City of Phoenix

Minutes

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

City Council Formal Meeting

Wednesday, April 7, 2021 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, April 7, 2021 at 2:34 p.m. in the Council Chambers.

Present: 9 - Councilman Sal DiCiccio, Councilmember Carlos Garcia, Councilwoman Betty Guardado, Councilman Michael Nowakowski, Councilwoman Laura Pastor, Councilwoman Debra Stark, Councilman Jim Waring, Vice Mayor Thelda Williams and Mayor Kate Gallego

The Mayor and Councilmembers attended the meeting virtually.

Councilman DiCiccio disconnected from the voting body during the recess held between 5:25 p.m. and 5:45 p.m.

Mayor Gallego acknowledged the presence of Elsie Duarte, a Spanish interpreter. In Spanish, Ms. Durate announced her availability to the audience.

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6718, G-6818 and G-6828 through G-6833, S-47417 through S-47464, and Resolutions 21906 through 21915 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

References to attachments in these minutes relate to documents that were attached to the agenda.

BOARDS AND COMMISSIONS

1 Mayor and Council Appointments to Boards and Commissions

Summary

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

Discussion

Mayor Gallego announced as part of City Council Formal meetings, the City received comments from the public, and added Council enjoyed and benefited from civil discourse. She mentioned it was important to keep comments related to the agenda item, and asked to avoid any personal attacks or foul language.

City Attorney Cris Meyer stated members of the public may speak for up to two minutes on agenda items and gave direction on appropriate decorum when providing comments.

Mayor Gallego stated if this meeting were to extend past three hours, she would recess Council for a break at that time or during a natural break after an agenda item that could be around 5:00 p.m. or 5:30 p.m.

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

Environmental Quality and Sustainability Commission

Appoint Kathy Knoop, filling a vacancy for a term to expire April 7, 2024 as recommended by Mayor Gallego.
Reappoint Kelly Bar, serving her second term to expire May 10, 2023 as recommended by Mayor Gallego.
Reappoint Caroline Lobo, serving her fifth term to expire Aug. 31, 2023 as recommended by Mayor Gallego.

Library Advisory Board

Appoint Dominique Medina, filling a vacancy on the board for a term to expire April 7, 2024 as recommended by Mayor Gallego.
Reappoint Kathleen Ingley, serving her second term to expire April 5, 2023 as recommended by Mayor Gallego.
Reappoint Brenda Thompson, serving her second term to expire April 5, 2023 as recommended by Mayor Gallego.

Phoenix Aviation Advisory Board
Appoint Chad Makovsky, replacing Interim Director Charlene Reynolds in the ex-officio position as recommended by Mayor Gallego.

Phoenix Business and Workforce Development Board
Appoint Jon Ellertson, representing the Vocational Rehabilitation category for a term to expire June 30, 2022 as recommended by Mayor Gallego.

Tourism and Hospitality Advisory Board
Appoint Angela Karp, replacing Debbie Johnson and will represent the Hospitality Industry for a term to expire Sept. 30, 2022 as recommended by Mayor Gallego.
Reappoint John Chan, serving his fifth term to expire Sept. 30, 2022 as recommended by Mayor Gallego.
Reappoint Jerry Harper, serving his third term to expire Sept. 30, 2022 as recommended by Mayor Gallego.

Youth and Education Commission
Appoint Laurence De Respino, representing businesses and serving a partial term to expire Aug. 31, 2021 as recommended by Mayor Gallego.

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

Yes:	9 -	Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Williams and Mayor Gallego
No:	0	

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

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

A motion was made by Vice Mayor Williams, seconded by Councilwoman Stark, that Items 2-30 be recommended for approval. The motion carried by

the following voice vote:

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Williams and Mayor Gallego

No: 0

2 Liquor License - Coma Sushi & Izakaya Corporation

Request for a liquor license. Arizona State License Application 138318.

Summary

Applicant
Duy Nguyen, Agent

License Type
Series 12 - Restaurant

Location
17155 N. 51st Ave., Ste. 122 & 124
Zoning Classification: PSC
Council District: 1

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow the sale of alcoholic beverages.

The 60-day limit for processing this application is April 10, 2021.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was

established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

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

Angelina's Vietnamese Cuisine Pho & Grill (Series 12)
5350 W. Bell Road, Ste. 123-124, Glendale
Calls for police service: N/A - not in Phoenix
Liquor license violations: In April 2017, a fine of $375 was paid for delinquent taxes.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been running many of the same business and never had any issues. Always follow the law, Public Safety First."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Public Safety comes first."

Staff Recommendation
Staff recommends approval of this application noting the applicant must

resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments
Liquor License Data - Coma Sushi & Izakaya Corporation
Liquor License Map - Coma Sushi & Izakaya Corporation

This item was recommended for approval.

3 Liquor License - Cook & Craft

Request for a liquor license. Arizona State License Application 137378.

Summary

Applicant
Kevin Kramber, Agent

License Type
Series 12 - Restaurant with Growler Privileges

Location
5310 E. High St., Unit 100
Zoning Classification: C-2 DRSP
Council District: 2

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

The 60-day limit for processing this application is April 18, 2021.

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

use for more than 180 days.

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

Cook & Craft (Series 12)
7306 E. Shea Blvd., Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am currently an Agent on 180 + liquor licenses throughout the state. All partners currently own & operate a series 12, restaurant, liquor license at their first location. There have been no Title IV or DLLC compliance actions against their current liquor license."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The location is in a very affluent part of Phoenix, and as such we would like to be able to offer spirits to our customers as a way to enhance their dining experience."

Staff Recommendation

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

Attachments
Liquor License Data - Cook & Craft
Liquor License Map - Cook & Craft

This item was recommended for approval.

4 Liquor License - Humble Bistro

Request for a liquor license. Arizona State License Application 136466.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
5415 E. High St., Unit 127
Zoning Classification: C-2 DRSP
Council District: 2

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

The 60-day limit for processing this application is April 17, 2021.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was

established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

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

Humble Pie Pizza Wine & Spirits (Series 12)
3890 W. Happy Valley Road, Ste., 169, Phoenix
Calls for police service: 9
Liquor license violations: None

Humble Pie Pizza Wine & Spirits (Series 12)
6149 N. Scottsdale Road, Ste., A1, Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Humble Bistro is a neighborhood restaurant featuring pizza, pasta, burgers, sandwiches, salads, and soup in a family-friendly environment. Applicant would like to continue to offer guests 21 and over the opportunity to order alcoholic beverages as an incident to the meals they enjoy."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Humble Bistro
Liquor License Map - Humble Bistro

This item was recommended for approval.

5 Liquor License - Saddlecreek Coffee Co.

Request for a liquor license. Arizona State License Application 137073.

Summary

Applicant
James Ebel, Agent

License Type
Series 12 - Restaurant

Location
28212 N. Tatum Blvd., Ste. D6
Zoning Classification: C-2
Council District: 2

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

The 60-day limit for processing this application was April 3, 2021. However, the applicant has submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

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

Craftsman (Series 12)
20469 N. Hayden Road, Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Craftsman (Series 18)
20469 N. Hayden Road, Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant’s Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
“I have owned & managed restaurants for over 15 years. I currently hold the liquor license for the Craftsman restaurant in Scottsdale & before that Two Brothers Taphouse & Brewery in Scottsdale.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“Many of our regular customers have requested us to serve alcoholic beverages. There are very limited options in the local area for happy hour opportunities. Want to offer customers opportunity to enjoy an alcoholic beverage with lunch or late afternoon.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Saddlecreek Coffee Co.
Liquor License Map - Saddlecreek Coffee Co.

This item was recommended for approval.

6 Liquor License - Special Event - St. Mary's Roman Catholic High School Phoenix

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

Summary

Applicant
Patricia Hollerbach

Location
2525 N. 3rd St.
Council District: 4

Function
Community Event

Date(s) - Time(s) / Expected Attendance
April, 17, 2021 - 3:00 p.m. to 9:00 p.m. / 180 attendees

Staff Recommendation
Staff recommends approval of this application noting that approval of this application is based on criteria set forth in Title IV of the Arizona Revised Statutes and noting that the applicant has agreed to adhere to the implementation and enforcement of safety precautions consistent with the guidance issued by both the Centers for Disease Control and Prevention and the Arizona Department of Health Services.

This item was recommended for approval.

7 Liquor License - Express Beer and Tacos

Request for a liquor license. Arizona State License Application 138840.

Summary

Applicant
Juanita Esparza, Agent

License Type
Series 10 - Beer and Wine Store

Location
7730 W. Indian School Road
Zoning Classification: C-2
Council District: 5

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

The 60-day limit for processing this application is April 18, 2021.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"The owner of Express Beer and Tacos is committed to upholding the highest standards for it's business practices & employees. Mr. Lazar has been trained along with all employees in the techniques of legal & responsibility and has taken the Title 4 Liquor Law Training course. As owner of the business he will oversee all employees & will provide a safe experience for the staff and the public at all times."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Mr. Lazar wishes to provide off-sale privileges of beer and wine to the general public. Express Beer and Tacos will responsibly adhere to all state and federal tax laws & maintain a strict adherence to the security requirements of the city and state agencies."

Staff Recommendation

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

Attachments
Liquor License Data - Express Beer and Tacos
Liquor License Map - Express Beer and Tacos

This item was recommended for approval.

8 Liquor License - Arcadia Grill & Tavern

Request for a liquor license. Arizona State License Application 1207B248.

Summary

Applicant
Korey Boals, Agent

License Type
Series 12 - Restaurant

Location
4801 E. Indian School Road, Ste. 1
Zoning Classification: C-2
Council District: 6

This request is for an acquisition of control of an existing liquor license for a restaurant. This location is currently licensed for liquor sales with a Series 12 - Restaurant, liquor license.

The 60-day limit for processing this application is April 23, 2021.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Establishment has always been in existence - agent change only."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

9 Liquor License - Dodey's Bar

Request for a liquor license. Arizona State License Application 06070201.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 6 - Bar

Location
7051 N. 7th St.
Zoning Classification: C-2
Council District: 6

This request is for an acquisition of control of an existing liquor license for a bar. This location is currently licensed for liquor sales with a Series 6 - Bar, liquor license.

The 60-day limit for processing this application is April 19, 2021.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I was managing this bar for several years and am now the owner. I will continue to abide by Title 4 liquor laws."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

10 Liquor License - Sonesta Select Phoenix Camelback

Request for a liquor license. Arizona State License Application 135920.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 11 - Hotel

Location
2101 E. Camelback Road

Zoning Classification: C-2 CEPCSP
Council District: 6

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

The 60-day limit for processing this application is April 18, 2021.

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

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

Sonesta Es Suites Flagstaff (Series 7)
1400 N. Country Club Road, Flagstaff
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Sonesta Suites Scottsdale (Series 6)
7300 E. Gainey Suites Dr., Scottsdale
Calls for police Service: N/A - not in Phoenix
Liquor License Violations: None

Sonesta Es Suites Tucson (Series 7)
6477 E. Speedway Blvd., Tucson
Calls for police service: N/A not in Phoenix
Liquor License Violations: None

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Applicant will manage the Sonesta Select Phoenix Camelback Hotel (formerly Courtyard) in the heart of the Camelback business corridor. Applicant would like to continue to offer alcoholic beverages to guests 21 and over."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Sonesta Select Phoenix Camelback
Liquor License Map - Sonesta Select Phoenix Camelback

This item was recommended for approval.

11 Liquor License - Club Envy

Request for a liquor license. Arizona State License Application 137115.

Summary

Applicant
Bradley Chavez, Agent

License Type
Series 6 - Bar

Location
136 E. Washington St.
Zoning Classification: DTC - Business Core
Council District: 7

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

The 60-day limit for processing this application was April 3, 2021. However, the applicant submitted a written request for more time.

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

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

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

comment period.

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I respect and clearly know of the responsibility that I must upkeep to protect our guest and the public. I hold an active Real Estate License in the state of Arizona and know what it takes to upkeep code of ethics and principles. I'm grateful for the opportunity and know that a "Liquor License" is a privilege that can be revoked, just like any other license. I will continue to strive on enforcing all laws when handling liquor to guarantee our business is keeping the community safe while obeying all laws. I am fully committed and capable."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Downtown Phoenix is driven by nightlife and entertainment. Being centered so close to the Phoenix Suns Arena brings hundreds of thousands of fans that after every event strole the streets of Jefferson & Washington searching for great and welcoming vibe entertainment. This serves the best interest for our community because it drives more revenue for the city in TPT/revenue sales in which we can use to continue to improve our city, educational systems and community to help the valley continue to grow in innovation."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Club Envy
Liquor License Map - Club Envy

This item was recommended for approval.

12 Liquor License - Pizzeria Del Sol

Request for a liquor license. Arizona State License Application 138980.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
3010 S. 99th Ave., Ste. 102
Zoning Classification: C-2 PCD
Council District: 7

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently under construction with plans to open in May 2021.

The 60-day limit for processing this application is April 19, 2021.

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

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

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We would like the ability to offer our patrons of legal age an adult beverage with their meal if they choose to have one."

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

Attachments
Liquor License Data - Pizzeria Del Sol
Liquor License Map - Pizzeria Del Sol

This item was recommended for approval.

13 Liquor License - Legacy Golf Resort

Request for a liquor license. Arizona State License Application 06070498.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 6 - Bar

Location
6808 S. 32nd St.
Zoning Classification: RH BAOD
Council District: 8

This request is for an ownership transfer of a liquor license for a golf course. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is April 13, 2021.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
“We will train all of our employees in responsible liquor service.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“This golf course has been in operation for many years. We would like to continue to offer alcohol if our guests choose to have an adult beverage.”

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

Attachments
Liquor License Data - Legacy Golf Resort
Liquor License Map - Legacy Golf Resort

This item was recommended for approval.

14 Liquor License - Los Cuatro Nietos

Request for a liquor license. Arizona State License Application 138479.

Summary

Applicant
Juanita Esparza, Agent

License Type
Series 12 - Restaurant

Location
705 E. Mohave St.
Zoning Classification: C-3 AIO
Council District: 8

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

The 60-day limit for processing this application is April 12, 2021.

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

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

El Camaron Gigante (Series 12)
8343 W. Van Buren St., Ste. A-1, Tolleson
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

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

because:
“The owner's of Los Cuatros Nietos is committed to upholding the highest standards for it's business practices & employees. They have been trained in all techniques of legal & responsibility & have taken the title 4 liquor law training course and will operate the business on a day to day basis. As owners of the business they will oversee all employees & will provide a safe experience for all staff & patron.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“The owner's of Los Cuatros Nietos wishes to provide dining with alcohol beverages at the request of the patron. In addition Los Cuatro Nietos will responsibly adhere to all state and federal tax laws and maintain a strict adherence to the security requirements of the city and state.”

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

Attachments
Liquor License Data - Los Cuatro Nietos
Liquor License Map - Los Cuatro Nietos

This item was recommended for approval.

15 Liquor License - Urban Bricks Pizza

Request for a liquor license. Arizona State License Application 137449.

Summary

Applicant
Rohit Patel, Agent

License Type
Series 12 - Restaurant

Location
4750 S. 48th St., Ste. 107

Zoning Classification: C-2
Council District: 8

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

The 60-day limit for processing this application is April 20, 2021.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am successful business man for last 15+ years in restaurant business. I am recently purchase pizza store which sells beer to its customers. To

continue to sell beer, I am required to have a liquor license."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Selling beer at pizza store is truly satisfy customer convenience. It is solely depends on customer choice."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Urban Bricks Pizza
Liquor License Map - Urban Bricks Pizza

This item was recommended for approval.

16 Liquor License - Speedy Stop Liquors

Request for a liquor license. Arizona State License Application 09070499.

Summary

Applicant
Minesh Patel, Agent

License Type
Series 9 - Liquor Store

Location
5033 S. 16th St.
Zoning Classification: PSC
Council District: 8

This request is for an ownership transfer of a liquor license for a liquor store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is April 19, 2021.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only

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

Other Active Liquor License Interest in Arizona

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

Herbal Nail & Spa In Laveen (Series 7)
5185 W. Baseline Road, Phoenix
Calls for police service: 12
Liquor license violations: None

Ray Mini Mart (Series 10)
797 E. Ray Road, Gilbert
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
“I have run a liquor store in the City of Chandler before and I currently have a gas station with a beer and wine license. I have many years experience in the industry. I have also taken appropriate training classes regarding liquor.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“This business has been serving the local community for many years. We provide the essentials the community is looking for within walking distance and help the community by providing the household needs they need at prices they can afford. It is a local favorite and many repeat customers numerous times during the day."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Speedy Stop Liquors
Liquor License Map - Speedy Stop Liquors

This item was recommended for approval.

17 Off-Track Pari-Mutuel Wagering Permit Renewal - Padre Murphy's

Request for renewal of an Off-track Pari-mutuel Wagering Permit for a location previously approved by the City Council for this purpose.

Summary

Applicant
David Johnson, Agent for Turf Paradise

Location
4338 W. Bell Road
Zoning Classification: PSC
Council District: 1

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

18 Off-Track Pari-Mutuel Wagering Permit Renewal - Arena Sports Grill

Request for renewal of an Off-track Pari-mutuel Wagering Permit for a location previously approved by the City Council for this purpose.

Summary

Applicant
David Johnson, Agent for Turf Paradise

Location
6245 E. Bell Road, Ste. 101-104
Zoning Classification: C-1
Council District: 2

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

19 Off-Track Pari-Mutuel Wagering Permit Renewal - Azool Grill

Request for renewal of an Off-track Pari-mutuel Wagering Permit for a location previously approved by the City Council for this purpose.

Summary

Applicant
David Johnson, Agent for Turf Paradise

Location
3134 W. Carefree Hwy., Ste. 3
Zoning Classification: C-2 PCD
Council District: 2

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

20 Off-Track Pari-Mutuel Wagering Permit Renewal - Casey Jones

Grill

Request for renewal of an Off-track Pari-mutuel Wagering Permit for a location previously approved by the City Council for this purpose.

Summary

Applicant
David Johnson, Agent for Turf Paradise

Location
2848 E. Bell Road, Ste. 111 & 112
Zoning Classification: C-2
Council District: 2

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

21 Off-Track Pari-Mutuel Wagering Permit Renewal - Longshots Bar & Grill

Request for renewal of an Off-track Pari-mutuel Wagering Permit for a location previously approved by the City Council for this purpose.

Summary

Applicant
David Johnson, Agent for Turf Paradise

Location
13610 N. Scottsdale Road, Ste. 30-31
Zoning Classification: C-2
Council District: 2

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

22 Off-Track Pari-Mutuel Wagering Permit Renewal - The Burg Sports Grill

Request for renewal of an Off-track Pari-mutuel Wagering Permit for a location previously approved by the City Council for this purpose.

Summary

Applicant
David Johnson, Agent for Turf Paradise

Location
751 E. Union Hills Dr., Ste. 3-6
Zoning Classification: PSC
Council District: 2

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

23 Off-Track Pari-Mutuel Wagering Permit Renewal - Big Daddy's Sports Lounge

Request for renewal of an Off-track Pari-mutuel Wagering Permit for a location previously approved by the City Council for this purpose.

Summary

Applicant
David Johnson, Agent for Turf Paradise

Location
10618 N. Cave Creek Road
Zoning Classification: C-2
Council District: 3

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

24 Off-Track Pari-Mutuel Wagering Permit Renewal - Roman's County Line

Request for renewal of an Off-track Pari-mutuel Wagering Permit for a location previously approved by the City Council for this purpose.

Summary

Applicant
David Johnson, Agent for Turf Paradise

Location
10540 W. Indian School Road
Zoning Classification: C-2
Council District: 5

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

25 Off-Track Pari-Mutuel Wagering Permit Renewal - Armadillo Grill

Request for renewal of an Off-track Pari-mutuel Wagering Permit for a location previously approved by the City Council for this purpose.

Summary

Applicant
David Johnson, Agent for Turf Paradise

Location
1904 E. Camelback Road
Zoning Classification: C-1 CEPCSP
Council District: 6

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

26 Off-Track Pari-Mutuel Wagering Permit Renewal - Bleacher's Sports Grill

Request for renewal of an Off-track Pari-mutuel Wagering Permit for a location previously approved by the City Council for this purpose.

Summary

Applicant

David Johnson, Agent for Turf Paradise

Location
15410 S. Mountain Pkwy., Ste. 109
Zoning Classification: C-2 PCD
Council District: 6

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

27 Off-Track Pari-Mutuel Wagering Permit Renewal - Gallagher's

Request for renewal of an Off-track Pari-mutuel Wagering Permit for a location previously approved by the City Council for this purpose.

Summary

Applicant
David Johnson, Agent for Turf Paradise

Location
7575 N. 16th St., Ste. 1
Zoning Classification: PSC PCD
Council District: 6

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

28 Off-Track Pari-Mutuel Wagering Permit Renewal - Mr. Haney's

Request for renewal of an Off-track Pari-mutuel Wagering Permit for a location previously approved by the City Council for this purpose.

Summary

Applicant
David Johnson, Agent for Turf Paradise

Location
5110 E. McDowell Road

Zoning Classification: C-2
Council District: 6

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

29 Off-Track Pari-Mutuel Wagering Permit Renewal - American Legion #1

Request for renewal of an Off-track Pari-mutuel Wagering Permit for a location previously approved by the City Council for this purpose.

Summary

Applicant
David Johnson, Agent for Turf Paradise

Location
364 N. 7th Ave.
Zoning Classification: C-3 CMOD ACOD
Council District: 7

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

30 Off-Track Pari-Mutuel Wagering Permit Renewal - Gallagher's Food and Fun

Request for renewal of an Off-track Pari-mutuel Wagering Permit for a location previously approved by the City Council for this purpose.

Summary

Applicant
David Johnson, Agent for Turf Paradise

Location
3220 E. Baseline Road
Zoning Classification: C-1 BAOD
Council District: 8

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

A motion was made by Vice Mayor Williams, seconded by Councilwoman Stark, that Items 31-116 be approved or adopted, except Items 38-44, 46, 48, 60-61, 69-73, 76, 113-114, and 116; noting Item 109 has been withdrawn; and Item 115 is requested to be continued to the June 2, 2021 City Council Formal Meeting. The motion carried by the following vote:

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Williams and Mayor Gallego

No: 0

Items 31-37, Ordinance S-47417 was a request to authorize the City Controller to disburse funds, up to amounts indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

31 JLL Pioneer, Inc doing business as Pioneer Landscape Centers

For $20,000.00 in payment authority to purchase 1/2-inch screened palomino gold road base for the Parks and Recreation Department. The road base consists of gravel, which will be spread over the Tovrea Castle's roadways and pathways to significantly reduce the creation of dust by tour and maintenance vehicles. All vehicles visiting Tovrea Castle park on dust-free surfaces due to the Phoenix City Code 36-145. Adding the gravel onto the dirt roadways will increase parking spaces and help prevent City Code violations that could occur during castle operations.

The Parks and Recreation Department has reviewed various material samples and has determined that 1/2-inch screened palomino gold road base will be aesthetically the best fit for the Tovrea Castle. The Environmental Programs Office has provided $20,000.00 to purchase the gravel.

This item was adopted.

32 SAMS Technical Publishing, LLC.

For $49,470.00 in payment authority for a new contract, entered on or about April 15, 2021 for a term of five years for SAMS Photofact Online database for the Library Department. SAMS Technical Publishing will provide access to SAMS Photofact Online database/eLibrary to customers and staff. The database will be available from the Phoenix Public Library website once customers sign in using their valid library card. The eLibrary will meet residents' educational and entertainment needs as well as continue to serve as a primary, high-circulating collection, and will be available 24/7. SAMS manuals contain a complete set of schematics with voltages, wave forms, component location guides, parts list, and service adjustments covering TVs, VCRs, DVDs, radios, and audio equipment (Micro-HiFi System). The database is searchable, and searches are completed by entering the model number from the device being serviced. Partial model numbers can be researched, and the database will bring back results regarding the availability of manuals in the database.

This item was adopted.

33 Aviation Specialties Unlimited, Inc.

For $65,000.00 in payment authority for a new contract entered on or about May 3, 2021, for a term of five years for Night Vision Goggles (NVG) and related services for the Phoenix Fire Department. NVG is specifically designed for fire rescue units to safely and effectively perform night-time, low-light, and no-light rescue operations, both inside and outside Phoenix city limits. Aviation Specialties Unlimited is the sole authorized distributor for L-3 and Harris products and the factory authorized service provider for testing, certification, and repair of the equipment. The NVG for the Fire Department hoist operators must be identical to what is used by the Phoenix Police Department pilots to ensure interoperability during flight rescue operations. The consistency is

critical because the NVG is calibrated and serviced in compliance with the Federal Aviation Administration requirements.

This item was adopted.

34 Settlement of Claim(s) Womble v. City of Phoenix

To make payment of up to $30,860.95 in settlement of claim(s) in *Womble v. City of Phoenix*, 19-0669-001, AU, BI, for the Finance Department pursuant to Phoenix City Code chapter 42. This is a settlement of a bodily injury claim against the Parks and Recreation Department arising from a motor vehicle accident on Aug. 23, 2019.

This item was adopted.

35 Settlement of Claim(s) Gonzales v. City of Phoenix

To make payment of up to $70,000.00 in settlement of claim(s) in *Gonzales v. City of Phoenix,* 18-1258-002, AU, BI, for the Finance Department pursuant to Phoenix City Code chapter 42. This is a settlement of a bodily injury claim against the Police Department arising from a motor vehicle accident on March 6, 2019.

This item was adopted.

36 OnSolve, LLC

For $11,400.00 in payment authority to purchase One Call Now services, a web-based service that will allow departmental staff to communicate residential, participant and COVID-19 information electronically with the Public Housing and Section 8 residents via email, telephone, or text within minutes for the Housing Department. The expenditure is necessary to ensure residents have the latest information regarding COVID-19 and other relevant information through a safe and timely communication medium as information becomes available, and when changes are made. This is paid for with Federal funds and there is no impact to the General Fund.

This item was adopted.

37 Multiforce Corporation

For $75,000.00 in additional payment authority for Contract 136054 for fuel site computer maintenance for the Public Works Department. The contract is utilized to provide hardware and software support to the City's Fuel Management Systems at 86 fuel site locations. These systems are

used to track fuel, energy usage, monitor fuel inventories and equipment odometers. The systems track data from 110 City-owned kiosks at the fuel site locations and are required to maintain employee access to fuel City-owned vehicles and equipment.

This item was adopted.

45 Repeal and Replace Personnel Rule 22 (Ordinance S-47446)

Request City Council approval of amendments to City of Phoenix Personnel Rule 22, Hearing Procedures. This action establishes final rules and adopts changes to update procedures for Civil Service appeal hearings.

Summary

The proposed rule changes were developed over several years by the Civil Service Board, with input by both City and Labor stakeholders. The proposed rule changes are designed to provide more guidance and structure to the Civil Service Appeal Procedures and improve current City practices (**Attachment A - Personnel Rule 22**).

Public Outreach

Several public meetings were conducted by the Civil Service Board, that included stakeholders, to formally solicit comments on the proposed amendments. In accordance with Personnel Rule 23, the proposed changes were posted on March 8, 2021 and a public hearing was conducted on March 15, 2021.

This item was adopted.

47 Amendments to Pay Ordinance S-45840 in Accordance with Human Resources Committee 609 Recommendations (Ordinance S-47460)

As part of a classification and compensation study, the following amendments to the Pay Ordinance [S-45840] are recommended in accordance with the recommendation of Human Resources Committee 609, effective July 12, 2021. The amendments also require the City's Classification Ordinance [S-5815] to be updated. Those will be processed under a separate ordinance.

Modify the classification of Police Comm Operator, Job Code 01830, Salary Plan 006, Benefit Category 003, Labor Unit Code 003, EEO-4

Category: Administrative Support, FLSA Status: Non-Exempt, from Grade 328 ($19.28 - $28.30/hourly) to Grade 331 ($22.28 - $32.73/hourly).

