City of Phoenix

Minutes

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

186352

City Council Formal Meeting

Wednesday, June 28, 2023 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, June 28, 2023 at 2:40 p.m. in the Council Chambers.

Present: 9 - Councilwoman Betty Guardado, Councilwoman Kesha Hodge Washington, Councilwoman Ann O'Brien, Councilwoman Laura Pastor, Councilman Kevin Robinson, Councilwoman Debra Stark, Councilman Jim Waring, Vice Mayor Yassamin Ansari, and Mayor Kate Gallego

Councilwomen Guardado, O'Brien, and Pastor attended the meeting virtually. Councilwoman Guardado left the voting body during Citizen Comments. Councilwoman Hodge Washington left and returned to the voting body virtually during Citizen Comments.

Mayor Gallego invited Police Chaplin John Taylor to deliver the invocation.

The Pledge of Allegiance to the Flag was led by Mayor Gallego.

Mayor Gallego acknowledged the presence of Elsie Duarte and Mario Barajas, Spanish interpreters. In Spanish, Mr. Barajas announced their availability to the audience.

The City Clerk confirm copies of the titles of Ordinances G-7125 through G-7134, S-49904 through S-50030, and Resolutions 22133 through 22137 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 items that were attached

to the agenda.

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

BOARDS AND COMMISSIONS

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

Alhambra Village Panning Committee
Appoint Martin Shultz, filling a vacancy, for a term to expire Nov. 19, 2023, as recommended by Mayor Gallego.

Audit Committee
Appoint Councilwoman Hodge Washington, replacing Councilwoman Stark, for a term to expire June 28, 2025, as recommended by Mayor Gallego.

Central City Village Planning Committee
Reappoint Veronyka Lockhart, for a fifth term to expire Nov. 19, 2024, as recommended by Mayor Gallego.

Citizens Transportation Commission
Appoint Lina Bearat, replacing Rick Neimark, as the Transportation Expert representative for a term to expire June 30, 2026, as recommended by Mayor Gallego.
Appoint Mike Huckins, replacing Jennifer Mellor, as the Business and Industry representative for a term to expire June 30, 2026, as recommended by Mayor Gallego.
Appoint Fallon Webb, replacing Brookelynn Nisenbaum, as the Transit User representative for a term to expire June 30, 2026, as recommended by Mayor Gallego.

Deer Valley Village Planning Committee
Appoint Gregory Freeman, filling a vacancy, for a term to expire Nov. 19, 2024, as recommended by Councilwoman O'Brien.

Encanto Village Planning Committee
Appoint Mark Cardenas, filling a vacancy, for a term to expire Nov. 19, 2024, as recommended by Councilwoman Pastor.
Appoint Tom Doescher, filling a vacancy, for a term to expire Nov. 19, 2023, as recommended by Councilwoman Pastor.
Appoint Sabrina Perez, filling a vacancy, for a term to expire Nov. 19, 2024, as recommended by Councilwoman Pastor.

Human Relations Commission
Appoint Shane Anton, replacing Ricardo Leonard, for a term to expire May 3, 2026, as recommended by Mayor Gallego.

Human Services Commission
Appoint Brent Kleinman for a term to expire June 28, 2025, as recommended by Councilwoman Pastor.
Appoint Nina Poole, filling a vacancy, for a term to expire June 28, 2025, as recommended by Councilwoman Stark.

Maryvale Village Planning Committee
Appoint Melissa Acevedo, filling a vacancy, for a term to expire Nov. 19, 2024, as recommended by Vice Mayor Ansari.

Phoenix Business Workforce Development Board
Appoint Nick DePorter, replacing Latasha Causey, as a Business representative for a term to expire June 30, 2024, as recommended by Mayor Gallego.
Appoint Emily Paulson, replacing Karen Hartson, as a Business representative for a term to expire June 30, 2026, as recommended by Mayor Gallego.
Appoint Brandon Ramsey, replacing Adam Hawkins, as a Small Business representative for a term to expire June 30, 2024, as recommended by Mayor Gallego.
Reappoint Jesus Love, for a third term to expire June 30, 2026, as recommended by Mayor Gallego.
Reappoint John Soto, for a first full term to expire June 30, 2026, as recommended by Mayor Gallego.

