shall open the facility by March 31, 2021. All design, construction, furnishings and operational expenses will be the responsibility of ASU.

The City will pay \$13.5 million to ASU over a period of nine years, upon timely completion of the Thunderbird facility. Payments will assist with part of ASU's expenses for capital necessary for ASU to carry out its public education mandate as well as further the growth and development of the downtown Phoenix Campus and construct new public infrastructure.

This project will allow ASU to expand and strengthen Thunderbird to reinforce its position as a global leader in management studies. In addition to the new students and faculty brought to downtown Phoenix by this investment, the visibility and reputation of Phoenix will improve through the wide national and international exposure from the graduates of Thunderbird. In addition to the construction taxes generated by this project, approximately 640 construction-related jobs will be created, and when the graduate housing is created, additional rental residential tax revenues will be created. As the major Arizona hub of government, finance and commerce, the location of Thunderbird in downtown Phoenix also provides real-world educational benefits and opportunities for the school's students.

## **Financial Impact**

The \$13.5 million will be reserved in the Downtown Community Reinvestment Fund with the \$1.5 million annual payments beginning availability in fiscal years 2020-21 through 2028-29. The lease rental payments will be deposited into the Downtown Community Reinvestment Fund. There will be no impact to the General Fund.

# Public Outreach

Two public meetings are scheduled regarding the proposal. The first is with Downtown Voices Coalition on March 10, 2018; the second is with the Phoenix Downtown Neighborhood Alliance on March 13, 2018. ASU has discussed the project itself with a number of stakeholders and will meet with downtown community stakeholders regularly during the design and development process.

# Location

The facility will be located at the northwest corner of 2nd Street and Polk Street (APN 111-45-191). Council District: 7

# **Responsible Department**

This item is submitted by Deputy City Managers Deanna Jonovich and Karen Peters and the Community and Economic Development Department.



**City Council Report** 

Agenda Date: 3/13/2018, Item No. 9

# FAA Flight Path Update

This report provides an update to the Downtown, Aviation, Economy and Innovation Subcommittee on progress made by the Aviation Department in addressing noise issues created by the Federal Aviation Administration's (FAA) implementation of new flight paths at Phoenix Sky Harbor International Airport.

# THIS ITEM IS FOR INFORMATION AND DISCUSSION.

## Summary

On Sept. 18, 2014, the FAA implemented new flight paths without any process for public input. The new flight paths caused significant hardship to communities under the flight paths due to aircraft noise. In April 2015, at the direction of the City Council, the Aviation Department adopted a strategy to advocate on behalf of the community.

This monthly flight path update specifically recognizes the efforts of the City Council, our federal delegation, and community advocates over the three-year period since the FAA's implementation of new flight paths.

## Community Outreach

Aviation Department staff continues to attend community meetings and is available to discuss noise issues with any group. Workshops can be held at any time to exchange information, if residents desire. All information is posted online to keep residents informed of all activity.

## Legislation/Lobbying

Aviation Department staff is in frequent contact with Holland & Knight, the City's federal public affairs consultant in Washington, D.C., which is continuing to provide information to help enable legislation and keeping the City updated on the proceedings in Washington, D.C.

## Litigation

The City and Historic Neighborhoods negotiated an agreement with the FAA and filed a joint petition on Nov. 30, 2017. The FAA held three community meetings last month at Maryvale, Cesar Chavez and Horizon high schools; the purpose of the meetings was to explain the Joint Petition steps and solicit feedback on community concerns stemming from FAA's 2014 RNAV implementation. All of the workshop information was made available on the FAA's project website as well. The FAA public comment period officially ended February 16th. The FAA is on schedule to return departures to the previous westerly corridors by April 1. The FAA project website address https://www.faa.gov/nextgen/nextgen_near_you/community_involvement/phx/

## **Responsible Department**

This item is submitted by Deputy City Manager Deanna Jonovich and the Aviation Department.