Modify the classification assignment of Police Comm Op*Radio/911, Job Code 01832, Salary Plan 006, Benefit Category 003, Labor Unit Code 003, EEO-4 Category: Administrative Support, FLSA Status: Non-Exempt, from Grade 329 ($20.23 - $29.66/hourly) to Grade 332 ($23.33 - $34.31/hourly).

Modify the classification assignment of Police Comm Op*Lead Radio/911, Job Code 01833, Salary Plan 006, Benefit Category 003, Labor Unit Code 003, EEO-4 Category: Administrative Support, FLSA Status: Non-Exempt, from Grade 330 ($21.23 - $31.21/hourly) to Grade 333 ($24.53 - $36.05/hourly).

Modify the classification of Police Communications Supv, Job Code 01870, Salary Plan 001, Benefit Category 007, Labor Unit Code 007, EEO-4 Category: Administrative Support, FLSA Status: Non-Exempt, from Grade 032 ($23.11 - $35.26/hourly) to Grade 034 ($25.61 - $38.97/hourly).

Modify the classification of Police Comm Shift Supervisor, Job Code 01800, Salary Plan 001, Benefit Category 007, Labor Unit Code 007, EEO-4 Category: Administrative Support, FLSA Status: Exempt, from Grade 034 ($53,268.80 - $81,057.60/annually) to Grade 036 ($58,905.60 - $59,544.00/annually).

Modify the classification assignment of Police Comm Shift Supv*Lead, Job Code 01801, Salary Plan 001, Benefit Category 007, Labor Unit Code 007, EEO-4 Category: Administrative Support, FLSA Status: Exempt, from Grade 035 ($55,931.20 - $85,176.00/annually) to Grade 037 ($61,859.20 - $94,203.20/annually).

Modify the classification of Emergency Dispatcher, Job Code 01860, Salary Plan 006, Benefit Category 003, Labor Unit Code 003, EEO-4 Category: Administrative Support, FLSA Status: Non-Exempt, from Grade 329 ($20.23 - $29.66/hourly) to Grade 332 ($23.33 -

$34.31/hourly).

Modify the classification of Fire Emergency Dispatcher, Job Code 01820, Salary Plan 006, Benefit Category 003, Labor Unit Code 003, EEO-4 Category: Administrative Support, FLSA Status: Non-Exempt, from Grade 329 ($20.23 - $29.66/hourly) to Grade 332 ($23.33 - $34.31/hourly).

Modify the classification assignment of Fire Emergency Dispatcher*Lead, Job Code 01822, Salary Plan 006, Benefit Category 003, Labor Unit Code 003, EEO-4 Category: Administrative Support, FLSA Status: Non-Exempt, from Grade 330 ($21.23 - $31.21/hourly) to Grade 333 ($24.53 - $36.05/hourly).

Modify the classification of Fire Communications Supervisor, Job Code 01850, Salary Plan 001, Benefit Category 007, Labor Unit Code 007, EEO-4 Category: Administrative Support, FLSA Status: Non-Exempt, from Grade 032 ($23.11 - $35.26/hourly) to Grade 034 ($25.61 - $38.97/hourly).

Abolish the classification assignment of Fire Comm Supervisor*Telecom, Job Code 01851, Salary Plan 001, Benefit Category 007, Labor Unit Code 007, Grade 033 ($24.39 - $37.12/hourly), EEO-4 Category: Professionals, FLSA Status: Non-Exempt.

Abolish the classification assignment of Communications Dispatcher*Av, Job Code 01811, Salary Plan 006, Benefit Category 003, Labor Unit Code 003, Grade 326 ($17.69 - $25.67/hourly), EEO-4 Category: Service Maintenance, FLSA Status: Non-Exempt.

Abolish the classification assignment of Aviation Supv II*Comm, Job Code 25231, Salary Plan 001, Benefit Category 007, Labor Unit Code 007, Grade 032 ($48,069 - $73,341/annually), EEO-4 Category: Service Maintenance, FLSA Status: Exempt.

Abolish the classification assignment of Emergency Dispatcher*Lead (Assignment), Job Code 01861, Salary Plan 006, Benefit Category 003, Labor Unit Code 003, Grade 330 ($21.23 - $31.21/hourly), EEO-4

Category: Service Maintenance, FLSA Status: Non-Exempt.

Establish the classification of Aviation Dispatcher, Job Code 24100, Salary Plan 006, Benefit Category 003, Labor Unit Code 003, Grade 329 ($20.23 - $29.66/hourly), EEO-4 Category: Service Maintenance, FLSA Status: Non-Exempt.

Establish the classification of Aviation Dispatch Supervisor I, Job Code 24110, Salary Plan 001, Benefit Category 007, Labor Unit Code 007, Grade 031 ($22.09 - $33.52/hourly), EEO-4 Category: Service Maintenance, FLSA Status: Non-Exempt.

Establish the classification of Aviation Dispatch Supervisor II, Job Code 24120, Salary Plan 001, Benefit Category 007, Labor Unit Code 007, Grade 034 ($53,269 - $81,058/annually), EEO-4 Category: Service Maintenance, FLSA Status: Exempt.

Summary

BACKGROUND

Concerns about the high number of vacancies among classifications responsible for public safety dispatch operations prompted a market review of salaries for classifications with these responsibilities. At this same time, the Aviation Department brought forward concerns about its classification and pay structure for the dispatch operations at Sky Harbor Airport.

FINDINGS

A survey of the salaries for journey-level Police Communications Dispatchers for the local agencies of Avondale, Chandler, Gilbert, Glendale, Mesa, Peoria, Scottsdale, Surprise, and Tempe as well as Austin, Houston, Philadelphia, San Antonio, and San Diego nationally revealed the City of Phoenix’s starting salary is the lowest of all the cities in the Valley. In fact, of all the cities surveyed, only San Diego, Austin and Houston reported a lower starting salary.

Agency	Classification title	Starting Hourly Rate
Gilbert	Dispatcher II	$23.76
Tempe	Communications Dispatcher II	$23.27
Mesa	Police Dispatcher	$22.54

Scottsdale	Police Communications Dispatch	$22.23
Avondale	Police Communications Dispatcher	$22.11
Peoria	Communications Specialist	$22.08
Surprise	Police Dispatcher	$22.03
Chandler	Dispatcher	$21.83
Philadelphia	Police Communication Dispatcher (B)	$20.56
Glendale	Police Communications Specialist	$20.54
San Antonio	Police Communications Dispatcher	$20.43
Phoenix	Police Communications Operator*Radio/911	$20.23
San Diego	Dispatcher II	$20.16
Austin	911 Call Taker	$18.25
Houston	Senior 9-1-1 Telecommunicator	$18.00

Currently, the vacancy rate at the entry and journey levels in the Police Department is over 17%. Additionally, when analyzing turnover data from last year for the Police Communications Operator and the Police Communications Operator*Radio/911 positions, 87.5% of those who voluntarily resigned were being paid below the median of the range and had been in their jobs for three years or less.

In reviewing the structure of the Communications Center in Aviation, it currently consists of two Aviation Supervisor II*Communication Center (assignment), six Aviation Supervisor I (no assignment) and 24 Communication Dispatcher*Aviation (assignment). It is notable that the Aviation Supervisor I is the only classification in the Communications Center that is not an assignment position. In addition, the Aviation Supervisor I classification is used in a variety of different contexts within the Aviation Department with no means to delineate and differentiate those within the Communications Center. There is a compression issue between the dispatcher and the first line supervisor, with a median differential of only 4%.

CONCLUSION

The grade changes recommended are necessary to achieve a pay range appropriate to attract and retain staff who will be serving the largest municipal population in the state. The changes to the other grades maintain the appropriate relationship among the various classification levels as well.

The assignment positions in the Aviation Communications Center are very distinct and vary greatly from their base classifications due to the required level of technical knowledge of communications equipment. To mitigate compression, and to recognize the distinction of these classifications, we recommend abolishing the assignment classifications, and creating in their place regular (non-assignment) classifications of Aviation Dispatcher, Aviation Dispatch Supervisor I and Aviation Dispatch Supervisor II. Creating the recommended classifications in Aviation would create consistency within the Aviation dispatch center, as the primary and sole function of each classification would be Aviation Dispatch Center duties. The recommended salary grades would relieve the current compression between the dispatcher and first-line supervisor, moving from a 4% differential to a more appropriate supervisor/employee differential of 11%. Additionally, the midpoint differential between the first- and second-line supervisors (Aviation Dispatch Supervisor I and Aviation Dispatch Supervisor II) would move from 22% to a more reasonable 16%.

In 2020, the Police Communications Bureau received over 2 million calls of which nearly 1.2 million were 911 calls. All calls come in to 911 at Police and are then sent, as appropriate to Fire where their alarm room handled nearly 500,000 calls last year. In Aviation, nearly 141,000 of the roughly 322,000 calls they handled were emergency related. The higher percentage of emergency calls through Police/Fire accounts for the grade differential between the Police/Fire and Aviation classifications. These grade changes would maintain the current grade relativity to the classifications in Aviation, Police, and Fire Emergency Dispatch consistent with the other recommendations made in this report.

Financial Impact

The estimated costs of these actions for a full fiscal year, including benefits, is approximately $608,027. Funding is available in the Police, Fire, and Aviation Departments.

Concurrence/Previous Council Action

This action was reviewed and recommended for approval by Human Resources Committee 609 on Feb. 26, 2021.

This item was adopted.

49 Authorization to Grant Electrical Easement to Salt River Project at Papago Sports Complex (Ordinance S-47423)

Request to authorize the City Manager, or his designee, to grant an electrical easement to Salt River Project across City-owned property at Papago Sports Complex, for consideration in the amount of $1.00 and/or other valuable consideration.

Summary

The electrical easement is required by Salt River Project in order to provide service to the newly constructed facility improvements by the San Francisco Giants Baseball Club, LLC at Papago Sports Complex. The easement area consists of approximately 3,145 square feet.

Location

1802 N. 64th St., identified by Maricopa County Assessor parcel number 129-38-001C.
Council District: 6

This item was adopted.

50 Acquisition of Temporary Construction Easement for Water Rehabilitation Project at 7th Street and Roeser Road (Ordinance S-47426)

Request to authorize the City Manager, or his designee, to acquire real property and related property interests by donation, purchase within the City's appraised value, or by the power of eminent domain for a water rehabilitation improvement project at 7th Street and Roeser Road. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

The City is undertaking a project to rehabilitate a 48-inch water transmission main at 7th Street and Roeser Road. Improvements will include installation of new steel lining inside the existing pipeline located within the existing Roeser Road right-of-way. The temporary construction easement is necessary for construction staging purposes to facilitate improvements to the water transmission main pipeline.

The parcel affected by this project and included in this request is

identified by Maricopa County Assessor's parcel number 113-48-050A located at 702 E. Roeser Road.

Financial Impact
Funding is available in the Water Services Department Capital Improvement Program budget.

Location
702 E. Roeser Road
Council District: 8

This item was adopted.

51 Acceptance of Easements for Water and Vehicular Non-Access Purposes (Ordinance S-47440)

Request for the City Council to accept easements for water and vehicular non-access purposes; further ordering the ordinance recorded.

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

Easement (a)
Applicant: HLSSII Black Canyon, LLC, its successor and assigns.
Purpose: Water
Location: 21427 N. Black Canyon Highway
File: FN 210006
Council District: 1

Easement (b)
Applicant: Katherine Heuerman Trust dated Aug. 9, 2012, its successor and assigns.
Purpose: Vehicular Non-Access
Location: 3902 W. Whitton Ave.
File: FN 210007
Council District: 4

This item was adopted.

52 Grant of a Public Utility Easement on City-owned Property for

Construction of a Ranger Station at South Mountain Park (Ordinance S-47428)

Request City Council to grant a public utility easement, for consideration of $1.00 and/or other valuable consideration, for electrical facilities and the installation of a new transformer and equipment pad on City-owned property within the Salt River Project service area, and further ordering the ordinance recorded. The public utility easement is required for the construction of South Mountain Park Ranger Station.

Summary

This public utility easement will be more fully described in the legal description ("Easement Premises"), to be recorded with the ordinance and will be granted to all public service corporations, agricultural improvement districts and telecommunication corporations providing utility service (collectively "Grantee") to the property located at 10409 S. Central Ave., in perpetuity so long as Grantee uses the Easement Premises for the purposes herein specified for an indefinite period, subject to the following terms and conditions:

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

Grantor shall not locate, erect or construct, or permit to be located or erected or constructed, any building or structure within the limits of the Easement Premises. However, Grantor reserves all other rights, interests, and uses of the Easement Premises that are not inconsistent with Grantee's easement rights herein conveyed and

which do not interfere with or endanger any of the Grantee Facilities. Notwithstanding the foregoing, Grantor shall not have the right to lower by more than one foot or raise by more than two feet the surface grade of Easement Premises without the prior written consent by the Grantee whose facilities will be affected by the change of elevation.

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

Grantor shall maintain an appropriate three-foot clear area around all edges of all equipment pads for Grantee Facilities in addition to a clear operational area that extends 12 feet immediately in front of all transformer or switching cabinet openings, within the Easement Premises. No obstruction, trees, shrubs, fixtures or permanent structures shall be placed or permitted by Grantor within said areas. Grantee is hereby granted the right to trim, prune, cut, and clear away trees, brush, shrubs or other obstruction within said areas.

Grantee shall exercise reasonable care to avoid damage to the Easement Premises and all improvements thereon and agrees that following any work or use by Grantee within the Easement Premises, the affected area, including without limitation, all pavement, landscaping, concrete and other improvements permitted within the Easement Premises pursuant to this easement will be restored by Grantee to as close to original condition as is reasonably possible, at the expense of Grantee.

Grantor reserves the right to require the relocation of Grantee Facilities to a new location within Grantor's property; provided however, that: (1) Grantor pays the entire cost of redesigning and relocating existing Grantee Facilities to the new location; and (2) Grantor provides Grantee with a new and substantially similar public utility easement at no cost to Grantee. After relocation of Grantee Facilities to the new

easement area, Grantee shall abandon its rights to use the Easement Premises granted in this easement without cost or consequence to Grantor.

Each public service corporation and telecommunication services corporation as a Grantee shall coordinate and work with other Grantees in the use of the Easement Premises. In the event that a third party or other Grantee requests the relocation of existing Grantee Facilities to a new location (whether or not) within the Easement Premises, the requesting party shall pay the entire cost of redesigning and relocating the existing Grantee Facilities.

Grantee shall not have the right to transfer, convey or assign its interests in this easement to any individual, corporation or other entity without the prior written consent of Grantor, which consent shall not be unreasonably withheld. Grantee shall notify Grantor of any proposed transfer, conveyance or assignment of any rights granted herein at address listed below.

Except in emergencies or exigent circumstances such as service restoration, Grantee agrees to contact Grantor at least one business day prior to Grantee's entrance onto the Easement Premises where the Easement Premises are located: (1) on a site that includes Aviation Department facilities; (2) water and wastewater treatment facilities; (3) Police Department headquarters located at 620 W. Washington St.; (4) Fire Department headquarters located at 150 S. 12th St.; (5) City Hall located at 200 W. Washington St.; (6) City Court Building located at 300 W. Washington St.; (7) Calvin C. Goode Building located at 251 W. Washington St.; (8) Transit Operations Center located at 320 N. 1st Ave. or West Transit Facility located at 405 N. 79th Ave.; or (9) in a secured or fenced area.

Location

10409 S. Central Ave., identified by Maricopa County Assessor parcel number 300-66-001.

Council District: 8

This item was adopted.

53 Acceptance and Dedication of a Deed and Easements for Roadway and Sidewalk Purposes (Ordinance S-47441)

Request for the City Council to accept and dedicate of a deed and

easements for roadway and sidewalk purposes; further ordering the ordinance recorded.

Summary

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

Deed (a)
Applicant: Affronti Enterprises, LLC, its successor and assigns.
Purpose: Roadway
Location: 910 E. Roma Ave.
File: FN 210002
Council District: 4

Easement (b)
Applicant: Haidar Al-Bedery, also known as Al-Bedry Haidar, its successor and assigns.
Purpose: Sidewalk
Location: 5550 W. Buckeye Road
File: FN 210005
Council District: 7

Easement (c)
Applicant: Zekelman Property, LLC, its successor and assigns.
Purpose: Sidewalk
Location: 2822 N. 59th Ave.
File: FN 210011
Council District: 7

This item was adopted.

54 Amend Ordinance for Acquisition of Real Property for Roadway Improvements Along Jomax Road at the 67th Avenue and Pyramid Peak Parkway Intersection (Ordinance S-47438)

Request the City Council amend Ordinance S-47194 to add a parcel to be acquired for roadway improvements at the 67th Avenue and Pyramid Peak Parkway intersection.

Summary

Ordinance S-47194 authorized the acquisition of real property for

roadway improvements at the 67th Avenue and Pyramid Peak Parkway intersection. It is necessary to amend the ordinance to add an affected parcel that was not identified in the original ordinance. All other conditions and stipulations previously stated in the above referenced ordinance will remain the same.

The additional parcel affected by acquisition and included in this request is identified by Maricopa County Assessor's parcel number 201-07-130, located at 26621 N. 67th Ave.

Financial Impact
Funding is available in the Street Transportation Department's Capital Improvement Program budget using Arizona Highway User Revenue Funds (HURF).

Location
West Jomax Road at North 67th Avenue and North Pyramid Parkway.
Council District: 1

Concurrence/Previous Council Action
The City Council approved Acquisition of Real Property for Roadway Improvement Along Jomax Road at the 67th Avenue and Pyramid Peak Parkway Intersection (Ordinance S-47194) on Dec. 16, 2020.

This item was adopted.

55 Preformed Thermoplastic Pavement Marking Materials - Requirements Contract - IFB 18-249B (Ordinance S-47429)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Agreement 147995 with Ennis-Flint, Inc., Agreement 147996 with Centerline Supply West, Inc., and Agreement 147994 with Geveko Markings, Inc., for the purchase of preformed thermoplastic pavement marking materials for the Street Transportation Department. Further request the City Manager, or his designee, to allow use of funds previously authorized under S-46432 for Agreement 147994 to also be used for purchases under Agreements 147995 and 147996. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $250,000.

Summary

These contracts provide thermoplastic pavement marking materials in a variety of colors and sizes and are intended to supply commonly used yellow and white thermoplastic paint. The additional funds are needed to complete pavement maintenance projects through the remainder of the contract duration. With the approval of the Accelerated Pavement Maintenance program and additional projects called for under the Transportation T2050 plan, the need for additional contract capacity is significantly greater than originally anticipated. The additional funds are needed to continue with projects already underway.

Contract Term

The contract term is five years from July 1, 2018 to June 30, 2023, and remains unchanged.

Financial Impact

The initial authorization for Preformed Thermoplastic Pavement Marking Materials agreements were for an expenditure not-to-exceed $341,405.

Additional expenditures for Agreement 147994 were authorized for $151,500, for a new aggregate expenditure not-to-exceed $492,905.

This amendment will increase the authorization for the agreements by an additional $250,000, for a new total not-to-exceed agreement value of $742,905.

Funding is available in the Street Transportation Department's budget.

Concurrence/Previous Council Action

The City Council approved:
Preformed Thermoplastic Pavement Marking Materials Agreements 147994-147996 (Ordinance S-44815) on June 20, 2018; and
Preformed Thermoplastic Pavement Marking Materials Agreement 147994 (Ordinance S-46432) - Additional Expenditures on March 18, 2020.

This item was adopted.

56 Physical Therapy and Rehabilitation Equipment - EXC 21-092 (Ordinance S-47436)

Request to authorize the City Manager, or his designee, to purchase physical therapy and rehabilitation equipment from Team Marathon Fitness, Inc., dba Marathon Fitness, for the Fire Department. Further request authorization for the City Controller to disburse all funds related to this item. The one-time expenditure will not exceed $125,000.

Summary

This equipment is needed for the Fire Department's program which provides in-house physical therapy and rehabilitation, by a licensed physical therapist, to firefighters recovering from job-related injuries and surgeries, with emphasis on specific mechanics geared to the firefighter job functions. This unique program was awarded by the Assistance to Firefighters Grant Program and requires the purchase of specific, specialty physical therapy and rehabilitation equipment.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved determination memo which stated the need for expedited purchase in accordance with the timeline of the Federal Emergency Management Agency (FEMA) 2018 Assistance to Firefighters Act Grant Program to purchase physical therapy and rehabilitation equipment.

The Deputy Finance Director recommends the contract with Team Marathon Fitness, Inc., dba Marathon Fitness, be accepted.

Contract Term

The one-time purchase will begin on or about April 7, 2021.

Financial Impact

The aggregate contract value will not exceed $125,000; funds are available in the Fire Department's budget.

This item was adopted.

57 Wireless Communication Services, Accessories, and Equipment (Ordinance S-47458)

Request to authorize the City Manager, or his designee, to enter into a Letter of Agreement with AT&T Mobility National Accounts LLC; Sprint

Solutions, Inc.; T-Mobile USA, Inc.; and Verizon Wireless to continue to provide wireless communication services, accessories, and equipment for departments citywide in an amount not to exceed $5,137,500. This authorization is needed to continue existing wireless services while the City adopts new State of Arizona cooperative agreements. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

City departments utilize mobile devices, wireless services, equipment and accessories to conduct City business every day. Equipment and services are procured utilizing the State of Arizona cooperative agreements, which offer significant cost savings due to the benefit from national government pricing and volume discounts. This request is for authorization for an interim agreement to allow the City to pay for monthly cellular services and purchase equipment and accessories as needed while the City adopts the new State of Arizona cooperative agreements. These expenses are essential to the City, as devices are used by staff to provide critical services to the public in various locations throughout the valley. Currently, the City pays for services for the following devices: 5,003 cellular phones, 6,127 air cards, 6,244 push to talk radios, 470 tablets, and various other services and equipment.

In addition, this request would allow for an additional two thousand mobile devices for the Phoenix Police Department. Phoenix Police would obtain equipment with FirstNet LTE SIM cards, which provide unlimited voice, data, and text capabilities using compatible smart devices that operate on a nationwide network. The FirstNet network also provides public safety personnel with priority access and emergency preemption for high network reliability and availability.

Contract Term

The term will extend through Dec. 31, 2021. The State of Arizona is scheduled to release the new cooperative agreements in the coming weeks. This request will allow adequate time for the State of Arizona to release the new cooperative agreements and for the City to enter into linking agreements and obtain Council authorization to adopt them.

Financial Impact

The $5,137,500 request is based on current usage and known additional requirements to cover a nine-month period. Funds are available in various departments' budgets.

This item was adopted.

58 Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-47435)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Julia Farnsworth in the amount of $53,602.18 to the Arizona State Retirement System, and further request authorization for the City Controller to disburse funds.

Summary

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

Farnsworth, Julia: $53,602.18

Concurrence/Previous Council Action

This item was approved by the COPERS Board at its March 4, 2021 meeting.

This item was adopted.

59 Banner Employer Solutions, LLC, Vaccine Administration Services (Ordinance S-47464)

Request to authorize the City Manager, or his designee, to enter into a contract with Banner Employer Solutions, LLC, to allow Banner to utilize the City's Employee Driver Training Academy (3535 S. 35th Ave.) to administer COVID-19 vaccinations to City of Phoenix employees and other local businesses. There is no cost or charge related to this contract; it is only for use of the City's site.

Summary

Banner will no longer be operating at the Arizona State Fairgrounds after April 11, 2021. A contract is required to provide Banner with access to

utilize the City's Employer Driver Training Academy to continue to administer vaccinations against the COVID-19 virus to employees, contractors, and other local businesses.

Contract Term
The contract term shall begin on or about April 12, 2021 and end on July 31, 2021.

This item was adopted.

62 Loan Federal HOME Funds for Pueblo Apartments Affordable Housing Development (Ordinance S-47452)

Request authorization for the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to $1 million in federal U.S. Department of Housing and Urban Development HOME Investment Partnerships Act Program funds with CPLC Broadway and Central LIHTC, LLC, or a City-approved nominee, for the Pueblo Apartments affordable housing development project, and to take all actions and execute all documents to complete the loan. Authorization is also requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

Summary
On Nov. 16, 2020, the Housing Department issued a Call for Interest (CFI) seeking proposals for the acquisition, new construction, and/or rehabilitation of affordable rental housing based on the Affordable Housing Community Priorities approved by City Council on Nov. 4, 2020. The Community Priorities are:

Acquisition, rehabilitation and/or new construction of properties that focus on homeless or special needs populations, and that provide appropriate services to assist and sustain these populations; and

Acquisition, rehabilitation, and/or new construction of properties where the developer qualifies as a Community Housing Development Organization (CHDO) as defined by the HOME Investment Partnerships Act Program (HOME) Program.

Procurement Information
Six proposals were received and reviewed by an evaluation committee

comprised of two City staff members and two community representatives. The proposals were evaluated on a 1,000-point scale based on the following criteria: Developer Experience; Project Merits/Approach; Financial Feasibility; and Project Impact. The evaluation panel scored the proposals as follows:

Pueblo Apartments (Chicanos Por La Causa, Inc.): 923 points.
Acacia Heights II (Trinity Housing Development, LLC): 914 points.
Reserve at Thunderbird - Phase 1 (Glenmark Construction, Inc. and Antares Development & Investing [Mark Breen and Jessica Raymond]): 911 points.
Rehoboth Place II (Gorman and Company, LLC and Rehoboth Community Development Corporation): 820 points.
Commons at 9 South (UMOM/Helping Hands Housing Services): 766 points.
Mustang Villas (YES Housing of Arizona, Inc.): 708 points.

Based on funding availability, all six projects were recommended for funding.

Pueblo Apartments, located at 316 W. Broadway Road, includes the new construction of a 161-unit permanent housing community. Chicanos Por La Causa, Inc. (CPLC), a non-profit developer, through CPLC Broadway and Central LIHTC, LLC, requested $1 million to assist with the development of this project. All units will serve households with incomes at or below 60 percent of the Area Median Income (AMI) with at least 11 units serving households at or below 40 percent AMI. Supportive services will be provided by CPLC and will include financial coaching, resident service coordinator, and homeownership advising and resources. Other proposed funding for this project includes permanent debt financing, Low Income Housing Tax Credit (LIHTC) equity, and Federal Home Loan Bank (FHLB) Affordable Housing Program (AHP) funds.

Project awards are contingent on full underwriting, environmental release of funds, commitments of other financing, and availability of federal funds. The overall loan structure will be consistent with the Housing Department's Underwriting Guidelines for affordable rental housing

projects.

Financial Impact
There is no impact to the General Fund. HOME is a federally-funded program. Funding for this CFI is made available from 2020 HOME funds, and a forward allocation of 2021 HOME funds. Funding commitments for projects with LIHTC equity are reliant upon receiving a LIHTC award from the Arizona Department of Housing. Funding is budgeted in the Housing Department Capital Improvement Program. Loan execution is anticipated for FY 2021-22 and the loan will be paid to the developer over a two-year period.

Public Outreach
All applicants were required to hold at least one community meeting with the surrounding neighborhood to inform them of their proposed housing development. Per the evaluation criteria, applicants that held more than one community meeting were given additional points.

Location
316 W. Broadway Road
Council District: 7

Concurrence/Previous Council Action
This item was recommended for approval at the Land Use and Livability Subcommittee meeting on March 17, 2021, by a vote of 4-0.

This item was adopted.

63 Loan Federal HOME Funds for Acacia Heights II Affordable Housing Development (Ordinance S-47453)

Request authorization for the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to $1 million in federal U.S. Department of Housing and Urban Development HOME Investment Partnerships Act Program funds with Acacia Heights II, LLC, or a City-approved nominee, for the Acacia Heights II affordable housing development project, and to take all actions and execute all documents to complete the loan. Authorization is also requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the

General Fund.