Plan Phoenix 2025 Leadership Committee
Appoint Carol Poore, as recommended by Mayor Gallego.

South Mountain Village Planning Committee

Reappoint Edward Aldama, serving first full term to expire Nov. 19, 2023, as recommended by Mayor Gallego.

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.

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

Yes:	9 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	

Mayor Gallego administered the oath of office to Martin Shultz, Alhambra Village Planning Committee; Veronyka Lockhart, Central City Village Planning Committee; Lina Bearat, Mike Huckins, and Fallon Webb, Citizens Transportation Commission; Gregory Freeman, Deer Valley Village Planning Committee; Tom Doescher and Sabrina Perez, Encanto Village Planning Committee; Shane Anton, Human Relations Commission; Brent Kleinman and Nina Poole, Human Services Commission; Melissa Acevedo, Maryvale Village Planning Committee; Brandon Ramsey and Jesus Love, Phoenix Business Workforce Development Board.

The above individuals were invited to approach the dais so Council could extend their appreciation.

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 Ansari, seconded by Councilwoman Stark, that items 2-18 be recommended for approval. The motion carried by the following voice vote:

Yes: 9 - Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego

No: 0

2

Liquor License - Anyway Smoke Shop

Request for a liquor license. Arizona State License Application 10076952.

Summary

Applicant
Jandark Savaya, Agent

License Type
Series 10 - Beer and Wine Store

Location
6245 E. Bell Road, Ste. 110
Zoning Classification: C-1
Council District: 2

This request is for an acquisition of control of an existing liquor license for a tobacco shop. This location is currently licensed for liquor sales. This location requires a Use Permit to allow package liquor sales.

The 60-day limit for processing this application is July 4, 2023.

Pursuant to A.R.S. 4-203, consideration may be given only to the applicant's personal qualifications and not to the location.

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 over the age of 21 years old with clean records, no felonies, no violations, competent and responsible person, aware of City of Phoenix Rules and Regulation for having beer and wine sales off site permit."

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 or Ordinances.

This item was recommended for approval.

3 Liquor License - La Oaxaquena Mexican Food

Request for a liquor license. Arizona State License Application 012070017225.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 12 - Restaurant

Location
9822 N. 7th St., Ste. 6-8
Zoning Classification: C-2
Council District: 3

This request is for an acquisition of control of an existing liquor license for a restaurant. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is July 3, 2023.

Pursuant to A.R.S. 4-203, consideration may be given only to the applicant's personal qualifications and not to the location.

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 have acquired the restaurant from my brother. By trade I am a taxi driver however, I have also cooked and served customers at this restaurant. I also have retained an existing employee who has experience cooking and selling alcoholic beverages. She will be my manager on file at the Arizona Department of Liquor and will attend both Basic and Management liquor law training. I will also mandate all employees to attend liquor law training. Additionally, this location has had an active liquor license serving the community for several years. The alcohol is basically to complement the service of food. The primary purpose is a restaurant not a bar."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

4 Liquor License - Julio G's / Julio's Too

Request for a liquor license. Arizona State License Application 245552.

Summary

Applicant
Benjamin Christy, Agent

License Type
Series 12 - Restaurant

Location
12631 N. Tatum Blvd., Ste. A102 and A103
Zoning Classification: C-2 PCD
Council District: 3

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 July 14, 2023.

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 have been working in the restaurant for 15 years. I am very familiar with rules and regulations regarding alcohol sales. We always maintain the highest standards."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"So we can continue to serve our community by providing the best food, drinks and service around."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Julio G's / Julio's Too
Liquor License Map - Julio G's / Julio's Too

This item was recommended for approval.

5 Liquor License - MJ Mini Mart

Request for a liquor license. Arizona State License Application 245123.