Summary

On Nov. 16, 2020, the Housing Department issued a Call for Interest (CFI) seeking proposals for the acquisition, new construction, and/or rehabilitation of affordable rental housing based on the Affordable Housing Community Priorities approved by City Council on Nov. 4, 2020. The Community Priorities are:

Acquisition, rehabilitation and/or new construction of properties that focus on homeless or special needs populations, and that provide appropriate services to assist and sustain these populations; and

Acquisition, rehabilitation, and/or new construction of properties where the developer qualifies as a Community Housing Development Organization (CHDO) as defined by the HOME Investment Partnerships Act Program (HOME) Program.

Procurement Information

Six proposals were received and reviewed by an evaluation committee comprised of two City staff members and two community representatives. The proposals were evaluated on a 1,000-point scale based on the following criteria: Developer Experience; Project Merits/Approach; Financial Feasibility; and Project Impact. The evaluation panel scored the proposals as follows:

Pueblo Apartments (Chicanos Por La Causa, Inc.): 923 points.

Acacia Heights II (Trinity Housing Development, LLC): 914 points.

Reserve at Thunderbird - Phase 1 (Glenmark Construction, Inc. and Antares Development & Investing [Mark Breen and Jessica Raymond]): 911 points.

Rehoboth Place II (Gorman and Company, LLC and Rehoboth Community Development Corporation): 820 points.

Commons at 9 South (UMOM/Helping Hands Housing Services): 766 points.

Mustang Villas (YES Housing of Arizona, Inc.): 708 points.

Based on funding availability, all six projects were recommended for funding.

Acacia Heights II, located at 4737(proposed) N. 7th Ave., includes the

new construction of a 66-unit permanent housing community. Trinity Housing Development, a for-profit developer, through Acacia Heights II, LLC, requested $1 million to assist with the development of this project. All units will serve households with incomes at or below 60 percent of the Area Median Income (AMI) with at least 11 units serving households at or below 40 percent AMI. Supportive services will be provided by Catholic Charities Community Services, Inc. and will include resident services coordinators who will serve in a case management capacity developing service plans with residents, arranging on-site services, and connecting residents to additional service providers as needed. Other proposed funding for this project includes permanent debt financing, Low Income Housing Tax Credit (LIHTC) equity, and a deferred developer fee.

Project awards are contingent on full underwriting, environmental release of funds, commitments of other financing, and availability of federal funds. The overall loan structure will be consistent with the Housing Department's Underwriting Guidelines for affordable rental housing projects.

Financial Impact

There is no impact to the General Fund. HOME is a federally-funded program. Funding for this CFI is made available from 2020 HOME funds, and a forward allocation of 2021 HOME funds. Funding commitments for projects with LIHTC equity are reliant upon receiving a LIHTC award from the Arizona Department of Housing. Funding is budgeted in the Housing Department Capital Improvement Program. Loan execution is anticipated for FY 2021-22 and the loan will be paid to the developer over a two-year period.

Public Outreach

All applicants were required to hold at least one community meeting with the surrounding neighborhood to inform them of their proposed housing development. Per the evaluation criteria, applicants that held more than one community meeting were given additional points.

Location

4737(proposed) N. 7th Ave.
Council District: 4

Concurrence/Previous Council Action

This item was recommended for approval at the Land Use and Livability Subcommittee meeting on March 17, 2021, by a vote of 4-0.

This item was adopted.

64 Loan Federal HOME Funds for Reserve at Thunderbird Phase 1 Affordable Housing Development (Ordinance S-47454)

Request authorization for the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to $1 million in federal U.S. Department of Housing and Urban Development HOME Investment Partnerships Act Program funds with Reserve at Thunderbird LP, or a City-approved nominee, for the Reserve at Thunderbird Phase 1 affordable housing development project, and to take all actions and execute all documents to complete the loan. Authorization is also requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

Summary

On Nov. 16, 2020, the Housing Department issued a Call for Interest (CFI) seeking proposals for the acquisition, new construction, and/or rehabilitation of affordable rental housing based on the Affordable Housing Community Priorities approved by City Council on Nov. 4, 2020. The Community Priorities are:

Acquisition, rehabilitation and/or new construction of properties that focus on homeless or special needs populations, and that provide appropriate services to assist and sustain these populations; and

Acquisition, rehabilitation, and/or new construction of properties where the developer qualifies as a Community Housing Development Organization (CHDO) as defined by the HOME Investment Partnerships Act Program (HOME) Program.

Procurement Information

Six proposals were received and reviewed by an evaluation committee comprised of two City staff members and two community representatives. The proposals were evaluated on a 1,000-point scale based on the following criteria: Developer Experience; Project Merits/Approach; Financial Feasibility; and Project Impact. The evaluation panel scored the proposals as follows:

Pueblo Apartments (Chicanos Por La Causa, Inc.): 923 points.
Acacia Heights II (Trinity Housing Development, LLC): 914 points.
Reserve at Thunderbird - Phase 1 (Glenmark Construction, Inc. and Antares Development & Investing [Mark Breen and Jessica Raymond]): 911 points.
Rehoboth Place II (Gorman and Company, LLC and Rehoboth Community Development Corporation): 820 points.
Commons at 9 South (UMOM/Helping Hands Housing Services): 766 points.
Mustang Villas (YES Housing of Arizona, Inc.): 708 points.

Based on funding availability, all six projects were recommended for funding.

Reserve at Thunderbird Phase 1, located at 3045 W. Thunderbird Road, includes the new construction of a 108-unit permanent housing community. Glenmark Construction, Inc. and Antares Development & Investing, for-profit developers (Mark Breen and Jessica Raymond), through Reserve at Thunderbird LP, requested $1 million to assist with the development of this project. All units will serve households with incomes at or below 60 percent of the Area Median Income (AMI) with at least 11 units serving households at or below 40 percent AMI. Supportive services will be provided by Greater Phoenix Urban League and other non-profit partners, and will include credit and financial counseling, kids meal programs, and job search/placement assistance. Other proposed funding for this project includes permanent debt financing, Low Income Housing Tax Credit (LIHTC) equity, solar credits, additional gap funding, and a deferred developer fee.

Project awards are contingent on full underwriting, environmental release of funds, commitments of other financing, and availability of federal funds. The overall loan structure will be consistent with the Housing Department's Underwriting Guidelines for affordable rental housing projects.

Financial Impact

There is no impact to the General Fund. HOME is a federally-funded

program. Funding for this CFI is made available from 2020 HOME funds, and a forward allocation of 2021 HOME funds. Funding commitments for projects with LIHTC equity are reliant upon receiving a LIHTC award from the Arizona Department of Housing. Funding is budgeted in the Housing Department Capital Improvement Program. Loan execution is anticipated for FY 2021-22 and the loan will be paid to the developer over a two-year period.

Public Outreach

All applicants were required to hold at least one community meeting with the surrounding neighborhood to inform them of their proposed housing development. Per the evaluation criteria, applicants that held more than one community meeting were given additional points.

Location

3045 W. Thunderbird Road
Council District: 1

Concurrence/Previous Council Action

This item was recommended for approval at the Land Use and Livability Subcommittee meeting on March 17, 2021, by a vote of 4-0.

This item was adopted.

65 Loan Federal HOME Funds for Rehoboth Place II Affordable Housing Development (Ordinance S-47455)

Request authorization for the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to $1 million in federal U.S. Department of Housing and Urban Development HOME Investment Partnerships Act Program funds with Rehoboth Place II, LLC, or a City-approved nominee, for the Rehoboth Place II affordable housing development project, and to take all actions and execute all documents to complete the loan. Authorization is also requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

Summary

On Nov. 16, 2020, the Housing Department issued a Call for Interest (CFI) seeking proposals for the acquisition, new construction, and/or rehabilitation of affordable rental housing based on the Affordable

Housing Community Priorities approved by City Council on Nov. 4, 2020. The Community Priorities are:

Acquisition, rehabilitation and/or new construction of properties that focus on homeless or special needs populations, and that provide appropriate services to assist and sustain these populations; and

Acquisition, rehabilitation, and/or new construction of properties where the developer qualifies as a Community Housing Development Organization (CHDO) as defined by the HOME Investment Partnerships Act Program (HOME) Program.

Procurement Information

Six proposals were received and reviewed by an evaluation committee comprised of two City staff members and two community representatives. The proposals were evaluated on a 1,000-point scale based on the following criteria: Developer Experience; Project Merits/Approach; Financial Feasibility; and Project Impact. The evaluation panel scored the proposals as follows:

Pueblo Apartments (Chicanos Por La Causa, Inc.): 923 points.

Acacia Heights II (Trinity Housing Development, LLC): 914 points.

Reserve at Thunderbird - Phase 1 (Glenmark Construction, Inc. and Antares Development & Investing [Mark Breen and Jessica Raymond]): 911 points.

Rehoboth Place II (Gorman and Company, LLC and Rehoboth Community Development Corporation): 820 points.

Commons at 9 South (UMOM/Helping Hands Housing Services): 766 points.

Mustang Villas (YES Housing of Arizona, Inc.): 708 points.

Based on funding availability, all six projects were recommended for funding.

Rehoboth Place II, located at 4625 N. 27th Ave., includes the new construction of a 66-unit permanent housing community. Rehoboth Community Development Corporation (CDC), a non-profit developer, and Gorman and Company, LLC, a for-profit developer, through Rehoboth Place II, LLC, requested $1 million to assist with the development of this project. All units will serve households below 60 percent of the Area

Median Income (AMI) with at least 11 units serving households at or below 40 percent AMI. Supportive services will be provided by Rehoboth CDC and will include job placement assistance, income tax assistance, financial coaching and education, and first-time homebuyer and entrepreneur training. Other proposed funding for this project includes permanent debt financing, Low Income Housing Tax Credit (LIHTC) equity, a seller carryback loan, and a deferred developer fee.

Financial Impact

There is no impact to the General Fund. HOME is a federally-funded program. Funding for this CFI is made available from 2020 HOME funds, and a forward allocation of 2021 HOME funds. Funding commitments for projects with LIHTC equity are reliant upon receiving a LIHTC award from the Arizona Department of Housing. Funding is budgeted in the Housing Department Capital Improvement Program. Loan execution is anticipated for FY 2021-22 and the loan will be paid to the developer over a two-year period.

Public Outreach

All applicants were required to hold at least one community meeting with the surrounding neighborhood to inform them of their proposed housing development. Per the evaluation criteria, applicants that held more than one community meeting were given additional points.

Location

4625 N. 27th Ave.
Council District: 4

Concurrence/Previous Council Action

This item was recommended for approval at the Land Use and Livability Subcommittee meeting on March 17, 2021, by a vote of 4-0.

This item was adopted.

66 Loan Federal HOME Funds for Commons at 9 South Affordable Housing Development (Ordinance S-47456)

Request authorization for the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to $1 million in federal U.S. Department of Housing and Urban Development HOME

Investment Partnerships Act Program funds with UMOM Housing 8, LLC, or a City-approved nominee, for the Commons at 9 South affordable housing development project, and to take all actions and execute all documents to complete the loan. Authorization is also requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

Summary

On Nov. 16, 2020, the Housing Department issued a Call for Interest (CFI) seeking proposals for the acquisition, new construction, and/or rehabilitation of affordable rental housing based on the Affordable Housing Community Priorities approved by City Council on Nov. 4, 2020. The Community Priorities are:

Acquisition, rehabilitation and/or new construction of properties that focus on homeless or special needs populations, and that provide appropriate services to assist and sustain these populations; and

Acquisition, rehabilitation, and/or new construction of properties where the developer qualifies as a Community Housing Development Organization (CHDO) as defined by the HOME Investment Partnerships Act Program (HOME) Program.

Procurement Information

Six proposals were received and reviewed by an evaluation committee comprised of two City staff members and two community representatives. The proposals were evaluated on a 1,000-point scale based on the following criteria: Developer Experience; Project Merits/Approach; Financial Feasibility; and Project Impact. The evaluation panel scored the proposals as follows:

Pueblo Apartments (Chicanos Por La Causa, Inc.): 923 points.

Acacia Heights II (Trinity Housing Development, LLC): 914 points.

Reserve at Thunderbird Phase 1 (Glenmark Construction, Inc. and Antares Development & Investing [Mark Breen and Jessica Raymond]): 911 points.

Rehoboth Place II (Gorman and Company, LLC and Rehoboth Community Development Corporation): 820 points.

Commons at 9 South (UMOM/Helping Hands Housing Services): 766 points.

Mustang Villas (YES Housing of Arizona, Inc.): 708 points.

Based on funding availability, all six projects were recommended for funding.

Commons at 9 South, located at 4048 and 4050 S. 9th St., includes the new construction of a 60-unit permanent housing community. UMOM/Helping Hands Housing Services, a non-profit CHDO, through UMOM Housing 8, LLC, requested $1 million to assist with the development of this project. All units will serve persons with incomes at or below 60 percent of the Area Median Income (AMI) with at least 5 units serving households at or below 40 percent AMI. Supportive services will be provided through Helping Hands Housing Services and its partners and will include assistance with furniture and household goods, food boxes, utility assistance programs, job development, financial management, and homeownership and credit counseling. Other proposed funding for this project includes permanent debt financing and Low Income Housing Tax Credit (LIHTC) equity.

Financial Impact

There is no impact to the General Fund. HOME is a federally-funded program. Funding for this CFI is made available from 2020 HOME funds, and a forward allocation of 2021 HOME funds. Funding commitments for projects with LIHTC equity are reliant upon receiving a LIHTC award from the Arizona Department of Housing. Funding is budgeted in the Housing Department Capital Improvement Program. Loan execution is anticipated for FY 2021-22 and the loan will be paid to the developer over a two-year period.

Public Outreach

All applicants were required to hold at least one community meeting with the surrounding neighborhood to inform them of their proposed housing development. Per the evaluation criteria, applicants that held more than one community meeting were given additional points.

Location

4048 and 4050 S. 9th St.
Council District: 8

Concurrence/Previous Council Action

This item was recommended for approval at the Land Use and Livability Subcommittee meeting on March 17, 2021, by a vote of 4-0.

This item was adopted.

67 Loan Federal HOME Funds for Mustang Villas Affordable Housing Development (Ordinance S-47457)

Request authorization for the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to $1 million in federal U.S. Department of Housing and Urban Development HOME Investment Partnerships Act Program funds with Mustang Villas LLC, or a City-approved nominee, for the Mustang Villas affordable housing development project, and to take all actions and execute all documents to complete the loan. Authorization is also requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

Summary

On Nov. 16, 2020, the Housing Department issued a Call for Interest (CFI) seeking proposals for the acquisition, new construction, and/or rehabilitation of affordable rental housing based on the Affordable Housing Community Priorities approved by City Council on Nov. 4, 2020. The Community Priorities are:

Acquisition, rehabilitation and/or new construction of properties that focus on homeless or special needs populations, and that provide appropriate services to assist and sustain these populations; and

Acquisition, rehabilitation, and/or new construction of properties where the developer qualifies as a Community Housing Development Organization (CHDO) as defined by the HOME Investment Partnerships Act Program (HOME) Program.

Procurement Information

Six proposals were received and reviewed by an evaluation committee comprised of two City staff members and two community representatives. The proposals were evaluated on a 1,000-point scale based on the following criteria: Developer Experience; Project Merits/Approach; Financial Feasibility; and Project Impact. The evaluation panel scored the proposals as follows:

Pueblo Apartments (Chicanos Por La Causa, Inc.): 923 points.
Acacia Heights II (Trinity Housing Development, LLC): 914 points.
Reserve at Thunderbird Phase 1 (Glenmark Construction, Inc. and Antares Development & Investing [Mark Breen and Jessica Raymond]): 911 points.
Rehoboth Place II (Gorman and Company, LLC and Rehoboth Community Development Corporation): 820 points.
Commons at 9 South (UMOM/Helping Hands Housing Services): 766 points.
Mustang Villas (YES Housing of Arizona, Inc.): 708 points.

Based on funding availability, all six projects were recommended for funding.

Mustang Villas, located at the Southwest Corner of 59th Ave. and McDowell Road, includes the new construction of a 60-unit permanent housing community. YES Housing of Arizona, Inc., a non-profit corporation, through Mustang Villas LLC, requested $1 million to assist with the development of this project. All units will serve persons with incomes at or below 60 percent of the Area Median Income (AMI) with at least 10 units serving households at or below 40 percent AMI. YES Housing will provide services including referrals and coordination with local service providers, and employment resources. Other proposed funding for this project includes permanent debt financing and Low Income Housing Tax Credit (LIHTC) equity.

Financial Impact

There is no impact to the General Fund. HOME is a federally-funded program. Funding for this CFI is made available from 2020 HOME funds, and a forward allocation of 2021 HOME funds. Funding commitments for projects with LIHTC equity are reliant upon receiving a LIHTC award from the Arizona Department of Housing. Funding is budgeted in the Housing Department Capital Improvement Program. Loan execution is anticipated for FY 2021-22 and the loan will be paid to the developer over a two-year period.

Public Outreach

All applicants were required to hold at least one community meeting with

the surrounding neighborhood to inform them of their proposed housing development. Per the evaluation criteria, applicants that held more than one community meeting were given additional points.

Location
Southwest Corner of 59th Ave. and McDowell Road
Council District: 7

Concurrence/Previous Council Action
This item was recommended for approval at the Land Use and Livability Subcommittee meeting on March 17, 2021, by a vote of 4-0.

This item was adopted.

68 Electronic Donation Portal to Support Tree Planting

Request to authorize the City Manager, or his designee, to implement an electronic donation portal to allow donations from the public to fund planting of new trees in City rights-of-way and City-owned properties. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary
City Council adopted the Tree and Shade Master Plan (Master Plan) in 2010 as a roadmap to create a healthier, more livable and prosperous 21st-century desert city. In addition to public education programs and urban forest management best practices, the plan included an ambitious goal to double the tree and shade canopy to 25 percent by 2030. Recently, the public and the City are renewing efforts on the Master Plan goals alongside a growing concern about rising temperatures and the urban heat island effect - particularly in neighborhoods with both vulnerable populations and a more limited tree canopy.

City departments have developed creative ways to fund new tree planting projects to meet the 2030 goal, including: actively seeking grant funds; selling carbon offsets; partnering with utilities; and seeking assistance of AmeriCorps VISTAs to work on neighborhood tree planting projects to increase the number of trees planted. Although these efforts have resulted in a sharp increase in the number of trees planted each year, it is far short of what is needed to reach a 25 percent tree canopy. To meet the tree canopy goal, approximately 10,000 new trees need to be planted

each year--more than double the current rate.

Formation of the Tree Donation Portal

When staff surveyed the community prior to adoption of the City's 2050 goals, it identified remarkable public support for the tree canopy goal. Of 1,240 respondents, 92 percent agreed with the statement that "…the 25 percent tree and shade canopy goal is a good idea." Over 50 percent of the respondents indicated that they would be willing to donate to a tree campaign. Given the strong public support, staff explored examples of other city tree donation programs and websites and found several examples including onetreeplanted.org and the National Forest Foundation's tree donation program.

The City of Phoenix has accepted public donations by check for many purposes in the past (including for trees), but the City has not had a donation campaign specifically for trees or with the ability to accept electronic payments for these types of donations. Based on examples from other donation sites, the City has set up a donation webpage (phoenix.gov/plantatree) and worked with the Finance Department and the City's vendor, Chase Bank, to set up, at no cost, a secure electronic payment portal. The new donation portal can accept deposits and track donations into a dedicated fund from which funds can be allocated to specific projects in the following program categories:

Tree donations designated for parks or street right-of-way will be transferred to the Parks and Recreation or Street Transportation department budget/cost centers, respectively, and used for specific tree planting projects selected by the Urban Forest Implementation Team (UFIT) prioritizing tree planting in heat-vulnerable neighborhoods and pedestrian corridors. The UFIT is a City staff committee that includes representatives from the Planning and Development, Water Services, Neighborhood Services, Parks and Recreation, and Street Transportation departments, as well as the Offices of Sustainability and Environmental Programs; and

Donations designated to neighborhoods will be administered by the Neighborhood Services Department's "Love Your Block" program. Funds will be distributed monthly or quarterly to "Love Your Block" as donations become available. The "Love Your Block" program will

manage the funds through a neighborhood grant program in partnership with the Citizen Forester program and the AmeriCorps VISTA program.

The portal allows donors to direct their donations toward any of the program areas listed rather than select specific projects. The website includes a disclaimer indicating the City cannot guarantee when the trees will be planted, but does list recent and upcoming tree planting projects. There is also a comment box on the donation page where users can propose future projects. Individuals and organizations will also be able to apply to "Love Your Block" to receive neighborhood grants as part of the program.

Management of a New Tree Donation Program

Initial management of the program will be led by the Office of Sustainability in partnership with the receiving departments listed above.

Financial Impact

The program will accept electronic donations from individuals and businesses from $5 up to $25,000, specifically for purchase and planting of trees.

This item was approved.

74 Request to Apply for and Accept 2020 Staffing for Adequate Fire and Emergency Response (SAFER) Grant (Ordinance S-47448)

Request to retroactively authorize the City Manager, or his designee, to apply for, and accept, if awarded, up to $7,255,358 from federal fiscal year (FFY) 2020 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program funds through the Federal Emergency Management Agency (FEMA). Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item. If not approved, the grant, if awarded, would be turned down.

Summary

The purpose of the SAFER Grant Program is to increase the number of firefighters to help communities meet industry minimum standards and attain 24-hour staffing to provide adequate protection from fire and fire-related hazards. The grant application will request $7,255,358 to hire

22 firefighter positions lost through attrition (retirements and resignations). These positions will be used to increase service coverage area and improve emergency response times. Funding will be distributed over a three-year period with no cost match required. If awarded, federal funding will be up to $7,255,358, over the period of performance.

Contract Term

The performance period of this grant, if awarded, is three years. The anticipated start date is on or around Aug. 24, 2021, with an anticipated end date on or around Aug. 24, 2024.

Financial Impact

If awarded, the Fire Department will receive up to $7,255,358 in grant funding for 22 firefighter positions. No match will be required from the City.

Concurrence/Previous Council Action

The grant application period opened on Feb. 8, 2021 and closed on March 12, 2021. The timeline did not give the Fire Department an opportunity to present this item to the Public Safety and Justice Subcommittee.

This item was adopted.

75 Amend Contract with Maricopa County Department of Public Health to Provide Seasonal Influenza and Other Vaccines (Ordinance S-47461)

Request to authorize the City Manager, or his designee, to execute an amendment to City Contract No. 153292 to accept additional funds in the amount of $50,000 from the Maricopa County Department of Public Health (MCDPH) to continue to provide seasonal influenza and other vaccines. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

City Contract No. 153292, in the original amount of $50,000, was approved by the City Council on Oct. 7, 2020 to provide seasonal influenza and other vaccines. MCDPH will provide an additional $50,000 for the first renewal period of July 1, 2021 through March 31, 2022.

The Phoenix Fire Department (PFD) has a long history of providing immunizations at community locations, schools, community centers and other non-medical facilities, to children and adults. The PFD has successfully immunized many Maricopa County residents in partnership with MCDPH through previous agreements.

The City has partnered with MCDPH, to provide seasonal influenza vaccines (as well as other types of vaccines if needed) to individuals six months of age and older. The intent of this agreement is to increase access to vaccines thereby decreasing the overall spread of viruses.

Contract Term
The initial term of the agreement is Nov. 2, 2020 through June 30, 2021 with four additional one-year periods, not to exceed a total extended term of five years.

Financial Impact
MCDPH will reimburse the PFD for the vaccinations on a per unit cost basis up to $100,000 over a five-year period.

Concurrence/Previous Council Action
City Contract No. 153292 was approved by the City Council on Oct. 7, 2020.

This item was adopted.

77 Intergovernmental Agreement with City of Avondale for Processing Recyclable Materials (Ordinance S-47425)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement with the City of Avondale to accept and process recyclable materials collected in the City of Avondale and delivered to the City of Phoenix's North Gateway and 27th Avenue Material Recovery Facilities (MRFs). Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary
The City of Avondale offers recycling services to its residents and has delivered these recyclables to the City of Phoenix since 2016. The City

of Avondale would like to continue this arrangement. The City of Phoenix can continue to accept these materials with some change of terms to address changing market conditions resulting in lower commodity prices and increased processing costs from contamination in the recyclables. This Intergovernmental Agreement (IGA) will authorize the City of Phoenix to charge a processing fee to the City of Avondale for recycling tonnage processed at the two City MRFs, which is designed to ensure all costs associated with processing recyclables are recovered. The terms of this IGA include:

In a market with low recycling commodity prices, the City of Phoenix will charge a processing fee to the City of Avondale, and no revenue share to the City of Avondale will be available; and

In a market with high recycling commodity prices, the City of Avondale will pay a processing fee and will receive 50 percent of the net revenue share and the City of Phoenix will receive the remaining 50 percent.

Annually, the City of Avondale will deliver up to 6,000 tons of recyclable materials to City of Phoenix facilities.

Contract Term

The one-year term of this IGA will begin on or about July 1, 2021 and conclude on or about June 30, 2022. Provisions of the IGA include four, one-year options to extend the agreement.

Financial Impact

Over the life of the agreement, the City of Avondale's 50 percent of the revenue share is not expected to exceed $150,000. Funding for the revenue share payments to City of Avondale is available in the Public Works Department's budget.

Location

North Gateway Material Recovery Facility - 30205 N. Black Canyon Highway
27th Avenue Material Recovery Facility - 3060 S. 27th Ave.
Council Districts: 2 and 7

This item was adopted.

78 One-time Purchase of Asphalt Distributor (Ordinance S-47430)

Request to authorize the City Manager, or his designee, to enter into an agreement with Musgrove Enterprises, LLC dba SealMaster Arizona for the purchase of one asphalt distributor. Further request to authorize the City Controller to disburse all funds related to this item. The total agreement will not exceed $24,300.

Summary

The Public Works Department is responsible for the purchase, repair and maintenance of equipment in the City's fleet. Public Works is seeking to purchase one asphalt distributor for the Street Transportation Department. This equipment is used to seal and coat asphalt roads and parking lots to increase the surface life while improving the appearance by protecting against water damage, ultraviolet rays and oxidation.

Procurement Information

The selection was made using a Request for Quote (RFQ) procurement process in accordance with Administrative Regulation 3.10.

The RFQ was sent to 49 vendors. The Public Works Department received one quote from SealMaster Arizona for $21,682.05 (excluding applicable tax).

Contract Term

This item is a one-time purchase.

Financial Impact

This is a one-time expenditure in the amount of $24,300. Funding is available in the Street Transportation Department's budget.

This item was adopted.

79 One-time Purchase of Boat Trailer (Ordinance S-47431)

Request to authorize the City Manager, or his designee, to enter into an agreement with Technology International, Inc. for purchase of one boat trailer. Further request to authorize the City Controller to disburse all funds related to this item. This item will have an aggregate amount of $10,400.

Summary

The Public Works Department is responsible for the purchase, maintenance and repair of the City's fleet, which includes passenger

vehicles, off-road equipment and trailers used to transport other equipment. Public Works is seeking to purchase one boat trailer for the Parks and Recreation Department to transport a metal boat to and from urban lakes. The original boat trailer was purchased in 1982 and has reached the end of its useful life. The boat is used to complete water surface clean-up at the City's public parks.

Procurement Information

A Request for Quote was conducted in accordance with Administrative Regulation 3.10. The Public Works Department received one bid from the recommended vendor at the below cost:

Technology International, Inc.: $9,374 (excluding tax)

Contract Term

This item will be for the one-time purchase of a boat trailer that will begin upon Council approval on April 7, 2021.

Financial Impact

This item will have a one-time expenditure of $10,400. Funding is available in the Parks and Recreation Department's budget.

This item was adopted.

80 One-Time Purchase of Four Traffic Attenuators (Ordinance S-47437)

Request to authorize the City Manager, or his designee, to enter into an agreement with RoadSafe Traffic Systems, Inc. for the purchase of four traffic attenuators. Further request to authorize the City Controller to disburse all funds related to this item. The contract will have a one-time expenditure in the amount of $133,821.68.

Summary

The Public Works Department is seeking to purchase four TL3 Scorpion trailer-mounted traffic attenuators for the Street Transportation Department. The Scorpion TL3 trailer attenuator is designed to provide a crash barrier between the towing vehicle and oncoming traffic and will be used during roadway striping operations. There is an immediate need for the attenuators to maintain employee safety, create time efficiencies and save money with repairing vehicle damages.

Procurement Information
Invitation for Bid (IFB) 21-FSD-027 was conducted in accordance with Administrative Regulation 3.10. The Public Works Department received three bids, with low bid being determined by the cost of each attenuator. RoadSafe Traffic Systems, Inc. was deemed the lowest responsive and responsible bidder and is being recommended for award.

RoadSafe Traffic Systems, Inc.: $26,137.67
Statewide Safety Systems: $27,293
Striping Service and Supply, Inc.: $29,305

Contract Term
This item will be for a one-time purchase of four attenuators, and the contract shall begin on or about April 7, 2021.

Financial Impact
The agreement will have a one-time expenditure of $133,821.68. Funding is available in the Street Transportation Department's budget.

This item was adopted.

81 Environmental Protection Agency Grant for Clean Fuel Funding Assistance Program Fiscal Year 2021 (Ordinance S-47445)

This report requests the City Council to authorize the City Manager, or his designee, to retroactively apply for; accept; enter into an agreement; and disburse a U.S. Environmental Protection Agency (EPA) grant, under the Clean Diesel Funding Assistance Program Fiscal Year 2021. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary
The Solid Waste refuse fleet includes some older diesel vehicles with emissions that exceed those achieved by the most current emission control technologies. Emissions from diesel engines contribute to production of ground level ozone, a pollutant for which Maricopa County region is not currently meeting federal health standards. The intent of the Diesel Emissions Reduction Act (DERA) grant program is to provide grant funding to help subsidize vehicle costs to replace higher polluting

diesel emission engines with cleaner operating units to reduce harmful emissions. Solid Waste is seeking to replace up to 11 refuse trucks with alternative fuel powered units. Reducing vehicle emissions from the municipal fleet will demonstrate the City's commitment to lead by example toward the 2050 sustainability goal of clean air.

EPA Region 9 will administer the Federal DERA Grant Program. If awarded, funding will be provided to purchase new ultra-low NOx fleet vehicles to replace old, higher polluting fleet vehicles with 2022 models or newer.

Staff anticipates obtaining grant funding for up to 45 percent of the new vehicle cost for replacement. The Public Works Department has been awarded over $2 million of grant monies under the same DERA grant program the last two fiscal years.

The application to EPA Region 9 was due March 16, 2021. The granting agency anticipates notifying applicants on or about July 1, 2021 with an expected project completion date of September 2023.

Contract Term
Up to two years beginning on or about July 1, 2021.

Financial Impact
The federal amount requested for this proposal is $1,815,000. If grant funds are awarded in full, the City would need to match up to $3,030,000. Funding is available in the Public Works Department’s Solid Waste vehicle replacement fund.

This item was adopted.

82 Recycling Partnership Grant Opportunity for Improved Recycling and Programs for Fiscal Year 2021 (Ordinance S-47449)

Request to authorize the City Manager, or his designee, to retroactively apply for, accept, and enter into an agreement, and disburse grants from The Recycling Partnership through its Polypropylene Recycling Request for Proposal Program to support the purchase of a new polypropylene optical sorter at the North Gateway Material Recovery Facility. Further request to authorize the City Treasurer to accept, and the City Controller

to disburse, all funds related to this item. The City match for grant funds will not exceed $100,000.

Summary

Plastics continue to be a growing component of the national solid waste stream and new recycling markets have developed for certain types of plastics. Polypropylene, commonly known as #5 plastic, is used to make yogurt containers, some drink containers, and to-go containers. Investment in optical sorting technology will increase capture of polypropylene allowing the City to increase diversion of this material from the landfill, access the market for polypropylene, and further efforts to build a circular economy and achieve zero waste by 2050.

The Recycling Partnership is a national non-profit organization that works with local governments, national brands and industry leaders to improve recycling programs. The Recycling Partnership's polypropylene grant aims to improve and increase sortation and capture of polypropylene in recycling programs.

Through the Polypropylene Request for Proposal, the Public Works Department is seeking grant funds up to $450,000 to increase polypropylene capture via improved optical sortation. If awarded, funding will support the purchase of a new polypropylene optical sorter at the North Gateway Material Recovery Facility to replace a nine-year-old system that has limited capture abilities when considering size and capture of polypropylene. Replacement of the system was not critical in the recent North Gateway Material Recovery Facility Upgrade; however, staff would like to leverage use of grant funds to replace the equipment and increase the capture rate of polypropylene to meet changes in the market. The first deadline to be considered for full funding is March 31, 2021.

Financial Impact

The amount requested for this proposal is $450,000. If grant funds are awarded in full, Phoenix would need to match up to $100,000 in funding. Funding for the Phoenix cost share is available in the Public Works Department's Capital Improvement Program budget. Other costs may be incurred by the department to support critical system needs that arise during the project period (electrical, fire systems, etc.), which will be

funded by Public Works.

Location
North Gateway Material Recovery Facility - 30205 N. Black Canyon Highway
Council District: 2

This item was adopted.

83 Original Equipment Manufacturer Scorpion Parts and Services Contract - Amendment (Ordinance S-47451)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 151182, with BTE Body Company, Inc. to provide additional funding to the agreement for purchase of Scorpion refuse truck parts for the Public Works Department. Further request to authorize the City Controller to disburse all funds related to this item. This item will have an additional aggregate amount of $2,571,999.

Summary
This agreement with BTE Body Company, Inc., is used to provide Original Equipment Manufacturer (OEM) parts for the Scorpion refuse truck fleet. These parts allow in-house technicians to perform maintenance repairs needed to put the fleet back in service for solid waste collections. BTE Body Company, Inc. is the sole Arizona dealer where these OEM parts can be obtained.

Financial Impact
The initial authorization for OEM Scorpion Parts and Services was for an expenditure not to exceed $1.35 million. This amendment will increase the authorization for the agreement by an additional $2,571,999, for a new total not-to-exceed amount of $3,921,999. Funding is available in the Public Works Department's budget.

Concurrence/Previous Council Action
The City Council approved Original Equipment Manufacturer Scorpion Parts and Services Agreement 151182 (Ordinance S-46009) on Sept. 18, 2019.

This item was adopted.

84 35th Avenue and Camelback Road Relief Sewer - Engineering

Services - WS90500303 (Ordinance S-47420)

Request to authorize the City Manager, or his designee, to enter into an agreement with Project Engineering Consultants, Ltd., to provide Engineering Services to perform an alignment study, to design and prepare construction drawings, and perform construction administration and inspection services for the 35th Avenue and Camelback Road Relief Sewer project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $339,637.

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

Summary

The purpose of this relief sewer project is to perform an alignment study and to design the relief sewer generally along Camelback Road from 35th to 29th Avenues This project is part of the Sanitary Sewer Relief Program. The intent of this ongoing program is to review and manage the capacity of Phoenix's wastewater collection system to avoid sanitary sewer overflows.

Project Engineering Consultants, Ltd.’s services include, but are not limited to: conduct an alignment study, sewer capacity analysis, data collection and field survey; perform geotechnical investigations; provide public information services; prepare design and construction documents; cost estimates; bid phase assistance; construction administration and inspection, and other work as required for a complete project.

This Agreement is essential to the health, safety, and welfare of the public and critical operations for the City.

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

Selected Firm
Rank 1: Project Engineering Consultants, Ltd.

Additional Proposers
Rank 2: Carollo Engineers, Inc.
Rank 3: Stantec Consulting Services, Inc.
Rank 4: Garver, LLC
Rank 5: Strand Associates, Inc.
Rank 6: Primatech, LLC

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

Financial Impact
The agreement value for Project Engineering Consultants, Ltd. will not exceed $339,637, including all subconsultant and reimbursable costs.

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

termination.

Public Outreach
Planned activities during design include: Initial Project Design Phase Notice, possible meetings with adjacent properties, project hotline and development of a communication plan that will transition into the construction phase.

Location
Between 29th and 35th Avenues in the area south of Camelback Road
Council Districts: 4 and 5

This item was adopted.

85 FY2019 Federal Tap HAWK Installation - Design-Bid-Build Services - ST89330184 (Ordinance S-47421)

Request to authorize the City Manager, or his designee, to accept AJP Electric, Inc., as the lowest-priced, responsive and responsible bidder and to enter into an agreement with AJP Electric, Inc. for Design-Bid-Build Services for the FY2019 Federal Tap HAWK (High-intensity Activated Crosswalk) Installation project. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed $1,127,585.

Summary
The purpose of this project is to provide safe and Americans with Disabilities Act (ADA)-compliant pedestrian crossings at various locations throughout the city. AJP Electric, Inc.'s services include, but are not limited to, construction of new ADA-compliant curb ramps, new HAWK beacons, and associated signing and markings and other work to complete the project.

This Agreement is essential to the health, safety, and welfare of the public and critical operations for the City.

Procurement Information
The selection was made using an Invitation for Bids procurement process set forth in section 34-201 of the Arizona Revised Statutes. Three bids were received on Dec. 29, 2020, and were sent to the Equal Opportunity Department for review to determine subcontractor eligibility

and contractor responsiveness in demonstrating responsiveness to Disadvantaged Business Enterprise (DBE) program requirements.

The Opinion of Probable Cost and the two lowest responsive, responsible bidders are listed below:
Opinion of Probable Cost: $923,762.37
AJP Electric, Inc.: $1,127,585.00
C S Construction, Inc.: $1,169,942.00

Bidders who were deemed non-responsive are listed below, in alphabetical order:
B&F Contracting, Inc.

Although the bid exceeds the Opinion of Probable Cost by more than 10 percent, it has been determined the bid represents a fair and reasonable price for the required work scope. Additionally, the bid award amount is within the total budget for this project.

The reason for the variance from the Opinion of Probable Cost to the lowest, responsive, responsible bid is the construction industry is flooded with abundance of available work; the amount of available work in the Phoenix Metro area exceeds the current labor forces; and most traffic signal contractors have full workloads; therefore, costs have increased and bids are higher. Material costs, particularly concrete and steel, have increased significantly over the past year. Updated traffic signal details for new poles and arms were unique to the City of Phoenix; therefore, no past data was available for cost comparison.

Contract Term
The term of the agreement is 120 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for AJP Electric, Inc will not exceed $1,127,585, including all subcontractor and reimbursable costs.

This project will utilize federal funds and is subject to the requirements of 49 Code of Federal REgulation (CFR) Part 26 and the U.S. Department of Transportation DBE Program. Funding is available in the Street Transportation Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Location

Maryvale Parkway and Glenrosa Avenue
Behrend Road and 35th Avenue
Van Buren and 30th streets
Yale and 32nd streets
Council Districts: 1, 5 and 8

This item was adopted.

86 Northwest Water and Wastewater Master Plan - Construction Manager at Risk Preconstruction and Construction Services - WS85500455 and WS90500307 (Ordinance S-47422)

Request to authorize the City Manager, or his designee, to enter into separate agreements with four contractors listed below to provide Construction Manager at Risk (CMAR) Preconstruction and Construction Services for the Northwest Water and Wastewater Master Plan project. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for services will not exceed $146.86 million.

Summary

The purpose of this project is to construct new water and wastewater infrastructure for potential growth in the area of Phoenix north of the Central Arizona Project canal, south of Carefree Highway, west of I-17 to the City of Phoenix city limits. The City anticipates the work may be done in multiple phases depending on development progress. Phase One includes four packages advertised and awarded separately. Phase One water and wastewater infrastructure includes a Pressure Reducing Valve (PRV) station, water transmission mains, booster pump station, lift

station, force mains, and large diameter gravity sewer mains. Phase One work was divided into four packages as follows:

Package One: PRV Station at 51st Avenue and Carefree Highway; 51st Avenue Corridor (gravity sewer and 54-inch water transmission main); 16-inch water main along Carefree Highway from 51st Avenue to North Valley Parkway; 6B-B1 upgrade from 15 Million Gallons per Day (MGD) to 25 MGD.

Package Two: 12 MGD Lift Station Northeast of Loop 303 and 51st Avenue.

Package Three: Water and Wastewater mains north of Loop 303 Corridor and Sonoran Desert Drive to North Valley Parkway, including a 36-inch water transmission main, three 24- to 36-inch sewer force mains, and one gravity sewer main west of I-17.

Package Four: 60-inch Gravity Main in North Valley Parkway or alternative route to Lift Station 66.

Garney Companies, Inc. (Garney), Felix Construction Company (Felix), Sundt Construction, Inc. (Sundt), and McCarthy Building Companies, Inc. (McCarthy) will all begin in agency support roles for CMAR Preconstruction Services. The contractors will assume the risk of delivering the projects through Guaranteed Maximum Price (GMP) agreements. A Small Business Enterprise goal will be established for this project during preconstruction services and reviewed prior to the start of construction.

Garney, Felix, Sundt, and McCarthy will then transition to preparation of GMP proposals for the Construction Services provided under the agreements, and participate with the City's Small Business Enterprise (SBE) program. The contractors will be responsible for construction means and methods related to the project and fulfilling the SBE program requirements. The contractors will be required to solicit bids from prequalified subcontractors and to perform the work using the City's subcontractor selection process. The contractors may also compete to self-perform limited amounts of work.

The Contractors' services for both preconstruction and construction services include but are not limited to: design and constructability reviews; providing cost estimates and developing cost models; procuring

long-lead items; preparing a GMP proposal; and constructing the first phase water and wastewater infrastructures.

These agreements are essential to the health, safety and welfare of the public and critical operations for the City.

Procurement Information
The selections were made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-603(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. A total of 13 firms submitted proposals for the four packages and are listed in **Attachment A**.

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

Financial Impact
The agreement values for:
Garney, Inc. will not exceed $33 million;
Felix Construction Company will not exceed $22 million;
Sundt Construction, Inc. will not exceed $66 million; and
McCarthy Building Companies, Inc. will not exceed $25.86 million.
All agreement values include all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action
The City Council approved:

Engineering Services Agreements 153380 and 153381 (Ordinance S-47069) on Nov. 18, 2020.

Location

North of the Central Arizona Project, south of Carefree Highway, west of I-17, and east of the City's west limits.
Council District: 1

This item was adopted.

87 Salt River Project Construction Services Agreement for Relief Sewer Project at Van Buren and 52nd Streets - WS90500295 (Ordinance S-47442)

Request to authorize the City Manager, or his designee, to enter into a construction services agreement with Salt River Project for relocation of facilities occurring outside of City right-of-way for City of Phoenix project WS90500295 Relief Sewer Project Van Buren and 52nd streets. Further request 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 should be prohibited by Phoenix City Code 42-18. Additionally request to authorize the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed $15,854.

Summary

The City is constructing a relief sewer line at Van Buren and 52nd Streets, which is directly impacting an existing electrical service located outside City right-of-way, which serves an apartment complex. This construction services agreement represents the cost for Salt River Project's relocation of the existing electrical service that will be relocated to a new location outside of City right-of-way.

Contract Term

The term of the agreement will begin on or about April 7, 2021, and will expire when the project is completed and accepted.

Financial Impact

Funding in the amount of $15,854 is available in the Water Services Department's Capital Improvement Program budget.

Location
Van Buren and 52nd streets
Council District: 6

This item was adopted.

88 Salt River Project Construction License for Traffic Signal Installation at 12th Street and Osborn Road (Ordinance S-47443)

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project to perform required maintenance work on the existing traffic signal installation at 12th Street and Osborn Road. 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 should be prohibited by Phoenix City Code 42-18.

Summary
The purpose of this license is to allow the City to install two traffic signal conduit crossings and one conduit installation that will be parallel to existing Salt River Project irrigation facilities, in order to replace damaged conduit.

Contract Term
The term of the Construction License is one year, effective when the City begins construction, expected to be on or about April 7, 2021.

Financial Impact
There is no financial impact for this license.

Location
12th Street and Osborn Road
Council District: 4

This item was adopted.

89 91st Avenue Wastewater Treatment Plant Electrical, Instrumentation and Control Systems Inspection and Testing - Engineering Services - WS901000092 (Ordinance S-47447)

Request to authorize the City Manager, or his designee, to enter into an agreement with Wilson Engineers, LLC (Wilson), to provide Engineering

Services that include design support, construction inspections, and commissioning testing for multiple projects associated with the 91st Avenue Wastewater Treatment Plant Electrical, Instrumentation and Control Systems Inspection and Testing project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $5 million.

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

Summary

The purpose of this project is to assist with projects at the facility to improve the functionality, efficiency, and maintenance of the electrical, instrumentation and control systems. The City has developed electrical, instrumentation and control standards for the entire Water Services Department which are used to provide consistency throughout the Department. One of Wilson's objectives will be to assist the City in ensuring adherence to these standards on all projects during the design, construction, calibration, testing and commissioning of the electrical, instrumentation and control systems. Wilson will provide operations and maintenance support when City staff are replacing existing equipment or installing new equipment. Additionally, Wilson will provide Arc Flash Hazard Analysis services by providing support to update and maintain Arc Flash modeling and documentation for compliance with National Fire Protection Agency (NFPA) requirements.

Wilson's services include, but are not limited to: Design support services

consisting of technical support and consultations relative to installation techniques and procedures, ensuring adherence to the City standards, and ensuring adherence to applicable electrical codes. Wilson will attend design meetings and demonstrations, support research of existing conditions, conduct design reviews, and support facility-wide understanding of the Water Services Department's standards for electrical, instrumentation and control systems. In addition, Wilson may be required to support City staff in updating and maintaining the Water Services Department's standards as necessary.

Construction support services consist of reviewing equipment submittals, conducting reviews on the equipment installation, providing field observations reports, participating in factory testing, reviewing the completeness of required equipment testing documentation and witnessing the instrumentation calibrations and loop checks.

Commissioning support services consist of providing assistance on computer control strategy checkout, tuning of control loops, and performing loop tests, troubleshooting for the computer control system programmers, maintaining designated instruments through final acceptance, educating the plant staff on the systems, supporting the maintenance staff on developing maintenance procedures for designated equipment and reviewing the accuracy of the as-built documentation for electrical drawings and the process and instrumentation diagrams.

Wilson will be required to provide Arc Flash Hazardous Testing services using a professional electrical engineer. The Arc Flash Hazardous Testing will include as-building existing single line diagrams, conducting load calculations for motor control centers, switchgear and power panels and having the knowledge to conduct a power system study. The selected firm will be required to access energized equipment and provide all arc flash safety personal protective gear that meets the requirements of NFPA.

The 91st Avenue Wastewater Treatment Plant is owned by the Sub-Regional Operating Group (SROG) and operated by the City of Phoenix.

This agreement is essential to the health, safety, and welfare of the public and critical for operations for the City.

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

Selected Firm
Rank 1: Wilson Engineers, LLC

Additional Proposers
Rank 2: Black & Veatch Corporation
Rank 3: Quantum Engineering, Inc.
Rank 4: Affiliated Engineers, Inc.
Rank 5: M3 Engineering and Technology Corporation

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

Financial Impact
The agreement value for Wilson's contract will not exceed $5 million, including all subconsultant and reimbursable costs. Funding is available in the Water Services Department's Capital Improvement Program budget.

The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action

The SROG Advisors authorized this project on Feb. 18, 2021.

Location
91st Avenue Wastewater Treatment Plant
Council District: 7

This item was adopted.

90 Purchase Supply of Water/Wastewater Disinfectant - Amendment (Ordinance S-47419)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 144726 with DPC Enterprises, Inc. to provide additional funding for the agreement. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures for goods included in this amendment will not exceed $553,000.

Summary
The purpose of this amendment is to continue to provide the Water Services Department (WSD), Water Production and Wastewater Treatment plants with supply of water/wastewater disinfectant. Due to the increase in the cost of water/wastewater disinfectant which took effect on April 1, 2019, an increase in water production output since the agreement was originally executed on April 1, 2017, and a decrease of the region's raw water quality, it is necessary to add funds to continue to purchase the disinfectant. Without a supply of disinfectant for the Water and Wastewater Treatment plants, WSD would lack the ability to disinfect drinking water and treat wastewater discharge to state and federal regulatory standards.

Contract Term
The agreement’s term will remain unchanged, ending on March 31, 2022.

Financial Impact
The initial agreement for the Water/Wastewater Disinfectant Contract was authorized for an expenditure not-to-exceed $4.3 million. This amendment will increase the authorization for agreement’s cost by an additional $553,000, for a new total not-to-exceed agreement value $4,853,000.

Funding is available in the Water Services Department's Operating budget.

Concurrence/Previous Council Action
The City Council approved Water/Wastewater Disinfectant Agreement 144726 (Ordinance S-43355) on March 22, 2017.

This item was adopted.

91 Machine Shop and Related Services (Ordinance S-47424)

Request to authorize the City Manager, or his designee, to enter into an agreement with Device Development, LLC to provide machine shop and related services for the Water Services Department. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total agreement value will not exceed $1.42 million.

Summary
Disassembly and assembly services are needed to keep motors, generators, pumps, stub shaft, auger, bearing housing, gear boxes and other mechanical devices operational by performing repairs and replacement of parts, when needed, at Wastewater Treatment Plants, Water Treatment Plants and other locations.

Procurement Information
The selection was made using an Invitation for Bids procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

One bid was received and was deemed responsive. The Procurement Officer solicited quotes from several companies to compare hourly rates and the bid received was deemed fair and reasonable.

Selected Bidder
Device Development, LLC

Contract Term
The term of the agreement is six years and will begin on or about July 1, 2021.

Financial Impact

The agreement value for Device Development, LLC will not exceed a total value of $1.42 million. Funding is available in the Water Services Department's Operating budget.

This item was adopted.

92 Intergovernmental Agreement for Delivery, Treatment, and Wheeling of Avondale Colorado Water through City of Phoenix Infrastructure to an Avondale Interconnect - Amendment (Ordinance S-47432)

Request authorization for the City Manager, or his designee, to execute an amendment to Intergovernmental Agreement 148411 between the City of Phoenix and the City of Avondale for treatment and delivery of the City of Avondale's Colorado River Water through the City of Phoenix's water distribution system to an interconnection with the City of Avondale's water distribution system to account for water losses in the treatment and wheeling process.

Summary

On Sept. 11, 2018, the City of Phoenix (Phoenix) executed an Intergovernmental Agreement (IGA) with the City of Avondale (Avondale) to treat and deliver Avondale's Colorado River Water through Phoenix's existing water infrastructure and distribution system for delivery to an interconnect constructed by Avondale. Phoenix now proposes to amend the IGA to account for water losses in the treatment and wheeling process to Avondale from Phoenix. The parties will assume a five percent loss occurring in treatment and transportation of Avondale's water to the interconnect. This loss will count toward the amount of water that the City of Phoenix delivers to the City of Avondale (i.e. Phoenix will add this loss to Avondale's meter reading at the point of delivery).

This amendment is necessary to provide for accurate accounting and water loss between the City of Phoenix and the City of Avondale.

Concurrence/Previous Council Action

The City Council approved Delivery, Treatment, and Wheeling of Avondale Colorado Water to Avondale through City of Phoenix

Infrastructure IGA 148411 (Ordinance S-44009) on Nov. 1, 2017.

This item was adopted.

93 Intergovernmental Agreement for Storage, Recovery, and Exchange of Colorado River Water Between the Cities of Phoenix and Avondale - Amendment (Ordinance S-47433)

Request to authorize the City Manager, or his designee, to execute an amendment to Intergovernmental Agreement 148412 between the City of Phoenix and the City of Avondale for storage, recovery, and exchange of Colorado River water to expand the agreement to permit the storage and exchange of New Conservation Space water from the Salt River.

Summary

On Nov. 1, 2017, the City of Phoenix (Phoenix) executed an Intergovernmental Agreement (IGA) with the City of Avondale (Avondale) in which Avondale agreed to allow Phoenix to store some of its Colorado River water in Avondale's underground storage facility for later recovery and exchange during times of shortage. Phoenix would like to expand the IGA to permit storage and exchange of New Conservation Space (NCS) water from the Salt River that is captured in the storage capacity created by Modified Roosevelt Dam. Unlike Salt River Project water, NCS water can be used anywhere in the City or stored underground to earn long-term storage credits. While Phoenix continues to pursue a water resource management strategy of storing Colorado River water available today for use during future shortages, authorizing the storage of NCS water in this agreement creates additional water resource management options. During times of shortage, Phoenix can recover those credits (pump water) from Avondale's wells and exchange the pumped water with an equal amount of Avondale's Colorado River water delivered to Phoenix through the Central Arizona Project aqueduct.

Concurrence/Previous Council Action

The City Council approved Storage, Recovery, and Exchange of Colorado River Water Between the Cities of Phoenix and Avondale IGA 148412 (Ordinance S-44010) on Nov. 1, 2017.

This item was adopted.

94 Perkin Elmer Laboratory Services Agreement - Request for Award (Ordinance S-47434)

Request to authorize the City Manager, or his designee, to enter into an agreement with Perkin Elmer Health Sciences, Inc. to provide equipment maintenance services for the purpose of maintaining proper functionality of Perkin Elmer equipment for water sampling. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed $143,748.

Summary

The purpose of this agreement is to provide maintenance, repair services, parts and consumables for Perkin Elmer Health Sciences, Inc. laboratory instruments.

This direct selection is necessary because of the requirement to provide service by an authorized Perkin Elmer service team and maintaining the equipment with only Perkin Elmer Health Sciences, Inc. factory new or refurbished repair parts.

Perkin Elmer's services include but are not limited to: repair; replacement parts; labor; telephone support; mechanical inspection; calibration; cleaning and any associated services required to maintain equipment to its original standards on a monthly and bi-annual service cadence over the term of the agreement.

Procurement Information

An exception to the procurement process was determined to select the contractor as set forth in City of Phoenix Administrative Regulation 3.10. A direct selection was made because there exists a specific warranty requirement to use only authorized service technicians and Perkin Elmer Health Sciences, Inc. factory new or refurbished repair parts which makes a competitive selection process impracticable, unnecessary, or contrary to the public interest.

Contract Term

The agreement will begin on or about July 1, 2021 for a five-year aggregate term.

Financial Impact

The agreement value for Perkin Elmer Health Sciences, Inc. expenditures will be $143,748.

Funding is available in the Water Services Department's Operating budget.

This item was adopted.

95 Final Plat - Windsor Soleil - PLAT 190078 - 312 W. Windsor Ave.

Plat: 190078
Project: 18-1610
Name of Plat: Windsor Soleil
Owner(s): Urban Windsor, LLC
Engineer(s): XCL Engineering, LLC
Request: A 20 Lot Residential Subdivision Plat
Reviewed by Staff: March 9, 2021
Final Plat requires Formal Action Only

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

Location
Located at 312 W. Windsor Ave.
Council District: 4

This item was approved.

96 Final Plat - Park7 On Windsor - PLAT 200612 - Southwest Corner of 7th Street and Windsor Avenue

Plat: 200612
Project: 18-1748
Name of Plat: Park7 On Windsor
Owner(s): Park7 Windsor, LLLP
Engineer(s): Shane R. Barnett, RLS
Request: A 24 Lot Residential Plat
Reviewed by Staff: Feb. 5, 2021
Final Plat requires Formal Action Only

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

with Abandonment ABND 210006.

Location
Generally located at the southwest corner of 7th Street and Windsor Avenue.
Council District: 4

This item was approved.

97 Final Plat - Park McDowell - PLAT 200613 - 2200 N. 95th Ave.

Plat: 200613
Project: 99-8024
Name of Plat: Park McDowell
Owner(s): Terralane at Park McDowell, LLC
Engineer(s): Bowman Consulting
Request: A 1 Lot Commercial Plat
Reviewed by Staff: March 4, 2021
Final Plat requires Formal Action Only

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

Location
2200 N. 95th Ave.
Council District: 5

This item was approved.