Summary

Applicant
Lauren Merrett, Agent

License Type
Series 10 - Beer and Wine Store

Location
1201 W. Hatcher Road
Zoning Classification: C-2
Council District: 3

This request is for a new liquor license for a convenience store that does not sell gas. 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 July 2, 2023.

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:
"Applicant is committed to upholding the highest standards for this business. Managers and staff will be trained in the Title 4 and best practices for compliance with liquor laws and for the safety of the community."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Applicants business is a neighborhood convenience store, featuring a variety of food and beverage options. Providing continued alcoholic beverages for individuals 21 and older will be a convenience for the customers to enhance their experience."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - MJ Mini Mart
Liquor License Map - MJ Mini Mart

This item was recommended for approval.

6 Liquor License - Hana Japanese Eatery

Request for a liquor license. Arizona State License Application 07070216.

Summary

Applicant
Juanita Esparza, Agent

License Type
Series 7 - Beer and Wine Bar

Location
5524 N. 7th Ave.
Zoning Classification: C-2
Council District: 4

This request is for an ownership and location transfer of a liquor license for a beer and wine bar. This location is currently licensed for liquor sales with a Series 12, Restaurant, liquor license. This location requires a Use Permit to allow outdoor dining and outdoor alcohol consumption.

The 60-day limit for processing this application is July 3, 2023.

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.

Hana Japanese Eatery (Series 12)
5524 N. 7th Ave., Phoenix
Calls for police service: 1
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 owners of Hana Japanese Eatery are committed to upholding the

highest standards for it's business practices, employees and, patrons. The owners and employees have been trained in the techniques of legal and responsibility and have taken the Title 4 Liquor Law Training Course within the past 3 years. As owners of the business they will oversee all employees and provide a safe enviroment”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “The owners of Hana Japanese Eatery wishes currently provide dining with alcohol on a series 12 restaurant liquor license at the request of the general public. The series 7 beer and wine license will be used for occasional tasting and off sale priviledge. In addition Hana Japanese Eatery will responsibly adhere to all state, city and, federal tax laws and maintain a strict adherence security requirements”

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 - Hana Japanese Eatery
Liquor License Map - Hana Japanese Eatery

This item was recommended for approval.

7 Liquor License - Island Grill AZ

Request for a liquor license. Arizona State License Application 238335.

Summary

Applicant
Rickardo Coote, Agent

License Type
Series 12 - Restaurant

Location
830 E. Indian School Road
Zoning Classification: C-2

Council District: 4

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. This location requires a Use Permit to allow outdoor dining and alcohol consumption as an accessory use to a restaurant.

The 60-day limit for processing this application is June 30, 2023.

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 have a legally recognized and appropriate establishment. I comply with all applicable laws and regulations, including alcohol regulations. I will

show a commitment to responsible alcohol service, such as implementing age verification and training staff on responsible serving practices."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Having a licensed establishment within the community will provide residents with convenient options for socializing, dining out and enjoying a variety of experiences."

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 - Island Grill AZ
Liquor License Map - Island Grill AZ

This item was recommended for approval.

8 Liquor License - Special Event - Puppy Love Foundation

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

Summary

Applicant
Jeffrey Stotler

Location
2209 N. 99th Ave.
Council District: 5

Function
Concert

Date(s) - Time(s) / Expected Attendance
July 1, 2023 - 6 p.m. to 10 p.m. / 2,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

9 Liquor License - Special Event - Puppy Love Foundation

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

Summary

Applicant
Jeffrey Stotler

Location
2209 N. 99th Ave.
Council District: 5

Function
Concert

Date(s) - Time(s) / Expected Attendance
July 8, 2023 - 6 p.m. to 10 p.m. / 2,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

10 Liquor License - Special Event - Puppy Love Foundation

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

Summary

Applicant
Jeffrey Stotler

Location
2209 N. 99th Ave.
Council District: 5

Function
Concert

Date(s) - Time(s) / Expected Attendance
July 15, 2023 - 6 p.m. to 10 p.m. / 2,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

11 Liquor License - 7- Eleven #18117N

Request for a liquor license. Arizona State License Application 245296.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 10 - Beer and Wine Store

Location
2651 W. Glendale Ave.
Zoning Classification: C-2
Council District: 5

This request is for a new liquor license for a convenience store that does not sell gas. 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 July 4, 2023.