98 Final Plat - Hayden Views Amended - PLAT 200546 - 7040 N. 23rd St.

Plat: 200546
Project: 19-93
Name of Plat: Hayden Views Amended
Owner(s): 7 Views, LLC, Chadwic Gifford
Engineer(s): Robert J. Blake, RLS
Request: A 7 Lot Residential Subdivision Plat
Reviewed by Staff: March 11, 2021
Final Plat requires Formal Action Only

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with Abandonment ABND 190048. The sequence of recording to be followed is that the resolution of abandonment is recorded first, then the plat is recorded second.

Location
Generally located at 7040 N. 23rd St.
Council District: 6

This item was approved.

99 Final Plat - Majestic 55 - PLAT 200572 - North of Lower Buckeye Road and East of 55th Avenue

Plat: 200572
Project: 19-2029
Name of Plat: Majestic 55
Owner(s): Majestic 55th Avenue Partners, LLC
Engineer(s): Hunter Engineering
Request: A 1 Lot Commercial Plat
Reviewed by Staff: March 4, 2021
Final Plat requires Formal Action Only

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

Location
Generally located north of Lower Buckeye road and east of 55th Avenue.
Council District: 7

This item was approved.

100 Final Plat - Sunset Place Phase 2 - PLAT 200595 - 850 feet West of 67th Avenue and South of Broadway Road

Plat: 200595
Project: 18-2042
Name of Plat: Sunset Place Phase 2
Owner(s): Meritage Homes of Arizona, Inc.

Engineer(s): Robert A. Johnston, RLS
Request: A 140 Lot Subdivision Plat
Reviewed by Staff: March 5, 2021
Final Plat requires Formal Action Only

Summary

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

Location

Generally located 850 feet west of 67th Avenue and south of Broadway Road
Council District: 7

This item was approved.

101 Final Plat - Liberty 1A - PLAT 200562 - Northeast Corner of 27th and Southern Avenues

Plat: 200562
Project: 17-430
Name of Plat: Liberty 1A
Owner(s): Lennar Arizona, Inc. and KB Home Phoenix, Inc.
Engineer(s): Thomas E. Granillo, RLS
Request: A 112 Lot Residential Plat
Reviewed by Staff: Jan. 20, 2021
Final Plat requires Formal Action Only

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with the resolutions of abandonment for ABND V170053A and ABND 200524. The sequence of recording to be followed is that the resolutions are recorded first, then the plat is recorded second.

Location

Generally located at the northeast corner of 27th and Southern Avenues
Council District: 8

This item was approved.

102 Abandonment of Easement - ABND 210001- 112 W. Camelback Road (Resolution 21908)

Abandonment: ABND 210001
Project: 19-2547
Applicant(s): EMC Management, LLC; Nicholas Maxwell
Request: The south drainage easement and the northeast temporary drainage easement of parcel APN 102-59-017.
Date of Decision/Hearing: Jan. 28, 2021

Location
112 W. Camelback Road
Council District: 5

Financial Impact
None. No consideration fee was required as a part of this abandonment, although filing fees were paid.

This item was adopted.

103 Abandonment of Easement - V190048A - West of 23rd Street, between Glenn Drive and Lincoln Way (Resolution 21911)

Abandonment: V190048A
Project: 02-1501
Applicant: Porchlight Homes
Request: To abandon 23rd Street, the 8-foot public utility easement and 10-foot drainage easement in Hayden Views Estates as recorded in Book 659, page 08 MCR.
Date of Decision/Hearing: Aug.15, 2019

Summary
The resolution of the abandonment and PLAT 200546 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.

Location
West of 23rd Street, between Glenn Drive and Lincoln Way
Council District: 6

Financial Impact

A consideration fee was also collected as part of this abandonment in the amount of $1,627.20.

This item was adopted.

104 Abandonment of Easement - ABND 200555 - 2620 S. 12th Place (Resolution 21907)

Abandonment: ABND 200555
Project: 04-4082
Applicant: Kim Schroeder
Request: To abandon the following drainage easements on Lot 3:1 (6.42 - foot drainage easement recorded Document No. 20200812006; and 2) 20 feet drainage easement per book 1007 page 44.
Date of Decision/Hearing: Dec. 7, 2020

Location
2620 S. 12th Place
Council District: 8

Financial Impact
None. No consideration fee was required as a part of this abandonment, although filing fees were paid.

This item was adopted.

105 Abandonment of Right-of-Way - ABND 210006 - Southwest Corner 7th Street and Windsor Avenue (Resolution 21909)

Abandonment: ABND 210006
Project: 18-1748
Applicant: Stuart Rayburn, RCC Design Group
Request: To abandon the southern 2-feet of the existing 27-foot right-of-way on Windsor Avenue. The 2-foot abandoned right-of-way will be retained as a sidewalk easement.
Date of Decision/Hearing: March 1, 2021

Summary
The resolution of the abandonment and PLAT 200612 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.

Location

Southwest corner 7th Street and Windsor Avenue
Council District: 4

Financial Impact
A consideration fee of $2,700 was paid as a part of this abandonment.

This item was adopted.

106 Abandonment of Right-of-Way - ABND 200560 - East of Randolph Road and West of 15th Street (Resolution 21910)

Abandonment: ABND 200560
Project:94-0002212
Applicant: Thomas S. Maroun
Request: To abandon 14-foot alleyway, bounded by properties addressed 1426, 1422 E. Pinchot Ave., 3021, 3027, 3031 N. Randolph Road, and 3026, 3030 N. 15th St.
Date of Decision/Hearing: Jan. 14, 2021

Location
East of Randolph Road and West of 15th Street
Council District:4

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

A consideration fee was also collected as part of this abandonment in the amount of $782.00.

This item was adopted.

107 Abandonment of Right-of-Way - ABND V170053A - Northeast Corner of 27th and Southern Avenues (Resolution 21906)

Abandonment: V170053A
Project: 17-430
Applicants: Sean B. Lake/Valerie Claussen; Pew and Lake PLC

Request: To abandon all public right-of-way and public easements dedicated in the plat "Liberty," Book 944, Page 39, Maricopa County Recorder. Except any right-of-way and adjacent public utility easements dedicated for Southern Avenue, Roeser Road, and 27th and 23rd Avenues.
Date of Hearing: Oct. 31, 2017

Summary

The resolution of the abandonment and the subdivision plat Final Plat For "Liberty 1A," PLAT 200562, 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.

Location

Northeast corner of 27th and Southern Avenues
Council District: 8

Financial Impact

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

This item was adopted.

108 Amend City Code - Official Supplementary Zoning Map 1211 (Ordinance G-6829)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1211. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-156-99-1 and the entitlements are fully vested.

Summary

To rezone a parcel located 1,400 feet north of Happy Valley Road and east of 47th Avenue.
Application No.: Z-156-99-1

Zoning: R1-18
Owner: Multiple
Acreage: 30.44

Location
On 1,400 feet north of Happy Valley Road and east of 47th Avenue
Address: Multiple
Council District: 1

This item was adopted.

109 ***REQUEST TO WITHDRAW (SEE ATTACHED MEMO)* Amend City Code - Ordinance Adoption - Rezoning Application Z-41-20-3 (Honor Health Outpatient Medical Center - Shea PUD) - Approximately 400 Feet West of the Northwest Corner of 54th Street and Shea Boulevard (Ordinance G-6832)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-41-20-3 (Honor Health Outpatient Medical Center - Shea PUD) and rezone the site from C-O (Approved PAD-2 SP) (Commercial Office, Approved Planned Area Development, Special Permit) and PAD-2 (Approved PAD-2 SP) (Planned Area Development, Approved Planned Area Development, Special Permit) to PUD (Planned Unit Development) to allow a hospital and commercial uses.

Summary
Current Zoning: C-O (Approved PAD-2 SP) (0.12 acres) and PAD-2 (Approved PAD-2 SP) (3.07 acres)
Proposed Zoning: PUD (3.19 acres)
Acreage: 3.19 acres
Proposed Use: Hospital and commercial uses

Owner: 5316 East Shea Boulevard, LLC
Applicant: Wendy Riddell, Berry Riddell , LLC
Representative: Wendy Riddell, Berry Riddell, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Paradise Valley Village Planning Committee heard the case on Nov. 2, 2020 for information only. The Paradise Valley Village Planning Committee heard the case on Feb. 1, 2021 and recommended

approval, per the staff recommendation, with two additional stipulations, by a vote of 10-4-2.
PC Action: The Planning Commission heard the case on March 4, 2021 and recommended approval, per the Paradise Valley Village Planning Committee recommendation, with an additional stipulation, by a vote of 6-3.

Location
Approximately 400 feet west of the northwest corner of 54th Street and Shea Boulevard
Council District: 3
Parcel Addresses: 5320 E. Shea Blvd.

This item was withdrawn.

110 Amend City Code - Ordinance Adoption - Rezoning Application Z-64-20-4 - Approximately 490 Feet West of the Northwest Corner of 11th Avenue and Indian School Road (Ordinance G-6830)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-64-20-4 and rezone the site from R-5 (Multifamily Residence District) to C-2 (Intermediate Commercial District) for a music recording studio.

Summary
Current Zoning: R-5 (Multifamily Residence District)
Proposed Zoning: C-2 (Intermediate Commercial District)
Acreage: 0.64 acres
Proposed Use: Music recording studio

Owner: Randy and Laura Smith
Applicant: Randy and Laura Smith
Representative: Tom Galvin, Rose Law Group

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Encanto Village Planning Committee heard this case on March 1, 2021 and recommended approval, per the staff recommendation with a deleted stipulation, by a vote of 12-0.
PC Action: The Planning Commission heard this case on March 4, 2021 and recommended approval, per the Encanto Village Planning Committee recommendation with an additional stipulation, by a vote of

9-0.

Location
Approximately 490 feet west of the northwest corner of 11th Avenue and Indian School Road
Council District: 4
Parcel Addresses: 1142 W. Indian School Road

This item was adopted.

111 Amend City Code - Ordinance Adoption - Rezoning Application Z-55-20-7 - Approximately 200 Feet North of the Northwest Corner of 9th Avenue and Minton Street (Ordinance G-6831)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-55-20-7 and rezone the site from S-1 (Ranch or Farm Residence District) to R1-8 (Single-Family Residence District) to allow single-family residential.

Summary
Current Zoning: S-1
Proposed Zoning: R1-8
Acreage: 1.32
Proposed Use: Single-family residential

Owner: Jose Gustavo Ruiz and Maria Pina
Applicant: Jose Gustavo Ruiz and Maria Pina
Representative: Manuel A. Inurriaga, M&M Civil Engineering

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The South Mountain Village Planning Committee heard this case on Feb. 9, 2021 and recommended approval, per the staff recommendation, by a vote of 15-0.
PC Action: The Planning Commission heard this case on Mar. 4, 2021 and recommended approval, per the South Mountain Village Planning Committee recommendation with an additional stipulation, by a vote of 9-0.

Location
Approximately 200 feet north of the northwest corner of 9th Avenue and

Minton Street
Council District: 7
Parcel Addresses: 7110 S. 9th Ave.

This item was adopted.

112 Amend City Code - Ordinance Adoption - Rezoning Application Z-40-20-7 - Northeast Corner of 79th Avenue and Encanto Boulevard (Ordinance G-6828)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-40-20-7 and rezone the site from C-2 and RSC to PUD to allow multifamily residential and a senior living community.

Summary
Current Zoning: C-2 (17.32 acres) and RSC (10.01 acres)
Proposed Zoning: PUD
Acreage: 27.33
Proposed Use: Multifamily residential and senior living community

Owner: Westpen Associates, LLC
Applicant: Jeff Huggett, Dominium, Inc.
Representative: Susan Demmitt, Gammage & Burnham, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Info: The Maryvale Village Planning Committee heard this case for information only on Sep. 9, 2020.
VPC Action: The Maryvale Village Planning Committee heard this case on Feb. 10, 2021 and recommended approval, per the staff recommendation with modified stipulations, by a vote of 9-1.
PC Action: The Planning Commission heard this case on Mar. 4, 2021 and recommended approval, per the Maryvale Village Planning Committee recommendation with an additional stipulation, by a vote of 9-0.

Location
Northeast corner of 79th Avenue and Encanto Boulevard
Council District: 7
Parcel Addresses: 7800 W. Encanto Blvd.

This item was adopted.

115 (CONTINUED FROM JULY 1, AUG. 26, AND OCT. 7, 2020) - Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application PHO-1-19--Z-165-06-7(8) - Northwest Corner of 35th Avenue and Carver Road (Ordinance G-6718)

Request to hold a public hearing on the Planning Hearing Officer application for the following item and consider adoption of the Planning Commission recommendation on June 4, 2020.

Summary

Application: PHO-1-19--Z-165-06-7(8)
Existing Zoning: R1-8 and R1-18
Acreage: 59.48

Owner: Virtua 35th LLC
Applicant: Jennifer Hall, Rose Law Group
Representative: Tom Galvin, Rose Law Group

Proposal:

Modification of Stipulation 1 regarding general conformance to the site plan date stamped Oct. 8, 2007 and elevations date stamped Feb. 20, 2007.

Modification of Stipulation 7 regarding the landscape setback adjacent to 35th Avenue.

Deletion of Stipulation 19 regarding conditional development approval.

Modification of Stipulation 27 regarding height of terraced berms along the quarry cut slope base.

Modification of Stipulation 31 regarding raised, vertical curbs within the R1-18 portion of the site.

Modification of Stipulation 37 regarding detached sidewalks and landscape strips within the R1-8 portion of the site.

Deletion of Stipulation 39 regarding one-story homes along 35th Avenue.

Technical corrections to Stipulations 4, 5, 6, 8, 9, 15, 18, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 33, 34, 36, 38, and 40.

9. Modification of Stipulation 3 (proposed Stipulation 5) regarding the maximum number of lots in the R1-8 portion of the site.

Concurrence

Village Planning Committee (VPC) Recommendation: The Laveen

Village Planning Committee heard this case on Jan. 13, 2020 and recommended denial by an 11-0 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Jan. 15, 2020 and took this case under advisement. On Feb. 13, 2020 the Planning Hearing Officer took this case out from under advisement and recommended denial as filed and approval with modifications and additional stipulations. See **Attachment B** for a complete list of the Planning Hearing Officer's recommended stipulations.
PC Action: The Planning Commission heard this case on May 7, 2020, and the case was continued to June 4, 2020 Planning Commission by an 8-0 vote and the applicant and neighbors concerned about the request were asked to try to work on a compromise.
The Planning Commission heard this case again on June 4, 2020, and recommended approval per the staff memo dated June 4, 2020 with a modified stipulation, and with direction to the applicant to modify the application prior to the City Council meeting by an 8-0 vote.

Location
Northwest corner of 35th Avenue and Carver Road
Council District: 8
Parcel Address: N/A

This item was continued to the June 2, 2021 City Council Formal Meeting.

Item 38, Ordinance S-47417 was a request to authorize the City Controller to disburse funds, up to amounts indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

38 National Association of City Transportation Officials, Inc.

For $25,000.00 in payment authority for a one-year 2021 membership in the National Association of City Transportation Officials (NACTO) for the Street Transportation and Public Transit departments. The NACTO

Membership is vital to service, delivery, and the operation of the Street Transportation Department. The Street Transportation Department will pay $20,000.00 (80 percent) of the total fee, and the Public Transit Department will pay $5,000.00 (20 percent). The item was approved by the Transportation, Infrastructure and Innovation Subcommittee on March 3, 2021.

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

Yes: 7 - Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Williams and Mayor Gallego

No: 2 - Councilman DiCiccio and Councilman Waring

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

Request for City Council to receive public comment on the terms of the proposed Memorandum of Understanding (MOU) with the Laborers' International Union of North America (LIUNA), Local 777 (Unit 1).

Section 2-218 (G) of the Meet and Confer section in the City Code provides that a proposed MOU be filed with the City Clerk following its ratification by the employee organization and, "At the earliest practicable date thereafter the City Council of the City of Phoenix shall provide on its agenda an opportunity for public comment on the terms of the Memorandum of Understanding prior to the Council acting thereon."

Discussion

Mayor Gallego introduced Human Resources Department Director Lori Bays.

Ms. Bays commented public comments would be heard on LIUNA Local 777 that represented bargaining Unit 1. She mentioned Human Resources Department Acting Deputy Director Ashley Pritchett who was also the lead Director for the City with LIUNA 777 was present, and commented the City began negotiations began in early January. She noted an agreement had been made, and talked about the new language

identified in the agreement. She explained this agreement would continue the three apprenticeship programs, and added LIUNA 777 was a great partner with the City on those programs. She talked about the compensation package proposed for all labor groups for Year 1 and Year 2, and noted beyond the compensation amounts the City agreed to language that allowed the City and specifically Council to consider labor group in their discussions around the American Act Plan Fund because it had a provision around premium pay for essential workers. She concluded LIUNA 777 and the City agreed to a Fairness Agreement that provided them the benefit of any additional economic benefit that other labor groups received after this agreement.

Mayor Gallego commented she appreciated staff and LIUNA 777's work on this agreement, and added the apprenticeship programs had been a real credit to the City.

Councilwoman Guardado thanked all the workers who kept the city clean and safe, and mentioned there were times where the City had to adjust to keeping everything clean. She advocated for the apprenticeship programs because it would make sure there were good jobs at the City, and commented she took pride in talking about good jobs and health care to make sure the City took care of workers during the pandemic. She thanked everyone that was involved in putting this together and were part of the negotiations, and thanked LIUNA 777 members and their leadership for everything they have done during the pandemic.

Councilmember Garcia asked City Manager Ed Zuercher if the units that were not being voted on today would get more pay or a different agreement, and how would that impact this contract today.

Mr. Zuercher explained the Fairness Agreement that was in the first three contracts, and said if another unit received a greater level of compensation after, then it would also apply to units who had signed the contract with the Fairness Agreement.

Councilmember Garcia inquired if that would be the same for any differences in accountability or transparency or other parts of the contract.

Mr. Zuercher replied it applied to economic issues only, and not non-economic issue language in the contract.

Mayor Gallego declared the public hearing open.

Jennifer Grondahl spoke in support, and mentioned she represented nearly 1,000 workers with LIUNA 777. She stated Unit 1 workers were the men and women who picked up garbage and recycling, and cleaned city streets and parks. She talked about how these workers had worked through the pandemic to ensure everyone in the community was as safe as possible. She mentioned this was the first time these employees would receive a pay increase in more than a decade, and noted there would be a one-time lump sum paid to thank them for the hazardous work they performed. She commented she was excited to have accountability and transparency throughout the entire community.

Mayor Gallego thanked Ms. Grondahl for her testimony, and declared the public hearing closed.

The hearing was held.

40 Approving the Memorandum of Understanding Between City of Phoenix and LIUNA, Local 777 (Unit 1) (Resolution 21913)

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

The following is a summary of the most significant agreements outlined in the proposed MOU:

TRANSPARENCY

Based on public dialogue about the need for greater transparency and accountability for city employees, several sections of the contract are modified. These modifications are proposed consistently through all City

of Phoenix employee contracts. Signing these modifications is tied to an additional compensation increase as described in the COMPENSATION section. These transparency and accountability modifications are as follows:

Investigation language:
Add guidelines for conducting employee investigations.

Discipline to remain for employee's career:
Change current language that allows discipline to be considered up to 5 years for progressive discipline, transfers, and promotions. Under this agreement, 10 categories of discipline will last for the life of employment. These are shown in the attached agreement.

Representation on Grievance Committees:
Update current language that rotates other labor groups on grievance committees to ensure an impartial review.

Purging Files:
Place the process into a single chart that makes it clear that discipline remains in the City's human resources files and that there is no "purging" of employee records.

COMPENSATION
LIUNA is proposed to receive the same percentage increases of total compensation as the other labor groups as follows:

Year 1:
Ongoing 1.5% of total compensation
Non-continuous 2.5% of total compensation

Additional compensation for agreeing to the City's transparency and accountability proposals:
Ongoing 0.5% of total compensation
Non-continuous 0.5% of total compensation

Year 2:
Ongoing 1.5% of total compensation

Non-continuous 2.5% of total compensation

Discussion

Vice Mayor Williams made a motion to adopt Item 40.

Councilwoman Stark seconded the motion.

Councilman DiCiccio commented he had always voted against these types of contracts because of their structure, and added that did not mean he did not respect and appreciate all of the work these employees do to make Phoenix a better place.

Councilmember Garcia congratulated all of the employees, and thanked them for working so hard over the past year. He stated he was happy these employees were getting a raise and a one-time payment. He asked for staff to relay to these employees how much Council appreciated their hard work.

Vice Mayor Williams congratulated Jennifer Grondahl for a job well done, and added she had been creative, supportive and those employees were unbelievably good. She said she loved having these apprenticeship programs.

Councilwoman Guardado stated Ms. Grondahl did a good job, and mentioned she was excited to see these employees getting the raises and money they deserved. She thanked the employees for their work during the pandemic, and said it was a very difficult situation with COVID-19 and being able to understand how it would affected the community. She talked about the leadership of LIUNA Local 777, and thanked them for what they do for the city.

Councilman Nowakowski thanked staff and those who represent employees. He talked about the economic downturn in 2008 and how that affected employees through pay cuts and furloughs. He commented today was the day to return those sacrifices back to the employees, and thanked all of the employees for their dedication and hard work during the pandemic in making this the best run city in the country.

Councilwoman Stark said she was proud of the work done by these

employees, and added she wished they could receive more money because of their excellent work. She thanked LIUNA Local 777 and all of the staff.

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

Yes: 7 - Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Williams and Mayor Gallego

No: 2 - Councilman DiCiccio and Councilman Waring

41 **Public Comment on Proposed MOU Between City of Phoenix and Phoenix Law Enforcement Association, PLEA (Unit 4)**

Request for City Council to receive public comment on the terms of the proposed Memorandum of Understanding (MOU) with the Phoenix Law Enforcement Association, PLEA (Unit 4).

Section 2-218 (G) of the Meet and Confer section in the City Code provides that a proposed MOU be filed with the City Clerk following its ratification by the employee organization and, "At the earliest practicable date thereafter the City Council of the City of Phoenix shall provide on its agenda an opportunity for public comment on the terms of the Memorandum of Understanding prior to the Council acting thereon."

Discussion

Mayor Gallego introduced Human Resources Department Director Lori Bays to provide a brief presentation on this item, and mentioned the public hearing would begin after the presentation.

Ms. Bays stated this item was for Council to hear public comments on the proposed contract between the City and Phoenix Law Enforcement Association (PLEA) representing Unit 4. She commented Xavier Frost was present, who was the lead negotiator between the City and PLEA, and noted negotiations began in January and the City had come to an agreement. She provided a brief overview of the agreement focusing on accountability and transparency, and noted the first change in the contract removed warning language that was provided to a member of the public

who makes a complaint. She said in the agreement it would remove the employee's ability to purge or deactivate disciplinary actions from files, and added there were ten categories of serious discipline to be considered for purposes of compounding discipline, promotions or transfers throughout the employee's career. She said this would also provide for representation from a different union to serve on the Grievance Committee to increase neutrality. She listed additional key points of the agreement including; allowing Police Chief discretion in scheduling a pre-termination hearing for employees involved in job-related felony crimes, removes the ability to use vacation time in lieu of a suspension, and removes language that allowed officers identified as witnesses in an investigation to meeting with the union prior to interview. She clarified any City entity, not just the Professional Standards Bureau, may investigate serious conduct. Ms. Bays talked about the compensation package, and mentioned in Year 1 there would be an ongoing 1.5 percent of total compensation and a one-time payment of 2.5 percent of total compensation. She noted there would be an additional 0.5 percent ongoing of total compensation and an additional 0.5 percent of one-time total compensation for agreeing to the accountability and transparency measures. She said in Year 2 the agreement was for an ongoing 1.5 percent of total compensation and a non-continuous payment of 2.5 percent of total compensation. She cited the American Rescue Plan Act (ARPA) fund consideration language was in this agreement, and mentioned the City also agreed to a fairness agreement with PLEA that was similar to what was described with LIUNA Local 777.

Councilman DiCiccio asked for clarification that this agreement did not include longevity.

Ms. Bays clarified there were no changes proposed to longevity paid to employees, and would remain as it existed. She commented the number of years of service that an employee had with the City would not have changes.

Councilman DiCiccio stated he wanted to point out that police officers would be treated fairly and deserved a raise, and added not only would they be getting the top of the pay raise but would also receive merit and

longevity that would represent another 3 to 5 percent per individual.

Ms. Bays replied that was correct depending on how long the employee had been in the longevity status.

Councilmember Garcia inquired why the City did not provide more public access to these negotiations, and asked if that could be changed in the future.

City Manager Ed Zuercher answered the history of negotiations at the City that went back 45 years had negotiations confidentially and privately. He commented the practice at the City had been that negotiations were done by a representatives of management and elected representatives of labor. He noted the City briefed Council to try and reach an agreement, and added if Council wanted to do something different, then Council had the authority to direct staff to conduct negotiations in a different manner.

Councilmember Garcia thanked those who were attending the meeting virtually to speak on the Police Department contract, and commented he hoped Council could look at incorporating more public access for these negotiations in the future.

Mayor Gallego clarified Items 41 and 42 were companion items, and comments would be on Item 41 during the public hearing. She said she would then close the public hearing and move to Item 42 for the vote on that item. She declared the public hearing open.

Dominic Bonelli spoke in opposition, and advocated for more police accountability.

Hava Derby spoke in opposition, and took issue with the negotiations being held behind closed doors.

Vanessa DiCarlo spoke in opposition, and commented this Memorandum of Understanding (MOU) prevented accountability.

Cynthia Garcia spoke in opposition.

Anesia Groves spoke in opposition, and asked Councilmember Garcia to take the lead in opposing this MOU.

Hana Hehman spoke in opposition, and asked for more accountability and transparency with the Police Department. She requested more resources in helping address the issue of affordable housing.

Anna Hernandez spoke in opposition, and asked Council to listen to the community.

Viridiana Hernandez spoke in opposition, and suggested there was no accountability or transparency with this contract. She took issue with using COVID relief money for this contract, and asked how much money the City was offering for the value of compensation.

Mr. Zuercher clarified all three labor contracts on the agenda had the same language that did not guarantee any amount of money from ARPA unless Council determined there should be. He responded the value of compensation across the board for employees was 1 percent calculated across all City funds at $18 million in value, and that nine times that would be $162 million for the value of that raise across all employees. He stated the 9 percent would be across two years, and mentioned the portion for the Police Department would be $33 million including civilians with next year being $27 million.

Chelsea Hickok spoke in opposition, and stated the community did not want this MOU.

Kelly Kwok spoke in opposition.

Benjamin Lewis spoke in opposition, and took issue with the contract being negotiated without community input.

Tina Luna spoke in opposition.

April McCue spoke in opposition.

Amy Meglio spoke in opposition, and mentioned people requested a park

and maintenance of that park in Laveen.

Helen Mendizabal spoke in opposition, and said it was time to change having closed-door negotiations.

Karen Olson spoke in opposition.

Jacob Raiford spoke in opposition.

Marcus Reid spoke in opposition.

Harper Rowan spoke in opposition.

Jessica Schmidt spoke in opposition.

Shawn Severud spoke in opposition, and asked for the City Manager's Office to hold the Police Department accountable by decreasing their funding.

Courtney Tilley Bisbee spoke in opposition.

Latoya Tolliver spoke in opposition, and asked for the surplus of funds to be used for COVID relief and the homeless community to invest in mental health.

Elizabeth Venable spoke in opposition.

Marti Winkler spoke in opposition.

Luke Black spoke in opposition.

Rebecca Denis spoke in opposition, and noted it was because the MOU was created behind closed doors without a community-driven process.

Henry Gallardo spoke in opposition, and stated accountability should not be bought.

Patricia Pagliuca spoke in opposition, and asked for Council to invest in

communities.

Sushil Rao spoke in opposition, and requested this contract be tabled until after all lawsuits and investigations are complete and made public.

Mayor Gallego declared the public hearing closed.

Note: Fifty-three electronic comments were submitted on Item 41, with eight in support, 42 in opposition, and three indicating a neutral position.

The hearing was held.

42 Approving the Memorandum of Understanding Between City of Phoenix and Phoenix Law Enforcement Association, PLEA (Unit 4) (Resolution 21914)

The City of Phoenix has met and conferred with the Phoenix Law Enforcement Association, PLEA (Unit 4), in accordance with the terms of Section 2-218 of the City Code, and a Memorandum of Understanding (MOU) has been approved by the organization's membership. A copy of the proposed MOU has been filed with the City Clerk and an opportunity for public comment has been requested as an agenda item preceding this resolution.

The following is a summary of the most significant agreements outlined in the proposed MOU:

TRANSPARENCY

Based on public dialogue about the need for greater transparency and accountability for city employees, several sections of the contract are modified. These modifications are proposed consistently through all City of Phoenix employee contracts. Signing these modifications is tied to an additional compensation increase as described in the COMPENSATION section. These transparency and accountability modifications are as follows:

Public warning language:
Remove current language warning public complainants that “any false report in an attempt to unjustly defame police personnel or place their employment in jeopardy can result in criminal charges and or civil liability.”

Using vacation time for suspensions:
Remove current language that allows employees to use up to 40 hours of vacation time toward a suspension.

Police Chief's discretion for pre-termination timing:
Provide the Police Chief discretion for setting a Loudermill (pre-termination meeting) resulting from arrest for a job-related felony crime.

Witness representation language:
Remove language that provides employees identified only as a witness the ability to meet with the union prior to an interview.

Discipline to remain for employee's career:
Change current language that allows discipline to be considered up to 5 years for progressive discipline, transfers, and promotions. Under this agreement, 10 categories of discipline will last for the life of employment. These are shown in the attached agreement.

Representation on Grievance Committees:
Update current language that rotates other labor groups on grievance committees to ensure an impartial review.

Purging Files:
Update current language on purging/inactivating files to accurately reflect that the official Human Resources file is not purged.

COMPENSATION
PLEA is proposed to receive the same percentage increases of total compensation as the other labor groups as follows:

Year 1:
Ongoing 1.5% of total compensation
Non-continuous 2.5% of total compensation

Additional compensation for agreeing to the City's transparency and accountability proposals:

Ongoing 0.5% of total compensation
Non-continuous 0.5% of total compensation

Year 2:
Ongoing 1.5% of total compensation
Non-continuous 2.5% of total compensation

Discussion
Vice Mayor Williams made a motion to adopt Item 42.

Councilwoman Stark seconded the motion.

Councilmember Garcia thanked members of the public who spoke, and commented these contracts have created barriers to make it impossible to hold police accountable. He noted there were some points added that were a step in the right direction, and said it was important for Council to remove the portion where someone from the public files a complaint about an officer that police can not intimidate them with unnecessary warnings. He commented the City was incentivizing officers for real transparency by giving them a bonus, and said he did not think that was the right way forward. He stated there should be a higher level of responsibility with higher standards of accountability and transparency for the Police Department. He asked for councilmembers to figure out how to get COVID relief money to those most impacted by COVID-19, and mentioned the City should prioritize money towards other departments and programs that have been historically under funded. He announced he would be voting no on this contract, and asked other councilmembers to join him.

Councilwoman Stark thanked PLEA for the work they had done over the past year similar to LIUNA Local 777, and commented officers were patrolling and protecting the community during the pandemic. She stated she would be supporting this Memorandum of Understanding (MOU).

Councilman DiCiccio noted he would be supporting this MOU, and said this was a time to support individuals who have been protecting the community. He stated the Police Department and officers deserved a pay raise, and mentioned longevity was built into this contract.

Mayor Gallego said she was committed to making sure the City had the best Police Department possible, and added this contract was an important step towards accountability and transparency. She announced she would be supporting this item.

Prior to her vote, Councilwoman Guardado commented she appreciated the difficult jobs of police officers, but said the silence of PLEA over the years has been defining. She talked about spending countless hours discussing accountability, transparency and modernizing the Police Department, and stated the safety of police officers and civilians is of the utmost importance. She stated until PLEA would be ready to have these difficult discussions, she could not support this MOU and would be voting no.

Prior to her vote, Councilwoman Pastor said PLEA needed to come to the table to have discussions, and added there needed to be some dialogue and transparency. She commented she struggled with the contract having civilian units that were asking for language in the contract that was at a higher standard than what the position was, and noted she felt equity could be developed and administered in contracts with fairness across the board. She concluded equity could be achieved with different language, and added she would be voting yes on the contract.

Prior to his vote, Councilman Waring said he would be voting for this to give officers an appropriate raise.

Prior to her vote, Vice Mayor Williams announced on behalf of Council District 1 and the City as a whole she would be supporting this contract and the police officers.

Note: Fifty-one electronic comments were submitted on Item 42, with five in support, 44 in opposition, one indicating no position, and one indicating they were neutral.

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

Yes: 7 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Williams and Mayor Gallego

No: 2 - Councilmember Garcia and Councilwoman Guardado

43 **Public Comment on Proposed MOU Between City of Phoenix and Phoenix Fire Fighters Association, IAFF Local 493 (Unit 5)**

Request for City Council to receive public comment on the terms of the proposed Memorandum of Understanding (MOU) with the Phoenix Fire Fighters Association, IAFF Local 493 (Unit 5).

Section 2-218 (G) of the Meet and Confer section in the City Code provides that a proposed MOU be filed with the City Clerk following its ratification by the employee organization and, "At the earliest practicable date thereafter the City Council of the City of Phoenix shall provide on its agenda an opportunity for public comment on the terms of the Memorandum of Understanding prior to the Council acting thereon."

Discussion

Mayor Gallego introduce Human Resources Department Director Lori Bays to present a brief staff report on the proposed MOU between the City and Phoenix Firefighters Association Local 493.

Ms. Bays stated this presentation would be similar to the previous presentations, and added this item would be an opportunity to hear comments from the public on the proposed contract between the City and the International Association of Firefighters Local 493 representing Unit 5. She mentioned Assistant Human Resources Director David Matthews was present who was the lead negotiator for the City. She said negotiations began earlier in the year and an agreement has been reached. She highlighted accountability and transparency components of the agreement and discussed how the agreement included that serious discipline should be considered for compounding discipline purposes, promotions and transfers throughout the employee's career. She stated the agreement included that a mutually agreed upon representative should serve on the committee in lieu of the Fire Department union representative, and discussed how training schedules were enhanced which would accommodate Fire Department sponsored training that

would benefit the employees and the department. She said the compensation agreement was consistent with the other labor groups in Year 1 an ongoing 1.5 percent of total compensation plus a non-continuous 2.5 percent payment of total compensation. She noted an additional 0.5 percent ongoing and 0.5 percent of non-continuous compensation was added for agreeing to the accountability and transparency proposals, and said in Year 2 an ongoing 1.5 percent of total compensation and 2.5 percent of non-continuous payment of compensation was similar to other groups. Ms. Bays talked about the agreement including the same consideration regarding the American Rescue Plan Act (ARPA) that allowed consideration of Unit 5 in Council deliberations on ARPA funding. She concluded a fairness agreement with Unit 5 was agreed to which would allow them to receive any subsequent increase in compensation that other groups might have.

City Manager Ed Zuercher thanked the Human Resources Department staff led by Ms. Bays and lead negotiators David Matthews, Janice, and Xavier. He also thanked the previous units represented for negotiating on behalf of their employees they represent.

Mayor Gallego thanked Mr. Zuercher and said negotiations were a complicated process. She declared the public hearing open.

Steve Beuerlein spoke in support, and mentioned he was the President of the United Firefighters Association. He talked about the acts of kindness performed by firefighters and police officers in the community, and acknowledged Vice Mayor Williams and Councilman Nowakowski for their 45 years of service on the Council between them. He mentioned negotiations started ten months ago when they put their team together, and added thousands of hours were invested to get to this point.

Mayor Gallego stated on behalf of the Council, they thank the firefighters for their service. She declared the public hearing closed.

The hearing was held.

44 Approving the Memorandum of Understanding Between City of Phoenix and Phoenix Fire Fighters Association, IAFF Local 493 (Unit 5) (Resolution 21915)

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, and a Memorandum of Understanding (MOU) has been approved by the organization's membership. A copy of the proposed MOU has been filed with the City Clerk and an opportunity for public comment has been requested as an agenda item preceding this resolution.
The following is a summary of the most significant agreements outlined in the proposed MOU:

TRANSPARENCY
Based on public dialogue about the need for greater transparency and accountability for city employees, several sections of the contract are modified. These modifications are proposed consistently through all City of Phoenix employee contracts. Signing these modifications is tied to an additional compensation increase as described in the COMPENSATION section. These transparency and accountability modifications are as follows:

Investigation language:
Add guidelines for conducting employee investigations.

Discipline to remain for employee’s career:
Change current language that allows discipline to be considered up to 5 years for progressive discipline, transfers, and promotions. Under this agreement, 10 categories of discipline will last for the life of employment. These are shown in the attached agreement.

Representation on Grievance Committees:
Update current language to rotate mutually agreed representation on grievance committees to ensure an impartial review.

Purging Files:
Place the process into a single chart that makes it clear that discipline remains in the City’s human resources files and that there is no “purging” of employee records.

COMPENSATION

IAFF is proposed to receive the same percentage increases of total compensation as the other labor groups as follows:

Year 1:
Ongoing 1.5% of total compensation
Non-continuous 2.5% of total compensation

Additional compensation for agreeing to the City's transparency and accountability proposals:
Ongoing 0.5% of total compensation
Non-continuous 0.5% of total compensation

Year 2:
Ongoing 1.5% of total compensation
Non-continuous 2.5% of total compensation

Discussion

Vice Mayor Williams made a motion to adopt Item 44.

Councilman Nowakowski seconded the motion.

Councilwoman Stark thanked firefighters for all of their hard work especially during the pandemic. She mentioned many firefighters contracted COVID-19, and commented they needed to be recognized for their loyalty serving the public and she was happy to support this contract.

Vice Mayor Williams thanked the firefighters and the great risk in their job. She said they saved so many lives during the pandemic.

Councilman Nowakowski stated as Chair of the Public Safety and Justice Subcommittee he wanted to thank the men and women who put on that uniform to save lives on a daily basis.

Councilwoman Guardado thanked firefighters, and said it was a very tough year for all of them. She commented she was excited to see they were getting an amazing contract, and mentioned the sacrifices they made on the frontlines.

Councilwoman Pastor thanked all of the men and women firefighters, and talked about the different projects she worked on with them including recently with the COVID-19 vaccine van. She discussed being at a vaccine site where firefighters were helping, and expressed appreciation for the work they did.

Councilman DiCiccio stated he would be supporting this contract, and said he wanted to make sure all of the firefighters understood he appreciated them.

Councilmember Garcia talked about the vaccine and testing events, and said he was excited the Fire Department employees were being recognized for what they have done. He stated these firefighters would be getting a raise, and said the City should continue to support their work.

Mayor Gallego thanked everyone for their hard work on this contract.

A motion was made by Vice Mayor Williams, seconded by Councilman Nowakowski, that this item be adopted. The motion carried by the following vote:

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Williams and Mayor Gallego

No: 0

46 **Amendments to Classification Ordinance S-5815 in Accordance with Human Resources Committee 609 Recommendations (Ordinance S-47459)**

As part of a classification and compensation study, the following amendments to the Classification Ordinance [S-5815] are recommended in accordance with the recommendation of Human Resources Committee 609, effective July 12, 2021. The amendments also require the City's Pay Ordinance (S-45840) to be updated. Those will be processed under a separate ordinance.

Modify the classification of Police Comm Operator, Job Code 01830, Salary Plan 006, Benefit Category 003, Labor Unit Code 003, EEO-4

Category: Administrative Support, FLSA Status: Non-Exempt, from Grade 328 ($19.28 - $28.30/hourly) to Grade 331 ($22.28 - $32.73/hourly).

Modify the classification assignment of Police Comm Op*Radio/911, Job Code 01832, Salary Plan 006, Benefit Category 003, Labor Unit Code 003, EEO-4 Category: Administrative Support, FLSA Status: Non-Exempt, from Grade 329 ($20.23 - $29.66/hourly) to Grade 332 ($23.33 - $34.31/hourly).

Modify the classification assignment of Police Comm Op*Lead Radio/911, Job Code 01833, Salary Plan 006, Benefit Category 003, Labor Unit Code 003, EEO-4 Category: Administrative Support, FLSA Status: Non-Exempt, from Grade 330 ($21.23 - $31.21/hourly) to Grade 333 ($24.53 - $36.05/hourly).

Modify the classification of Police Communications Supv, Job Code 01870, Salary Plan 001, Benefit Category 007, Labor Unit Code 007, EEO-4 Category: Administrative Support, FLSA Status: Non-Exempt, from Grade 032 ($23.11 - $35.26/hourly) to Grade 034 ($25.61 - $38.97/hourly).

Modify the classification of Police Comm Shift Supervisor, Job Code 01800, Salary Plan 001, Benefit Category 007, Labor Unit Code 007, EEO-4 Category: Administrative Support, FLSA Status: Exempt, from Grade 034 ($53,268.80 - $81,057.60/annually) to Grade 036 ($58,905.60 - $59,544.00/annually).

Modify the classification assignment of Police Comm Shift Supv*Lead, Job Code 01801, Salary Plan 001, Benefit Category 007, Labor Unit Code 007, EEO-4 Category: Administrative Support, FLSA Status: Exempt, from Grade 035 ($55,931.20 - $85,176.00/annually) to Grade 037 ($61,859.20 - $94,203.20/annually).

Modify the classification of Emergency Dispatcher, Job Code 01860, Salary Plan 006, Benefit Category 003, Labor Unit Code 003, EEO-4 Category: Administrative Support, FLSA Status: Non-Exempt, from Grade 329 ($20.23 - $29.66/hourly) to Grade 332 ($23.33 -

$34.31/hourly).

Modify the classification of Fire Emergency Dispatcher, Job Code 01820, Salary Plan 006, Benefit Category 003, Labor Unit Code 003, EEO-4 Category: Administrative Support, FLSA Status: Non-Exempt, from Grade 329 ($20.23 - $29.66/hourly) to Grade 332 ($23.33 - $34.31/hourly).

Modify the classification assignment of Fire Emergency Dispatcher*Lead, Job Code 01822, Salary Plan 006, Benefit Category 003, Labor Unit Code 003, EEO-4 Category: Administrative Support, FLSA Status: Non-Exempt, from Grade 330 ($21.23 - $31.21/hourly) to Grade 333 ($24.53 - $36.05/hourly).

Modify the classification of Fire Communications Supervisor, Job Code 01850, Salary Plan 001, Benefit Category 007, Labor Unit Code 007, EEO-4 Category: Administrative Support, FLSA Status: Non-Exempt, from Grade 032 ($23.11 - $35.26/hourly) to Grade 034 ($25.61 - $38.97/hourly).

Abolish the classification assignment of Fire Comm Supervisor*Telecom, Job Code 01851, Salary Plan 001, Benefit Category 007, Labor Unit Code 007, Grade 033 ($24.39 - $37.12/hourly), EEO-4 Category: Professionals, FLSA Status: Non-Exempt.

Abolish the classification assignment of Communications Dispatcher*Av, Job Code 01811, Salary Plan 006, Benefit Category 003, Labor Unit Code 003, Grade 326 ($17.69 - $25.67/hourly), EEO-4 Category: Service Maintenance, FLSA Status: Non-Exempt.

Abolish the classification assignment of Aviation Supv II*Comm, Job Code 25231, Salary Plan 001, Benefit Category 007, Labor Unit Code 007, Grade 032 ($48,069 - $73,341/annually), EEO-4 Category: Service Maintenance, FLSA Status: Exempt.

Abolish the classification assignment of Emergency Dispatcher*Lead (Assignment), Job Code 01861, Salary Plan 006, Benefit Category 003, Labor Unit Code 003, Grade 330 ($21.23 - $31.21/hourly), EEO-4

Category: Service Maintenance, FLSA Status: Non-Exempt.

Establish the classification of Aviation Dispatcher, Job Code 24100, Salary Plan 006, Benefit Category 003, Labor Unit Code 003, Grade 329 ($20.23 - $29.66/hourly), EEO-4 Category: Service Maintenance, FLSA Status: Non-Exempt.

Establish the classification of Aviation Dispatch Supervisor I, Job Code 24110, Salary Plan 001, Benefit Category 007, Labor Unit Code 007, Grade 031 ($22.09 - $33.52/hourly), EEO-4 Category: Service Maintenance, FLSA Status: Non-Exempt.

Establish the classification of Aviation Dispatch Supervisor II, Job Code 24120, Salary Plan 001, Benefit Category 007, Labor Unit Code 007, Grade 034 ($53,269 - $81,058/annually), EEO-4 Category: Service Maintenance, FLSA Status: Exempt.

Summary

BACKGROUND

Concerns about the high number of vacancies among classifications responsible for public safety dispatch operations prompted a market review of salaries for classifications with these responsibilities. At this same time, the Aviation Department brought forward concerns about its classification and pay structure for the dispatch operations at Sky Harbor Airport.

FINDINGS

A survey of the salaries for journey-level Police Communications Dispatchers for the local agencies of Avondale, Chandler, Gilbert, Glendale, Mesa, Peoria, Scottsdale, Surprise, and Tempe as well as Austin, Houston, Philadelphia, San Antonio, and San Diego nationally revealed the City of Phoenix’s starting salary is the lowest of all the cities in the Valley. In fact, of all the cities surveyed, only San Diego, Austin and Houston reported a lower starting salary.

Agency	Classification title	Starting Hourly Rate
Gilbert	Dispatcher II	$23.76
Tempe	Communications Dispatcher II	$23.27
Mesa	Police Dispatcher	$22.54

Scottsdale	Police Communications Dispatch	$22.23
Avondale	Police Communications Dispatcher	$22.11
Peoria	Communications Specialist	$22.08
Surprise	Police Dispatcher	$22.03
Chandler	Dispatcher	$21.83
Philadelphia	Police Communication Dispatcher (B)	$20.56
Glendale	Police Communications Specialist	$20.54
San Antonio	Police Communications Dispatcher	$20.43
Phoenix	Police Communications Operator*Radio/911	$20.23
San Diego	Dispatcher II	$20.16
Austin	911 Call Taker	$18.25
Houston	Senior 9-1-1 Telecommunicator	$18.00

Currently, the vacancy rate at the entry and journey levels in the Police Department is over 17%. Additionally, when analyzing turnover data from last year for the Police Communications Operator and the Police Communications Operator*Radio/911 positions, 87.5% of those who voluntarily resigned were being paid below the median of the range and had been in their jobs for three years or less.

In reviewing the structure of the Communications Center in Aviation, it currently consists of two Aviation Supervisor II*Communication Center (assignment), six Aviation Supervisor I (no assignment) and 24 Communication Dispatcher*Aviation (assignment). It is notable that the Aviation Supervisor I is the only classification in the Communications Center that is not an assignment position. In addition, the Aviation Supervisor I classification is used in a variety of different contexts within the Aviation Department with no means to delineate and differentiate those within the Communications Center. There is a compression issue between the dispatcher and the first line supervisor, with a median differential of only 4%.

CONCLUSION

The grade changes recommended are necessary to achieve a pay range appropriate to attract and retain staff who will be serving the largest municipal population in the state. The changes to the other grades maintain the appropriate relationship among the various classification levels as well.

The assignment positions in the Aviation Communications Center are very distinct and vary greatly from their base classifications due to the required level of technical knowledge of communications equipment. To mitigate compression, and to recognize the distinction of these classifications, we recommend abolishing the assignment classifications, and creating in their place regular (non-assignment) classifications of Aviation Dispatcher, Aviation Dispatch Supervisor I and Aviation Dispatch Supervisor II. Creating the recommended classifications in Aviation would create consistency within the Aviation dispatch center, as the primary and sole function of each classification would be Aviation Dispatch Center duties. The recommended salary grades would relieve the current compression between the dispatcher and first-line supervisor, moving from a 4% differential to a more appropriate supervisor/employee differential of 11%. Additionally, the midpoint differential between the first- and second-line supervisors (Aviation Dispatch Supervisor I and Aviation Dispatch Supervisor II) would move from 22% to a more reasonable 16%.

In 2020, the Police Communications Bureau received over 2 million calls of which nearly 1.2 million were 911 calls. All calls come in to 911 at Police and are then sent, as appropriate to Fire where their alarm room handled nearly 500,000 calls last year. In Aviation, nearly 141,000 of the roughly 322,000 calls they handled were emergency related. The higher percentage of emergency calls through Police/Fire accounts for the grade differential between the Police/Fire and Aviation classifications. These grade changes would maintain the current grade relativity to the classifications in Aviation, Police, and Fire Emergency Dispatch consistent with the other recommendations made in this report.

Financial Impact

The estimated costs of these actions for a full fiscal year, including benefits, is approximately $608,027. Funding is available in the Police, Fire, and Aviation Departments.

Concurrence/Previous Council Action

This action was reviewed and recommended for approval by Human Resources Committee 609 on February 26, 2021.

Discussion

Vice Mayor Williams made a motion to adopt Item 46.

Councilwoman Pastor seconded the motion.

Councilwoman Guardado talked about the discussion on wait times residents have experienced with 911 operators, and noted the challenging working conditions operators were experiencing because of under staffing. She stated this item would be a key first step in addressing issues that residents and 911 operators have had, and mentioned there would be a meeting next week with staff to discuss different ideas to help with recruitment.

Councilwoman Pastor mentioned this item had been in the works for the past two-and-a-half years, and talked about the stress that 911 operators had when taking a call. She said she was fortunate enough to work in re-designing their wellness room, and added PTSD training that is offered to firefighters and police officers would now include 911 operators.

Councilwoman Stark commented she agreed with Councilwoman Pastor that this was a stressful job, and said the 911 operators deserved compensation for the job they do.

Councilman DiCiccio said he would be supporting this because 911 operators deserved a raise. He discussed the physical conditions the 911 operators worked in, and added he looked forward to coming up with a solution for that.

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

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Williams and Mayor Gallego

No: 0

48 Multi-City Subregional Operating Group User Charge Rates for

Fiscal Year 2022 (Ordinance G-6833)

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

Summary

This request amends the Phoenix City Code Chapter 28, Article V, section 28-39 (a) 4, implementing changes to the sewer user charges to the Multi-City Subregional Operating Group (SROG) members effective July 1, 2021 (**Attachment A**).

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

The charges, to be effective July 1, 2021, are used as a basis to fairly allocate costs to the member cities for use of the 91st Avenue WWTP for Fiscal Year 2022. The Fiscal Year 2022 estimated costs shown below were included in this year's wastewater financial planning process.

The following SROG user charges and allocation of estimated costs were approved by the SROG Committee on Feb. 10, 2021 (**Attachment B**).

SROG Member	User Charge per 1,000 Gallon	Allocation of Fiscal Year 2022 Estimated Costs
City of Glendale	$1.30780	$3,771,049
City of Mesa	$1.22344	$8,037,970
City of Scottsdale	$1.33436	$4,383,372
City of Tempe	$0.87909	$6,295,405

Subtotal	**$22,487,796**	
City of Phoenix	$0.96702	$32,980,271
Total	**$55,468,067**	

Concurrence/Previous Council Action
The City Council approved Multi-City Subregional Operating Group User Charge Rates for Fiscal Year 2021 (Ordinance G-6689) on April 15, 2020.

The SROG Committee approved this item on Feb. 10, 2021.

Discussion
City Clerk Denise Archibald read the title of Ordinance G-6833.

Vice Mayor Williams made a motion to adopt Item 48.

Councilwoman Stark seconded the motion.

Councilman Waring asked for clarification that this item might look like a water rate increase, but was actually a balance of trade between the City and other municipalities.

City Manager Ed Zuercher commented Water Services Department Director Troy Hayes would be able to answer that question.

Mr. Hayes answered yes, there were fees associated with treating wastewater from other cities in the valley, and those fees would be calculated overt the next year based on the flow and loadings sent to the City and passed on those other cities.

Mr. Zuercher inquired if this was a fee for service.

Mr. Hayes replied yes.

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

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Williams and Mayor Gallego

No: 0

60 **Phoenix Public Library Phased Reopening Plan for In-Building Visits**

This report provides an overview on Phoenix Public Library service delivery to the community during the coronavirus pandemic and requests City Council authorization to safely reopen libraries in phases as outlined in this report.

Summary

Response to COVID-19

In early March of 2020, as part of the City's response to the Coronavirus pandemic, Phoenix Public Library closed all 17 book drops and library facilities to in-building visits. All library materials checked out at that time had the check-out period extended by 90 days. In addition, the Library Department transitioned service delivery to virtual platforms including: downloading and streaming eBooks, movies, music, recorded and live streaming of library programs through phoenixpubliclibrary.org. Bookdrops were reopened and Curbside Services were launched at 16 Phoenix Public Library locations in May of 2020 (*South Mountain Community Library - 7050 S. 24th St - remains closed as it is part of the South Mountain Community College campus).

To date Phoenix Public Library has hosted nearly 300,000 Curbside pickups, circulating more than 2.5 million physical items; and 19.2 million visits to phoenixpubliclibrary.org with library customers accessing nearly 5.7 million digital items. Curbside Service, which offers both drive-up and walk-up service, is provided 6 days a week, including three evenings and Saturday mornings, as well as 24/7 access to digital materials and streaming online.

Curbside Service includes:
Kids' Cafe meals at 9 library locations
Providing "drop in" book bundles for children, adults and families

Family friendly MACH1 to-go and hand-on STE/AM and craft kits
Mobile printing pick up
Free WiFi in library parking lots (7 days a week, 8 a.m. - 9 p.m.)

Phased Reopening of In-Building Visits

As the number of COVID-19 cases in Arizona continue to decline, the Library department began to develop a reopening plan that will increase the number of libraries and services available to residents based on benchmark indicators and thresholds from Arizona Department of Health Services and Maricopa County. Currently, the city of Phoenix is in Orange/Substantial Spread for the number of total new cases per 100,000 (53.24 as of week of March 7 - 13, 2021). In the Orange/Substantial Spread level, library facilities are proposed to open at 25 percent of the permitted public occupancy level. As trends continue downward and the benchmark statistics reach the Yellow/Moderate Spread level, occupancy will be increased to 50 percent of the permitted public occupancy level. Library facilities will continue to operate at 50 percent occupancy with COVID-19 safety protocols until the level of community spread reaches minimal levels.

The services selected for in-building visits equally reflect the need expressed by the community, and prioritized health and safety measures considered for the visiting public and staff. Hours of operation for library locations transitioning to offering in-building visits six days a week, Monday through Saturday, are as follows:

9:30 a.m. - 12:00 p.m.: Curbside Service
12:00 - 12:30 p.m.: Breakdown of Curbside Service and readiness efforts for in-building visits
12:30 - 5:30 p.m.: In-building visits
Library locations groupings Two and Three will continue with the current Curbside Service and hours (Mon-Sat: 8 a.m. - 12 p.m. & Tues-Wed-Thurs evenings, 3:30 - 5:30 p.m.) until they transition to offering in-building visits.

Reopening of in-building visits will roll out in three separate library locations groupings. The first group selection is driven primarily by providing geographic coverage throughout Phoenix at larger library

locations, and computer & circulation volume. Reopening of in-building visits will be implemented first in Group 1; followed by library locations in Group 2, two weeks later; and finally with Group 3 library locations reopening in-building visits two weeks after the second group of libraries.

Group 1 (Proposed reopening - Monday, April 19th):
Burton Barr Central Library (1221 N. Central Ave.)
Agave Library (23550 N. 36th Ave.)
Cesar Chavez Library (3635 W. Baseline Rd.)
Cholla Library (10050 Metro Parkway E.)
Ironwood Library (4333 E. Chandler Blvd.)
Mesquite Library (4525 E. Paradise Village Parkway N.)
Palo Verde Library (4402 N. 51st Ave.)
Desert Broom Library (29710 N. Cave Creek Rd.)

Group 2 (Proposed reopening - Monday, May 3rd):
Desert Sage (7602 W. Encanto Blvd.)
Harmon Library (1325 S. 5th Ave.)
Juniper Library (1825 W. Union Hills Dr.)
Saguaro Library (2808 N. 46th St.)

Group 3 (Proposed reopening - Monday, May 17th):
Acacia Library (750 E. Townley Ave.)
Yucca Library (5648 N. 15th Ave.)
Century Library (1750 E. Highland Ave.)
Ocotillo Library (102 W. Southern Ave.)

South Mountain Community Library (7050 S. 24th St.) will be added when the South Mountain Community College Campus is open.

Library Services to be available through Phoenix Public Library
All in-building visits will require a 45-minute appointment. Residents will be able to reserve time slots on phoenixpubliclibrary.org, or through the Library Call Center. Additionally, each location will have a reserved block of time slots in order to accommodate walk-up patrons. In-building visits for Phoenix Public Library customers will provide access to:

Computer and internet access

Collection browsing
Printing, scanning, and copier services
Library Laptop and WiFi Hotspots lending
Self-service checkout kiosks
Signing up for or renewing Phoenix Public Library cards.

Library security will clear each building at the 45-minute mark, allowing 15 minutes of preparation and cleaning for the next reservation block.

Health and Safety Measures

The following COVID-19 safety protocols were reviewed by the City's Public Health Advisors and will be implemented at all Library locations:

Wearing of face coverings and social distancing throughout each facility required.
Contact-less infrared temperature screening will be utilized as customers enter each building.
Installation of health shields at all staff service desks and customer computer workstations.
Service desks provide contact-less customer service.
Signage, similar to the "CDC Facilities Entries Survey" will be prominent advising customers that, "If you have experienced any of the following symptoms in the past 48 hours, please do not enter".
Social distancing at tables and furniture.
Daily on-site custodial staff to disinfect frequently touched surfaces and restrooms throughout the day.
Cleaning of computer workstations will occur between each session utilizing CDC recommended cleaning guidelines.
Abundant availability of disinfectant wipes, hand sanitizer, and disposable masks for customers and staff.
Implementation of a temporary bag policy limiting one backpack per person.

The Phoenix Public Library website will be updated to inform all patrons of face mask and social distancing requirements as well as other safety protocols while on-site.

Discussion

Vice Mayor Williams made a motion to approve Item 60.

Councilwoman Stark seconded the motion.

Mayor Gallego introduced Acting Deputy City Manager John Chan and City Librarian Rita Hamilton to give a brief staff report on this item.

Mr. Chan mentioned City libraries have been closed to the public for the past year, and noted staff found innovative ways to continue to provide service to the community through curbside services and WiFi in parking lots for people who don't have access to internet. He stated at this time staff recommended a limited-phased reopening of library services, and added Ms. Hamilton would provide info on the branches that would be part of the proposed reopening and the COVID-19 safety protocols that will be incorporated into the reopening plan.

Ms. Hamilton gave a brief overview on the services the City would be providing at libraries, and said in recent months the Library Department had increased focus on defining a strategy to restore in-building visits. She stated Monday through Saturday curbside service would continue every morning from 9:30 a.m. to 12 p.m. with 30 minutes to break down curbside and prepare for the afternoon. She mentioned as transmission rates decreased, the occupancy levels would increase and there would be 45-minute reservations from 12:30 p.m. to 5:30 p.m. so users can use the computers and other equipment. She mentioned all in-building visits would require a 45-minute reservation allowing for each facility to be cleared for 15 minutes of cleaning, and those reservations could be made up to three days prior in English or Spanish on the library's website or by calling the library's call center. She talked about an advanced reservation system for parties up to four people, and stated Group 1 for re-opening would go into effect on April 19 followed by the locations in Group 2 on May 3 and Group 3 on May 17. She said South Mountain Community Library would be closed to all services, and added the Library Department put in place safety measures that were recommended by the City's health advisors. Ms. Hamilton noted customer's temperatures would be checked, and regular cleaning of common places would take place.

Dave Brian Jenkins spoke in support, and thanked the City for taking

public safety first.

Mayor Gallego thanked staff for their innovation during the pandemic.

Councilman Waring thanked Ms. Hamilton, and said he appreciated the changes she made at his suggestion. He stated libraries needed to be completely reopened as quickly as possible. He asked as cases of infection continued to drop, could the City reopen at 50 percent capacity and still have curbside service.

Ms. Hamilton replied yes.

Councilman Waring inquired about Mesquite Library and if it was the second busiest library after Burton Barr Library.

Ms. Hamilton responded that was correct.

Councilman Waring expressed concern that not all libraries would be created equal in terms of usage, and mentioned Mesquite Library was always busy where some other libraries are only busy during certain times of the day. He commented he hoped this would be a quick transition for reopening, and said he appreciated staff's efforts and would be available to help.

Councilman DiCiccio talked about how going to the library and browsing books was a big part of the experience, and mentioned for those who liked to look at different books and other services at the library those customers might not be able to do that. He stated this would be a small step forward, but was a step forward and he would be supporting this item.

Councilmember Garcia said he was excited the City was looking at reopening, and mentioned his office was concerned about the temporary one-bag policy. He questioned how that policy mitigated the spread of COVID-19, and added he did not want to see this rule being used to impact people without shelter that might have more belongings with them.

Ms. Hamilton replied the City could take another look at that, and clarified

that they were just trying to make it easier to clear the building for cleaning in between reservations. She stated the City could test out the one-bag policy for the early stages and if possible accommodate other bags coming in as well.

Councilmember Garcia said he wanted to make sure people wouldn't be discriminated if they had two bags on them.

Prior to his vote, Councilman Waring stated browsing was an important component of libraries, and added he hoped the City could get back to that as quickly as possible. He announced he would be voting yes on this item.

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

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Williams and Mayor Gallego

No: 0

61 Authorization to Enter into Contracts with Central Arizona Shelter Services and the Human Services Campus (Ordinance S-47463)

Request to authorize the City Manager, or his designee, to enter into contracts with Central Arizona Shelter Services, Inc. for COVID-19 related essential services, facility improvements, operations and homeless support activities; and also with the Human Services Campus for COVID-19 related essential services, operations and/or facility improvements. The term for each contract will begin on or about April 1, 2021 and end on Sept. 30, 2022. The aggregate value of the contracts will not exceed $4 million over the life of the contracts. Further request authorization for the City Controller to disburse all funds related to this item. Funding is one-time monies from a combination of Emergency Solutions Grant and Community Development Block Grant funds. There is no impact to the General Fund.

Summary

On Feb. 3, 2021 City Council approved an increase in the number of shelter beds at the Human Services Campus (HSC) with Ordinance G-6799. Shelter services are provided at the HSC by Central Arizona Shelter Services, Inc. (CASS) for adults ages 18 years and older.

On Feb. 17, 2021 City Council approved a $4 million allocation of funds for HSC and CASS to fund homeless support activities to prevent, prepare for and respond to the COVID-19 pandemic in one of the City's most vulnerable populations and allow those individuals to move into shelters at a much quicker pace. The HSC will use funding to support the needs of the campus partners for essential services, operations and/or facility improvements. CASS will use funding for essential services, facility improvements, operations and homeless support activities. The funding distribution is as follows:

Human Services Campus: $1.6 million
CASS: $2.4 million

Contracts will include terms requiring metrics, documentation and timeline for performance.

Procurement Information
Due to the need for an emergency response during the COVID-19 pandemic, the City of Phoenix has obtained all necessary federal waivers to enter into these emergency agreements.

Contract Term
The term of this contract will begin on or about April 1, 2021 and end on Sept. 30, 2022.

Financial Impact
The aggregate contract value will not exceed $4 million over the life of the combined contracts. Funding is one-time monies from Emergency Solutions Grant and Community Development Block Grant funds. There is no impact to the General Fund.

Concurrence/Previous Council Action
On Jan. 21, 2021, the Land Use and Livability Subcommittee

recommended City Council approval of broad allocations of ESG-CV2 funds to prevent, prepare for and respond to the COVID-19 pandemic, focusing on individuals and families who are experiencing homelessness or receiving homeless assistance, and to support homelessness prevention activities to mitigate the impacts of COVID-19.

On Feb. 3, 2021 City Council approved the increase of the amount of shelter beds at the Human Services Campus with Ordinance G-6799.

On Feb. 17, 2021 City Council approved a Substantial Amendment to the 2015-2020 Consolidated Plan's 2019-2020 Annual Action Plan with Ordinance S-47330 and directed a $4 million allocation from those funds to go to CASS and the HSC.

Discussion

Victoria Gelder spoke in support, and mentioned she had been involved with the homeless population for over 25 years. She commented the population continued to grow, and mentioned the need to start tailoring some of the shelters for behavioral health, families struggling with addiction, mothers and children and veterans. She talked about the need for transportation and giving people direction for getting the assistance they need. She stated there were not enough showers, and added it was not acceptable to charge people for showers.

Hana Hehman spoke in support, and asked for Central Arizona Shelter Services (CASS) to get this money to continue their work.

Elizabeth Venable indicated she was neutral on Item 61, and talked about the regional shelters. She said CASS should be funded, but the City needed to look beyond CASS and hold them accountable.

Mayor Gallego requested a brief update from staff about the different investments and the Request for Proposal (RFP) process.

Human Services Department Director Marchelle Franklin responded in addition to these funds, Council approved for staff to issue a RFP in the amount of $9.1 million in February to seek additional services for those experiencing homelessness. She said the focus of this was on those with

mental health, substance abuse treatment, and Council directed staff to issue an RFP for $14 million for shelter opportunities. She mentioned the City was working with the Maricopa Association of Governments and would present to Council in a couple weeks on their regional strategy plan to address homelessness.

Mayor Gallego commented the City had devoted more resources than ever to fight homelessness and to invest in affordable housing. She said the City was not done with this, but would try different strategies in this area. She asked if Ms. Franklin could talk about caseworkers.

Ms. Franklin confirmed the City would ensure there would be some language in the contract and scope of work that centered around effective case management ratios to ensure the best outcomes.

Mayor Gallego said caseworkers were miracle workers and added the better the City could address individuals as individuals, the better outcomes would be.

Councilman Nowakowski thanked staff for the homeless plan last year and for finding the resources to implement that plan. He stated he wanted to make sure the City ensured the scope of work from the contracts were met and for the City to retain an oversight with surrounding neighborhoods to make sure their experiences are positive. He mentioned with a regional plan, he hoped this would be a step forward for ending homelessness in Phoenix and in Arizona.

Prior to her vote, Councilwoman Pastor thanked Ms. Franklin and Deputy City Manager Inger Erickson for showing where the dollars were going to go and the services that would happen.

After the vote, Mayor Gallego thanked those who worked on Item 61, and announced that there would be a 20-minute recess after the vote on Item 69.

Note: Three electronic comments were submitted on Item 61, with one is favor, one in opposition and one indicating they were neutral.

A motion was made by Vice Mayor Williams, seconded by

Councilwoman Stark, that this item be adopted. The motion carried by the following vote:

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Williams and Mayor Gallego

No: 0

69 Authorization to Sell City-Owned Property Located at 11 W. Cypress St. (Ordinance S-47418)

Request to authorize the City Manager, or his designee, to sell approximately 617 square feet of City-owned property adjacent to 36 W. Holly St. to JAG Development, LLC and Studio Ma, Inc., or its City-approved designee (Developer). Further request authorization for the City Treasurer to accept all funds related to this item.

Summary

The City-owned property, identified by assessor parcel number 118-51-109, consists of approximately 1.17 acres of land developed with a parking garage and other improvements serving the City's Family Advocacy Center. The portion of property to be sold for $17,900 is an approximately 4-foot by 165-foot remnant strip of unimproved land along the western property line, the land is not needed for the operations of the Family Advocacy Center developed on the balance of the property; the strip will be assembled with the abutting property to the west for purposes of expanding and securing the residential site. The property will be conveyed by Special Warranty Deed, with the purchase price based on appraised value. The buyer will pay all closing costs, including the cost of the survey.

This property will not be transferred from the City's ownership until the zoning is complete on the property and the two adjacent properties known as 36 and 42 W. Holly Street. In addition, building permits must be ready to issue on the project prior to the sale to Developer.

Financial Impact

The sale of this property will generate a one-time $17,900 sales

proceeds to the City. Sale proceeds will be applied towards the 2007 and 2009 bond debt used to purchase the property.

Location
11 W. Cypress St.
Council District: 4

Discussion
Councilwoman Pastor made a motion to adopt Item 69 with the following stipulations: First, the development agreement for this item be executed by May 1, 2021; second, the zoning process begins by June 1, 2021; the final stipulation neither this property, nor the adjacent properties of 36 and 42 E. Holly St. shall be transferred out of the City's ownership until the zoning is approved by Council, and building permits are approved for the project and are ready to be issued to the applicant.

Vice Mayor Williams seconded the motion.

Councilman DiCiccio asked if the motion could include that the development needed to be completed by July 1. He noted they should be done soon, and added he wanted to keep everything in line with the process already made in the proposal.

Councilwoman Pastor replied she included the development agreement associated with this item was to be executed by May 1, 2021.

Prior to his vote, Councilman Nowakowski thanked Councilwoman Pastor for her leadership on this item.

City Clerk Denise Archibald announced there was one member of the public wishing to speak on Item 69.

Bramley Paulin indicated he was neutral on the item, and asked if the motion could be amended to allow for more time with the rezoning and that the property could be transferred by Dec. 31, 2021.

Mayor Gallego asked Councilwoman Pastor if she was still comfortable with her motion.

Councilwoman Pastor responded yes.

Mayor Gallego inquired if Ms. Archibald would prefer to start roll call over, or to continue roll call.

Ms. Archibald answered roll call could continue.

After the vote, City Manager Ed Zuercher asked Mayor Gallego if Council could hear Items 70-73 and 76 before the 20-minute recess.

Mayor Gallego stated Council would hear those items before the recess.

A motion was made by Councilwoman Pastor, seconded by Vice Mayor Williams, that this item be adopted with the following stipulations: 1. The development agreement for this item be executed by May 1, 2021; 2. The zoning process begins by June 1, 2021; 3. Neither this property, nor the adjacent properties of 36 and 42 E. Holly St. shall be transferred out of the City's ownership until the zoning is approved by Council, and building permits are approved for the project and are ready to be issued to the applicant. The motion carried by the following vote:

Yes: 9 - Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Williams and Mayor Gallego

No: 0

70 GateWay Community College Phoenix Forge Makerspace Parking Agreement (Ordinance S-47427)

Request to authorize the City Manager, or his designee, to enter into a contract with Maricopa County Community College District (MCCCD) on behalf of GateWay Community College to provide parking spaces in the Adams Street Garage located at 310 W. Adams St. in downtown Phoenix.

Summary

GateWay Community College’s makerspace, Phoenix Forge, a ONE

Maricopa Initiative, serves as a learning environment offering students a location to learn the practical application of coursework, while providing the entrepreneur, hobbyist, inventor, and small business community, with a place to access the tools and equipment needed for idea fabrication and product development. Phoenix Forge is open to the public, MCCCD students, and staff.

Phoenix Forge builds on a nationwide effort to forge meaningful and collaborative relationships between Arts and Science, Technology, Engineering and Math (STEAM). It serves as a cross-disciplinary learning lab for students of the Maricopa Community College system and is available to the public for a nominal membership fee. The makerspace offers an academic model of credit and non-credit courses and short, one-time workshops. This model creates a rich learning environment that supports student success by encouraging critical-thinking, creativity, and innovation.

The Phoenix Forge makerspace facility is located in buildings currently owned by MCCCD at 535 W. Van Buren St. in downtown Phoenix, and consists of 22,500 square feet of workspace, flexible classroom and community engagement/event space.

In preparation of the Phoenix Forge opening, the Phoenix Convention Center Department (PCCD) will provide 100 parking spaces at the City-owned Adams Street Garage located at 310 W. Adams St. Parking will be available to parkers solely in connection with Phoenix Forge by badge access. In lieu of parking revenue, an annual parking maintenance fee of $2,000 will be collected for each year of the five-year term to assist in maintaining the garage. The Community and Economic Development Department has agreed to pay this fee on behalf of Gateway Community College.

Contract Term
The contract will begin on or about April 1, 2021 for a five-year term.

Financial Impact
CEDD will be charged $2,000 annually by PCCD for the parking maintenance fee, not to exceed $10,000 over the life of the five-year

term. There is no impact to the General Fund. Funding is available in the Downtown Community Reinvestment Fund.

Concurrence/Previous Council Action
This item was recommended for approval by the Workforce and Economic Development Subcommittee at the March 24, 2021 meeting by a vote of 2-0.

Location
310 W. Adams St.
Council District: 7

Discussion
Councilwoman Pastor declared a potential conflict with Item 70.

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

Yes:	7 -	Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Stark, Vice Mayor Williams and Mayor Gallego
No:	1 -	Councilman Waring
Conflict:	1 -	Councilwoman Pastor

71 Three-Year Membership with Arizona Israel Technology Alliance (Ordinance S-47444)

Request to authorize the City Manager, or his designee, to pay membership dues to the Arizona Israel Technology Alliance for May 2021 through April 2023 in the amount of $15,000 annually, for a total amount not to exceed $45,000. Further request authorization for the City Controller to disburse funds related to this item. There is no impact to the General Fund.

Summary
The City entered into its first one-year membership with the Arizona Israel Technology Alliance (AITA) in September 2019. With 22 members, representing the private sector, economic development organizations, municipalities and trade organizations from Arizona and Israel, the AITA

focuses on attracting Israeli foreign direct investment (FDI) to Phoenix and Arizona. In addition, the AITA provides support to any Israeli mergers and acquisitions business, and continued expansion of existing Israeli businesses in Phoenix.

Through monthly briefings with Community and Economic Development Department (CEDD) staff, AITA is proving vital to the City's long-term strategic international economic initiatives. AITA, along with its members, has generated a number of warm leads between the City and Israeli Agrifood Tech companies. It is hoped these warm leads will yield agreements as part of CEDD's Agrifood Tech 100 Business Attraction strategy and its broader Food System Entrepreneurship and Innovation Program. Beyond just Agrifood Tech, AITA's program manager in Israel continues to assist in the building of connections with Biotech companies in Israel in support of CEDD's Bioscience Healthcare Strategic Initiative.

AITA connects Phoenix to Israel - a world leader in startups, with more than 2,000 startups in the past decade, focused in areas contributing to Phoenix's international trade strategy of FDI and business attraction in defense and security, autonomous vehicles, biotech, cyber tech and agrifood tech. Since its inception in 2017, AITA has assisted 70 Israeli companies with Arizona projects including business development, hiring personnel and more. AITA also provides webinars to promote business-to-business connections, such as "The Growth of Israeli Companies in Arizona" in October 2020, attended by more than 100 individuals representing companies in Israel and Arizona (roughly evenly split).

If approved, the City's thee-year membership will be valid through the following years:

May 2021 - April 2022
May 2022 - April 2023
May 2023 - April 2024

Financial Impact
Membership dues are $15,000 annually, not to exceed a total of $45,000 over the course of three years. There is no impact to the General Fund.

Funding is available in the Downtown Community Reinvestment Fund.

Concurrence/Previous Council Action
This item was recommended for approval by the Workforce and Economic Development Subcommittee at the March 24, 2021 meeting by a vote of 3-0.

Note: One electronic comment was submitted in favor of Item 71.

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

Yes: 8 - Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Williams and Mayor Gallego

No: 1 - Councilman DiCiccio

72 Amend Intergovernmental Agreement with Maricopa County Community College District for Culinary Support Services Hub Feasibility Study (Ordinance S-47450)

Request to authorize the City Manager, or his designee, to amend the Intergovernmental Agreement with the Maricopa County Community College District for the Center for Entrepreneurial Innovation at GateWay Community College, to extend the term for a feasibility study on a culinary support services hub. There is no expense impact as a result of this action.

Summary
On Feb. 5, 2020, City Council authorized the Community and Economic Development Department (CEDD) to enter into a contract with GateWay Community College (GWCC) to fund a feasibility study on a culinary support services hub. The goal of the feasibility study is to determine the market to support a commercial culinary hub and to prepare a preliminary business plan addressing the potential to convert a vacant property into a culinary incubator center.

In October 2020, the Center for Entrepreneurial Innovation (CEI) at GWCC of the Maricopa County Community College District requested additional time and funding that was needed to support an extension of

services under the existing Intergovernmental Agreement (IGA) to include the coordination of project partners to create the business and collaboration agreements necessary to complete the study. The request for additional funding and a term extension to Dec. 31, 2020 was approved by City Council on Nov. 4, 2020. The term of the IGA has since expired, and an extension is requested to complete the study.

The City, in partnership with CEI, seeks to complete a feasibility study for the adaptive reuse of vacant commercial property into a culinary support services hub for K-12 and community college education, business incubation, workforce development and training purposes. This study aligns with CEDD's action plan to cultivate entrepreneurship and emerging enterprise ecosystems by supporting incubator and accelerator space, mentoring and business planning to promote and facilitate business ownership, in addition to assisting in retaining and expanding food-related businesses in support of the City's 2050 Local Food System Sustainability Goal.

Contract Term
If approved, the term of the IGA, City Contract No. 153040, will be extended from Dec. 31, 2020 to March 31, 2022.

Financial Impact
There is no expense impact as a result of this action.

Concurrence/Previous Council Action
On Feb. 5, 2020, City Council authorized $35,000 in payment authority to fund a feasibility study on a culinary support services hub through Ordinance S-46357. On Nov. 4, 2020, City Council authorized an amendment to the IGA via Ordinance S-47058 for $10,000 in additional funding and an extension of the term.

Location
Council District: 5

Discussion
Mayor Gallego mentioned Councilwoman Pastor declared a potential conflict with Item 72 and would not be participating.

A motion was made by Councilwoman Guardado, seconded by

Councilwoman Stark, that this item be adopted. The motion carried by the following vote:

Yes:	7 -	Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Stark, Vice Mayor Williams and Mayor Gallego
No:	1 -	Councilman Waring
Conflict:	1 -	Councilwoman Pastor

73 Amendment to Financial Advisory Services Contract with Rounds Consulting Group Inc. to Add Downtown Absorption Rate Study (Ordinance S-47462)

Request to authorize the City Manager, or his designee, to extend and allow additional expenditures of up to $15,000 under City Contract No. 149681 with Rounds Consulting Group Inc. for a Downtown Residential and Commercial Absorption Rate study for the Community and Economic Development Department. Further request authorization for the City Controller to disburse all funds related to this item. There is no impact to the General Fund.

Summary

At present, there are approximately 3,767 new residential units under construction and another approximately 2,811 units in the pipeline with some form of approval in downtown Phoenix. For comparison, between 1996 and today, a total of 6,747 new residential units were completed in the same general area. This unprecedented growth cycle is the result of the collaborative work led by the Phoenix City Council to redevelop downtown into the economic, educational and entertainment center of the region. To better understand the market’s ability to absorb the new construction, a Residential and Commercial Absorption Rate study is needed. Community and Economic Development Department staff will work with Rounds Consulting Group Inc. to gather and analyze available data to provide a report on the Downtown market to the City's Workforce and Economic Development Subcommittee.

Financial Impact

The City's total estimated expenditure for this project will not exceed

$15,000. There is no impact to the General Fund. Funding is available in the Downtown Community Reinvestment Fund.

Concurrence/Previous Council Action
The City's Workforce and Economic Development Subcommittee provided direction for staff to move forward with the study at its Feb. 24, 2021 meeting.

Ordinance S-45562 for Affordable Housing Financial Advisory Services was approved by Council on April 17, 2019. Contract No. 149681 began on June 1, 2019 with a five-year term ending on May 31, 2024.

Location
Council Districts: 4, 7 & 8

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

Yes:	7 -	Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Williams and Mayor Gallego
No:	2 -	Councilman DiCiccio and Councilman Waring

76 Airport Financial Advisory Services (Ordinance S-47439)

Request to authorize the City Manager, or his designee, to enter into an agreement with Frasca & Associates, LLC, to provide financial advisory services to the Aviation Department in an amount not to exceed $1.8 million for a five-year aggregate contract term. Further request to authorize the City Controller to disburse all funds related to this item.

Summary
The contract provides financial and business consulting services to the Aviation Department, including long-term financial planning and Capital Improvement Program review, bond issuance, bond-rating agency advice, and other financial-related assistance such as revenue and expenditure forecasts; rates, charges and leases review; Passenger Facility Charges and Customer Facility Charges support; and annual

report support. These consulting services are crucial to the Aviation Department's ability to issue bonds, provide for the capital improvement program, maintain the airport's credit, and pursue its business objectives.

Procurement Information

Three firms from the current City of Phoenix Financial Advisory Services Qualified Vendors List were selected for further evaluation. Each firm offers infrastructure finance experience with various specialties, including airports. The proposals from the selected qualified vendors were evaluated by a three-member evaluation panel for their qualifications to perform financial advisory services for the Aviation Department.

Selected Firm

Rank 1: Frasca & Associates, LLC

Additional Qualified Vendors

Rank 2: FirstSouthwest, a Division of Hilltop Securities Inc.
Rank 3: Montegue DeRose and Associates, LLC

Frasca & Associates, LLC was selected based on the firm's extensive experience with large hub airports, Passenger Facility Charges, and Customer Facility Charges.

Contract Term

The term of the contract is five years and will begin on or about May 1, 2021. The contract will not contain an option to extend the term.

Financial Impact

The contract value will not exceed $1.8 million for the five-year aggregate contract term. Funding is available in the Aviation Department's budget.

Concurrence/Previous Council Action

The Phoenix Aviation Advisory Board recommended this item for approval on Feb. 18, 2021 by a vote of 6-0.

The Transportation, Infrastructure and Innovation Subcommittee recommended this item for approval on March 3, 2021, by a vote of 4-0.

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

Discussion
After the vote, Mayor Gallego announced Council would recess at 5:25 p.m. for 20 minutes, and reconvene at 5:45 p.m.

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

Yes: 7 - Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Williams and Mayor Gallego

No: 2 - Councilman DiCiccio and Councilman Waring

113 Public Hearing and Resolution Adoption - General Plan Amendment GPA-AL-NM-1-19-4-5 (19 North TOD Policy Plan) - Area generally bounded by Dunlap Avenue on the North, 15th Avenue on the East, Montebello Avenue on the South, and 23rd Avenue on the West (Resolution 21912)

Request to hold a public hearing on a General Plan Amendment for the following item to consider the Planning Commission's recommendation and the related resolution if approved. Request to adopt a resolution approving the 19North Transit Oriented Development Policy Plan.

Summary
Application: General Plan Amendment GPA-AL-NM-1-19-4-5

Owner: Various
Applicant: City of Phoenix
Representative: City of Phoenix

Staff Recommendation: Approval.
VPC Info: The Alhambra Village Planning Committee heard this case for information only on Dec. 15, 2020 and the North Mountain Village Planning Committee heard this case for information only on Dec. 16, 2020.
VPC Action: The North Mountain Village Planning Committee heard this

case on Feb. 17, 2021 and recommended approval, per staff recommendation, by a vote of 14-0.
VPC Action: The Alhambra Village Planning Committee heard this case on Feb. 23, 2021 and recommended approval, per staff recommendation, by a vote of 10-4.
PC Action: The Planning Commission heard this case on Mar. 4, 2021 and recommended approval per the Alhambra and North Mountain Village Planning Committee recommendations, by a vote of 9-0.

Location
Area generally bounded by Dunlap Avenue on the north, 15th Avenue on the east, Montebello Avenue on the south, and 23rd Avenue on the west.
Council Districts: 4 and 5
Parcel Addresses: Several

Discussion
Note: Council reconvened the meeting at 5:45 p.m. Councilman DiCiccio disconnected from the meeting.

Mayor Gallego introduced Planning and Development Director Alan Stephenson to give a brief presentation on the item.

Mr. Stephenson explained this item was a General Plan Amendment to add the 19 North Transit Oriented Development (TOD) Policy Plan as part of the Reinvent Phoenix planning process for the TOD plan along the light rail segments. He showed on a map where these segments were along with the surrounding property, and mentioned the 19 North TOD Policy Plan was led by Shannon McBride along with staff over the past few years. He noted this was approved by the Planning Committee by a 14-0 vote, the Alhambra Village Planning Committee by a 10-4 vote, and the Planning Commission by a 9-0 vote.

Mayor Gallego declared the public hearing open, and thanked Shannon McBride for her leadership on this plan and for her work in 19 North.

Ms. McBride spoke in support, and talked about how this started with the light rail being built in the center of their community. She said businesses, schools, neighborhood groups, the Planning and Development and Streets departments came together to create this vision for their

community. She expressed appreciation for all of the support on this to continue working on this together.

Mayor Gallego declared the public hearing closed.

Councilwoman Guardado made a motion to approve the General Plan Amendment for 19 North T.O.D. Policy Plan, with adoption of the related resolution.

Councilwoman Stark seconded the motion.

Councilwoman Guardado commented the 19 North Plan process was a collaborative effort between the City and the 19 North community. She said this was an example of how the community could organize itself and collaborate with the City to create a collective vision of the future. She stated the approval of this plan helped close the gap in policy guidance for the area surrounding the light rail along 19th Avenue, and mentioned this plan articulated a vision for 2040 and a roadmap for the first step needed to make that vision a reality. She thanked Ms. McBride, the 19 North community and their newly created community advocacy board.

Councilwoman Stark stated this was how planning was supposed to work, and credited the Planning and Development Department staff, Council District 5, and the community particularly Ms. McBride. She noted as development went north it would be close to Council District 3, and added she was excited to be part of the future planning process of 19th Avenue.

Councilwoman Pastor thanked Ms. McBride and those who participated in the T.O.D. Policy Plan. She talked about the issues that happen sometimes when T.O.D. plans are created, and mentioned this was the beginning process of the 19 North buildings.

Mayor Gallego expressed appreciation for everyone involved, and mentioned the different City departments involved in the process. She talked about the benefits of this plan for the community, and talked about Ms. McBride and her being invested in the project by taking on the leadership role to create the 19 North Community Alliance.

Note: One electronic comment was submitted in favor on Item 113.

The hearing was held. A motion was made by Councilwoman Guardado, seconded by Councilwoman Stark, that the General Plan Amendment for 19 North T.O.D. Policy Plan be approved, with adoption of the related resolution. The motion carried by the following vote:

Yes: 8 - Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Williams and Mayor Gallego

No: 0

Absent: 1 - Councilman DiCiccio

114 **(CONTINUED FROM MARCH 3 AND 17, 2021) - Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-56-20-4 - Southeast Corner of 3rd Avenue and Coolidge Street (Ordinance G-6818)**

Request to hold a public hearing on a proposal to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-56-20-4 and rezone the site from R-3 (Multifamily Residence District) and R-5 (Multifamily Residence District) to WU Code T5:5 UT (Walkable Urban Code, Transect 5:5 District, Transit Uptown Character Area) for multifamily residential.

Summary

Current Zoning: R-3 (Multifamily Residence District) (0.18-acres) and R-5 (Multifamily Residence District) (3.11 acres)
Proposed Zoning: WU Code T5:5 UT (Walkable Urban Code, Transect 5:5 District, Transit Uptown Character Area)
Acreage: 3.29 acres
Proposed Use: Multifamily residential

Owner: Donor Network of Arizona
Applicant: Trinsic Residential Group, Todd Gosselink
Representative: Withey Morris, PLC, Jason Morris

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Alhambra Village Planning Committee heard this case on Jan. 26, 2021 and recommended approval, per the staff recommendation, by a vote of 15-1.
PC Action: The Planning Commission heard this case on Feb. 4, 2021 and recommended approval, per the Alhambra Village Planning Committee recommendation with an additional stipulation, by a vote of 7-1.
The Planning Commission recommendation was appealed on Feb. 10, 2021 and a petition for a 3/4 vote was submitted on Feb. 11, 2021. **A 3/4 vote is required.**

Location
Southeast corner of 3rd Avenue and Coolidge Street
Council District: 4
Parcel Addresses: 201 W. Coolidge St.

Discussion
Mayor Gallego introduced Planning and Development Director Alan Stephenson to give a staff report on Item 114.

Mr. Stephenson mentioned this zoning case was located at 3rd Avenue and Coolidge Street within the Pearson Place neighborhood, and the proposed zoning requested would be walkable urban code T5-5. He discussed how prior planning processes have taken place at this location, and showed a case from 1971 that requested a high rise and more intense residential zoning within this parcel. He talked about the Reinvent Phoenix processes to adopt the strategic policy framework, and mentioned that established a place type within each of the station areas and surround area. He noted this area was within the Uptown Transit-Oriented Development (T.O.D.) Plan, and mentioned there was additional outreach for the four corners neighborhood associations that included Pearson Place. He said there was an outgrowth of the Reinvent Phoenix planning process that included Grand Canalscape improvements, and added because of that the City applied for a federal grant to do those improvements. He stated those improvements represented about $23 million along the Grand Canal for about 12 miles from Interstate 17 to 56th Street. He cited this area was one of the hottest intersections for business development, and talked about the new developments coming to the area. Mr. Stephenson showed on a map the

subject area, and mentioned the area was zoned as R-3 and R-5. He also mentioned the area to the east was zoned R-5 and the area to the west was zoned R-3 but had a Historic Preservation Overlay on the Pearson Place Historic District. He concluded that staff recommended approval subject to 13 stipulations, and said the Alhambra Village Planning Committee recommended approval by a 15-1 vote and the Planning Commission by a 7-1 vote.

Mayor Gallego declared the public hearing open. She stated there would be ten-minute presentations from each side beginning with the applicant.

Jason Morris spoke in support on behalf of the applicant, and commented this was one of the most exciting projects that they have worked on. He said they were fortunate enough to be working with Trinsic Residential, and said this parcel was a unique opportunity to take advantage of the canalscape but also the transit and walk ability of the area. He displayed a map showing the zoning in the area, and added this project was illustrative of everything that was necessary from a well-planned community. He showed how close the parcel was to light rail, and said the General Plan called for this area to be high density. He displayed conceptual designs of the building, and explained this project would not cause additional cut-through traffic on Central Avenue. He described the canalscape developments, and said there would be $2 million in updates to that portion of the parcel. He cited the approvals from the Alhambra Village Planning Committee, Planning Commission and Planning and Development Department staff, and talked about how Councilwoman Pastor's office helped bring both sides together to make concessions and address concerns. He stated the first concern was regarding height and noted they have conceded to go to 48 feet. He discussed the concern over parking, and commented they have addressed the adequate parking. Mr. Morris explained the aggressive parking plan they would implement would allow for 1.1 parking spaces per bedroom. He mentioned the concessions they made for the amount of bedrooms were from 304 to 218 units overall, and added they made concessions for the 20-foot setback from the curb to meet the expectations of the neighborhood. He concluded they agreed to address the design to ensure it encompasses neighborhood privacy concerns.

Ron Szematowicz spoke in opposition, and clarified he was not opposing the development but rather the zoning change because it was happening within a historic neighborhood. He commented the neighborhood was concerned about the height, traffic, parking and setbacks, and noted the concessions were starting to happen but have not gone anywhere yet. He talked about the walkable urban code and explained the neighborhood was a low density single-family residential neighborhood and this project was inappropriate for the neighborhood. He showed on a map the homes where neighbors were concerned about privacy because the development would look into their yards and would lose sun exposure. He continued to show pictures of what the neighbors would be looking at with the development in place, and compared this area with other zoning in the surrounding community. He discussed the distances from the parcel to the light rail station, and suggested the neighborhood was not part of this process until last week. He displayed images showing where traffic would be entering and leaving the development, and commented the exit only went right to go south on Central Avenue. He cited the traffic study saying this development would generate 1,200 cars per day, and mentioned there would be only 29 spaces for guests to park in. He expressed concern with the amount of traffic that would be along the bike path on 3rd Avenue, and stated with this development there would be 3,000 more residents in the area.

Shane Essert spoke in support, and mentioned there was a huge demand for this development. He commented he was happy this project would optimize the canalscape, and added this would be a positive amenity to the area along with the light rail.

Robert Donat spoke in opposition, and said he lived eight houses down from this development. He talked about how he supported previous developments in the area, and discussed how this development would cause Coolidge Street to become more crowded.

Adam Ghiz spoke in opposition, and took issue with a similar development being built on the two busiest streets in Phoenix being the same development in a residential neighborhood. He stated this development did not belong in this neighborhood, and belonged on arterial roads.

Dillon Hall spoke in opposition, and said the proposed development scale and density did not conform to the descriptions governing the appropriateness and permissibility of the surrounding area. He commented he did not oppose development in this area, but this development did not abide by the walkable urban code.

Teresa Hayes spoke in opposition, and mentioned she lived across the street to the north of this proposed development. She talked about her concerns with the proposed height, setback and the traffic that would impact her home on Coolidge Street. She said the development might cause issues with garbage and recycling pick up in the neighborhood.

Tari Lockhead spoke in opposition, and said she lived directly across the street from the proposed development. She commented they were just trying to protect the integrity of the neighborhood and not oppose the development, but rather the zoning change.

James Lockhead spoke in opposition.

Nancy McMillan spoke in opposition, and stated she lived closer to Camelback Road. She commented she appreciated growth in Phoenix, but took issue with this proposed development being built in a neighborhood and not on an arterial street. She commented the increased traffic would not be safe for pedestrians in the neighborhood.

Karen McCasland spoke in opposition, and stated she agreed with everyone that there would be issues with traffic. She mentioned it was difficult to turn right in the evening on Coolidge Street from Central Avenue, and added people would be parked in front of the building.

Monica Medina spoke in opposition, and noted she lived across the street from this project. She mentioned she opposed this project because she supported the older neighborhoods, and talked about the difficulty driving on Central Avenue with the potential increase in traffic.

Diane Mihalsky spoke in opposition, and said she opposed this development because it was too dense, too high and would generate

traffic and parking problems. She mentioned a complaint she filed against the Alhambra Village Planning Committee, and added the first time the neighborhood got involved in input was a couple weeks ago.

Lina Money spoke in opposition, and talked about the development not being able to adjust to the proposed 20-foot setback because of current zoning. She discussed the difficulty of driving in this area between 6:00 a.m. and 9:00 a.m.

Jennifer Owens spoke in opposition, and mentioned it was because the walkable urban code did not meet the criteria for this development. She took issue with the statements made about parking by Mr. Morris, and talked about how parking on the street would happen with the limited number of guest parking spots.

Connor Owens spoke in opposition, and discussed how he frequently rode his bike to school in this area every day. He stated the developers were not legally bound to develop the canal, and added the traffic would increase in the area. He commented this development did not fit with this area, and would be more appropriate on Central Avenue or Indian School Road.

Robert Paoletti spoke in opposition, and commented he did not see anyone do a neighborhood impact study on this proposed development. He stated he was opposed to this proposed development because of the excess traffic.

Jeff Rahm spoke in opposition, and stated he lived across the street from this site. He mentioned he was for growth, but not this rezoning application. He noted his biggest issue was with congestion and traffic, and talked about alternate routes that neighbors would have to take with the increased traffic.

Jeremy Thacker spoke in opposition, and mentioned he was not opposed to the development but to the rezoning. He talked about other developments being built along Central Avenue, and discussed the traffic impacts this development would have.

Ken Waters spoke in opposition, and said he lived in Pearson Place. He took issue with the site plan bringing the same zoning at Central Avenue and Indian School Road to this neighborhood that did not have arterial streets. He stated he was strongly opposed to this because of the traffic being increased in this neighborhood.

Mr. Morris explained they had made themselves very available even with the difficulties of operating in the virtual world. He stated those opposed were misquoting and misreading the City's plans, and confirmed the building would be four stories. He stated they would be offering more parking than R-5 zoning required, and said the traffic study showed there would be a difference of 15 cars in the morning traffic. He commented they agreed to the 20-foot setback so there would be no difference between the R-5 zoning and walkable urban code. He clarified there were four neighborhood meetings with Pearson Place to come to site plan modifications and appropriate changes.

Councilwoman Pastor asked what the difference in parking was for R-3 and R-5 zoning and walkable urban code T5:5.

Mr. Stephenson questioned if Councilwoman Pastor wanted to talk about that or the Uptown Policy concerns that were raised.

Councilwoman Pastor said the Uptown Policy concerns so she could speak on those.

Mr. Stephenson displayed maps showing the T.O.D. district boundaries along with the locations of the light rail station stops and Grand Canal, and added this development was within the Uptown T.O.D plan adopted by Council. He displayed another map that showed areas where the community looked to have redevelopment take place, and said this project was right on the edge where Pearson Place did not want to see redevelopment take place. He talked about how the T.O.D. interim overlay was put in place prior to construction of the light rail line, and listed the different types of businesses that were limited in this area regarding auto uses. He explained this overlay would be phased out overtime, and that was why the light rail line was put in because future planning would allow that with Reinvent Phoenix to establish what type of

zoning and redevelopment was appropriate in this area. He commented there was a lot of discussion regarding the type of designation for major intersections, and highlighted the intersection across the street at Central Avenue and Indian School was a T6:22 that would allow for 250 feet in height. He said the T5:5 zoning was desired by the property owner on that corner, and confirmed the T5:5 zoning was deemed appropriate.

Councilwoman Pastor asked for clarification about R-3 and R-5 zoning, and with what was currently zoned, the maximum height would be 48 feet.

Mr. Stephenson responded that was correct.

Councilwoman Pastor questioned if the community asked for 30 feet, would that be possible.

Mr. Stephenson replied that would not be possible to require a property owner to only build two stories at 30 feet on a property that was already zoned for four stories at 48 feet.

Councilwoman Pastor commented her understanding was the request could be asked, but the developer would not do it because of the property rights they had for 48 feet.

Mr. Stephenson answered that was correct, the City could ask for anything but under zoning and law, the property owner was not likely to build two stories at 30 feet on a property zoned to allow 48 feet in height.

Councilwoman Pastor inquired about setbacks, and her understanding was a 20-foot setback would be for R-3 and R-5 zoning. She noted the proposal would be for a 12- and 10-foot setback which would be the difference between R-3 and R-5 and T5:5.

Mr. Stephenson replied that is correct.

Councilwoman Pastor asked about the parking requirements for R-3 and R-5 zoning and the maximum spaces for the parking area being 318.

Mr. Stephenson commented the parking requirements were based upon

what the actual use is, and clarified for any new redevelopment of the site, the applicant would need to meet parking requirements. He explained T5:5 district requirements were as low as 287 parking spaces, and the proposal from the applicant was 303 spaces. He stated the proposal was within the R-5 zoning, and talked about how the City determines parking based on a unit mix of the number of efficiency units, one bedroom, two bedroom and three bedroom units. He confirmed this would be permitted to be defined by the applicant if they developed under R-5 zoning, and said he believed the number of parking spaces there was less that what was proposed to do under the walkable urban code.

Councilwoman Pastor asked for further explanation on the parking.

Mr. Stephenson explained 246 parking spaces were under the R-5 zoning designation, and discussed how that designation limited the dwelling units unlike the walkable urban code. He stated the table he displayed was more accurate because the R-5 zoning designation allowed for the same height and would allow for a mix of two and three bedroom units that would derive a different parking space calculation depending on what is actually built and proposed by the developer.

Councilwoman Pastor asked if the T5:5 designation would increase the number to 278 spaces.

Mr. Stephenson answered it would increase, and explained the applicant proposed 303 parking spaces because they were not proposing to avail themselves of parking reduction that was permitted within T5:5 because of their proximity to the light rail stop.

Councilwoman Pastor inquired about the infrastructure on the property.

Mr. Stephenson replied the infrastructure dated back to the 1970s, and explained with a new project coming in they would be required to update that infrastructure and meeting drainage requirements. He said the City had more updated floodplain maps and requirements that this project would need to meet if approved and gets built.

Mayor Gallego declared the public hearing closed.

Councilwoman Pastor commented it was difficult during the pandemic to understand everything involved with this project, and thanked those who were actively involved in this project. She stated she understood the concerns about traffic, and mentioned she would get the City involved to address traffic in the neighborhood if it gets saturated. She made a motion that this item be remanded back to the Planning Commission, and re-advertise as a Planned Unit Development (PUD) for the May 6, 2021 Planning Commission meeting, and the May 19, 2021 City Council Formal Meeting as a public hearing item. She said the PUD at the minimum shall address all the existing staff stipulations and the following items based on the discussions with the neighborhood: A maximum building height of 48 feet for all buildings except for the parking garage along the east and south property line, which shall be limited to 56 feet; a minimum setback of 20 feet between the curb and the building faces on both Coolidge Street and 3rd Avenue; a maximum of 210 dwelling units permitted on the site; a restriction of vehicular access on 3rd Avenue; identification of applicable frontage types for 3rd Avenue; landscape and design provisions to address the neighborhood's privacy considerations along 3rd Avenue and Coolidge Street. She noted in addition, permitting the parking throughout the neighborhood.

Councilwoman Stark seconded the motion.

Mayor Gallego clarified the motion would remand the case back to the Planning Commission with specific directives about Councilwoman Pastor's priorities.

Note: Seven electronic comments were submitted on Item 114, with six in opposition and one indicating no position.

The hearing was held. A motion was made by Councilwoman Pastor, seconded by Councilwoman Stark, that this item be remanded back to the Planning Commission, and re-advertise as a Planned Unit Development (PUD) for the May 6, 2021 Planning Commission meeting, and the May 19, 2021 City Council Formal Meeting as a public hearing item. The PUD at the minimum shall address all the existing staff stipulations and the following items based on the

discussions with the neighborhood: A maximum building height of 48 feet for all buildings except for the parking garage along the east and south property line, which shall be limited to 56 feet; a minimum setback of 20 feet between the curb and the building faces on both Coolidge Street and 3rd Avenue; a maximum of 210 dwelling units permitted on the site; a restriction of vehicular access on 3rd Avenue; identification of applicable frontage types for 3rd Avenue; landscape and design provisions to address the neighborhood's privacy considerations along 3rd Avenue and Coolidge Street. In addition, permitting the parking throughout the neighborhood. The motion carried by the following vote:

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

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

116 Consideration of Citizen Petitions

This report provides the City Council with four citizen petitions regarding public safety submitted by: Heather Hamel (**Attachment A**); Derek Begay (**Attachment B**); Phyllis Tyson **(Attachment C)**; and Will Knight (**Attachment D**). The Land Use and Livability Subcommittee forwarded these petitions to the full City Council for consideration on March 17, 2021.

Summary

The four citizen petitions each contain essentially the same 26 "whereas" statements. Each petition then includes a different specific request for action by the City Council. The "whereas" statements primarily contain allegations and opinions, with few specific facts, which makes it difficult for staff to respond to the allegations or make recommendations. Multiple investigations are in progress regarding protests and related events and

the allegations that have arisen from these events.

Petition A - Heather Hamel

Ms. Hamel submitted a petition for the "City Council to: Launch an ethics investigation, independent of the Phoenix Police Department and the Maricopa County Attorney's Office, into the policies and practices of the Tactical Response Unit and corresponding failure of leadership by Chief Jeri Williams and Phoenix Police command staff with respect to the aforementioned protests and events."

Several investigations have been started regarding protests and surrounding events and allegations. A majority vote of the City Council may direct staff to initiate or conduct further investigations. At the March 17, 2021 Formal City Council meeting, the City Council approved entering into a contract with 21CP Solutions, LLC to provide a comprehensive and independent assessment of the Phoenix Police Department’s Tactical Response Unit’s training and response to First Amendment-related activities, including but not limited to, demonstrations and protests. The comprehensive and independent assessment will also focus on the Police Department’s Field Training Officer program.

Petition B - Derek Begay

Mr. Begay submitted a petition for the "City Council to: Create a reparations fund for all individuals directly impacted by the Phoenix Police Department's use of excessive force at protests."

Chapter 42 of the City Code establishes a trust fund for the purpose of paying all liability claims against the City. State law requires that a notice of claim be submitted to the City for consideration of any claims against the City, including excessive force claims. The Code also provides a procedure for submitting a notice of claim, consideration of the claims, and payment of claims for which the City is liable. The existing fund and process apply to claims of excessive force against the Police Department. Since a process already exists that applies to all claims, establishment of a separate fund and process for claims of excessive force is unnecessary and would be inconsistent with the City Code.

Petition C - Phillis Tyson

Ms. Tyson submitted a petition for the "City Council to: Create a reparations fund for all individuals directly impacted by the Phoenix Police Department's practice of politically and falsely prosecuting protesters."

The City's existing Risk Management fund and notice of claim process described for Petition B also applies to these types of claims against the Police Department. Since a process already exists that applies to these claims, establishment of a separate fund and process for these claims is unnecessary and would be inconsistent with the City Code.

Petition D - Will Knight

Mr. Knight submitted a petition for the "City Council to: Establish enforceable guidelines and meaningful disciplinary measures to prevent law enforcement officials, at any level, from providing false information in Form IV probable cause statements, police reports, or under oath to secure criminal charges against protesters exercising their First Amendment rights."

The City has existing policies and disciplinary measures applicable to all employees that specifically prohibit personnel from providing false information in connection with their duties. These include an Ethics Policy and disciplinary provisions in Rule 21 of Personnel Rules (Rule 21b12 and 21b18). The Police Department also has established policies that prohibit this type of conduct. Being truthful, not making false reports and other expectations of employee conduct are outlined in Operations Order 3.13 - Rules and Regulations. Disciplinary action for these and other types of policy violations are addressed in Operations Order 3.18a - Discipline Policy. Additionally, there are existing state statutes (ARS 13-2702-Perjury and ARS 13-2703-False Swearing) and federal law that prohibit knowingly providing false statements or testimony that are applicable to law enforcement officials.

Concurrence/Previous Council Action

This item was heard at the Land Use and Livability Subcommittee on March 17, 2021 and these four citizen petitions were forwarded to the full City Council for consideration by a vote of 3-1.

Discussion

Dominic Bonelli spoke in support, and talked about the need for an independent review of the Police Department.

Vanessa DiCarlo spoke in support, and asked for Council to listen to the community.

Anesia Groves spoke in support, and asked Council to move forward with the community.

Hana Hehman spoke in support, and requested Council implement these petitions as written.

Chelsea Hickok spoke in support, and said it was imperative that the City build trust back with the community.

Will Knight spoke in support, and asked for the City to have clear guidance on how to investigate and discipline.

Kelly Kwok spoke in support.

Benjamin Lewis spoke in support, and mentioned police officers should not be treated the same as any other City employee. He asked for the Police Department to be financially responsible.

Tina Luna spoke in support.

Helen Mendizabal spoke in support.

Karen Olson spoke in support.

Patricia Pagliuca spoke in support.

Courtney Tilley Bisbee spoke in support.

Elizabeth Venable spoke in support, and noted these four petitions were long overdue.

Councilmember Garcia thanked those who spoke, and made a motion to

approve Item 116.

After waiting for a councilmember to second the motion, Mayor Gallego stated the motion failed for a lack of a second.

Vice Mayor Williams made a motion to deny Item 116 as the staff report explains, these Citizen Petitions were already being addressed. She said Petition A was being handled through various external investigations, and for Petitions B and C, the City had an existing Risk Management fund and notice of claim process to handle these claims. She mentioned for Petition D, the City had existing policies and disciplinary measures for all employees that specifically prohibit employees from providing false information in connection with their duties.

Councilman Waring seconded the motion.

Councilwoman Guardado asked City Manager Ed Zuercher to give an overview on what City management has done to address some of the issues and concerns brought up in these petitions.

Mr. Zuercher explained there was an outside law firm procured to do two separate investigations, with the first being related to the challenge coins reported from the protest in 2017 and the response from the Police Department. He said the other investigation was the connection between the protest arrests and prosecution by the Maricopa County Attorney's Office under gang-related charges. He noted the Maricopa County Attorney's Office could not be investigated by the City, but the outside firm was investigating the role of the Police Department and individual officers. He talked about a bigger systemic review being conducted by 21 CP Solutions that would provide any recommendations for changes to be made to the tactics, policies, practices and training of the tactical response unit in the downtown operations area.

Councilwoman Guardado asked if there was a timetable when the investigation and review would be done.

Mr. Zuercher responded 21 CP Solutions would have an initial report on their review within 60 days, and 15 days have passed in that timeline. He

noted the other investigations were difficult to develop a timeline because of the number of people interviewed and a delay in the release of some Grand Jury testimony. He stated he expected those to be done within the next 60 days.

Councilwoman Guardado requested to continue receiving updates on where the review is going and where the investigation is at in the Public Safety and Justice Subcommittee.

Mr. Zuercher responded he understood.

Councilmember Garcia stated these were serious allegations, and asked for a Policy Session or Work Study Session to look into these practices and policies. He talked about how people have been falsely charged with felonies, and commented he wanted to make sure the systemic polices would be changed to make sure this doesn't happen again. He requested Mayor Gallego to think about having a Policy Session or Work Study Session to look at these investigations.

Councilman Nowakowski asked for clarification from Mr. Zuercher to explain the citizen petition process.

Mr. Zuercher clarified petitions when presented properly to Council at a Formal Meeting are agendized with the Land Use and Livability Subcommittee who reviews them. He noted that subcommittee will either forward, table or defeat the petition for presentation of the full Council. He stated these petitions were presented at the March 17, 2021 Land Use and Livability Subcommittee where they heard petitions and forwarded these four.

Councilwoman Pastor inquired about Petition D, and if it existed already.

Mr. Zuercher clarified it was asking to establish enforceable guidelines and meaningful disciplinary measures to prevent false information, and stated those rules existed in the City 's Personnel Rules in the Ethics Policy. He mentioned in the specific case of allegations regarding police officers lying under oath, that was being investigated by the outside counsel because those allegations were very serious.

Councilwoman Pastor questioned if all City employees get independent investigations.

Mr. Zuercher replied no, and mentioned if there was an allegation of lying it would be investigated by the Human Resources Department or the department's management. He explained the process of notifying employees when they are under investigation, and mentioned in the case of the Police Department it would be the Professional Standards Bureau that would do the investigation. He said because of the nature of this investigation and the severity of it that it was important to have an outside independent review.

Councilwoman Pastor asked about the equity and fairness for all employees, and how the City could deliver that.

Mr. Zuercher explained equity did not mean treating everyone exactly the same and sometimes it would be different. He said in this case there was a difference between an employee lying about why they were late to work compared to employees being accused of lying in a court of law in a legal proceeding. He stated because of the severity of the nature of the accusations, it was warranted to have an intense and independent review.

Prior to his vote, Councilmember Garcia said he would be voting no but wanted to recognize this was the first time Council was having this conversation. He thanked those who submitted the citizen petitions, and commented he wanted to continue these conversations because this was really serious. He noted this was something that could have been put on the Public Safety and Justice Subcommittee, and that it may be a conversation to have there.

Note: Thirty-one electronic comments were submitted in favor of Item 116.

A motion was made by Vice Mayor Williams, seconded by Councilman Waring, that this item be denied. As the staff report explains, these Citizen Petitions are already being addressed. Petition A is being handled through various external investigations. For Petitions B and C, the City has an existing Risk Management fund and notice of claim

process to handle these claims. For Petition D, the City has existing policies and disciplinary measures for all employees that specifically prohibit employees from providing false information in connection with their duties. The motion carried by the following vote:

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

000 CITIZEN COMMENTS

City Attorney Cris Meyer stated during Citizen Comment, members of the public may address the City Council for up to three minutes on issues of interest or concern to them. He advised the Arizona Open Meeting Law permits the City Council to listen to the comments, but prohibits council members from discussing or acting on the matters presented.

Summer Bagley took issue with the City mask requirements, and stated these requirements were inconsistent with the State.

Mattie Finney talked about using training resources from Arizona Helping Hands to get her trained for a job that led her to being a freelance field technician. She commented these resources have helped, and asked if there was any way she could help the community through her work.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 8:23 p.m.

MAYOR

ATTEST:

CITY CLERK

TS

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the formal session of the City Council of the City of Phoenix held on the 7th day of April, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 7th day of February, 2024.

CITY CLERK