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.

7- Eleven #26062H (Series 10)
2401 E. McDowell Road, Phoenix
Calls for police service: 56
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:
"7- Eleven #18117 is a one-stop shop for convenience items and has been in operation for many years. Ownership was transferred back to

corporate; applicant would like to continue to offer beer and wine to its customers 21 and over."

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 - 7- Eleven #18117N
Liquor License Map - 7- Eleven #18117N

This item was recommended for approval.

12 Liquor License - Da KiTcHiN Grill

Request for a liquor license. Arizona State License Application 227657.

Summary

Applicant
Charles Stewart, Agent

License Type
Series 12 - Restaurant

Location
4902 E. Warner Road, Ste. 5, 7, 9
Zoning Classification: C-2
Council District: 6

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 July 15, 2023.

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.

Chariot Pizza & Pub (Series 12)
3930 N. Flowing Wells Road, 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:
"I have been in the restaurant industry for 20 years and I am dedicated to the responsibility that requires the upmost attention to the law that govern the saftey of the consumer in this industry."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"It provides tranquil path to serenity that all local communities would love

to exercise at their leisure in a responsible manor in a casual adult setting”

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 - Da KiTcHiN Grill
Liquor License Map - Da KiTcHiN Grill

This item was recommended for approval.

13 Liquor License - Trevor's

Request for a liquor license. Arizona State License Application 245148.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
3601 E. Indian School Road, Ste. A
Zoning Classification: C-2
Council District: 6

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 being remodeled with plans to open in December 2023.

The 60-day limit for processing this application is July 2, 2023.

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 information is not provided due to the multiple ownership interests held by the applicant 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:
"Applicant is an experienced licensee committed to upholding the highest standards to maintain 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:
"Trevor's will provide a family-friendly, neighborhood restaurant offering a variety of pizzas, sandwiches and salads in a relaxing atmosphere. Applicant would like to offer alcoholic beverages to guests 21 and over."

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 - Trevor's
Liquor License Map - Trevor's

This item was recommended for approval.

14 Liquor License - Latitude Wines

Request for a liquor license. Arizona State License Application 244149.

Summary

Applicant
Camilia Alarcon, Agent

License Type
Series 4 - Wholesaler

Location
5446 W. Roosevelt St., Ste. 109
Zoning Classification: A-1
Council District: 7

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

The 60-day limit for processing this application is July 2, 2023.

Pursuant to A.R.S. 4-203, consideration may be given only to the applicant's personal qualifications and not to the location.

Other Active Liquor License Interest in Arizona
This 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: information about any 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.

Latitude Wines (Series 4)
625 S. 27th Ave., Ste.130B, Phoenix
Calls for police service: 69
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's members have interests in importer and wholesaler license throughout the United States. Latitude Wines has held a wholesaler license in Phoenix without incident since 2016, as well as an out-of-state producer license in Arizona since 2005. The applicant will continue its commitment to adhering to all applicable liquor laws."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

15 Liquor License - NICK THE GREEK

Request for a liquor license. Arizona State License Application 245448.

Summary

Applicant
Baljinder Sidhu, Agent

License Type
Series 12 - Restaurant

Location
11 W. Washington St., Ste. 120

Zoning Classification: DTC- Business Core
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.

The 60-day limit for processing this application is July 11, 2023.

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 a responsible and lawful citizen who always like to follow laws and regulations. I am a masters degree holder who also currently hold a real

estate Licence In California for more than 5 years without any violation and Mortgage Loan originator license in California and Arizona State, which requires very strict background check, ethic training and credit check to obtain a license. Those licenses also requires to follow very strict state laws and regulations. Also Ranvir Bains who is premises manager and partner is also holding a liquor store Liquor License and California over 9 years without any violations. So i can say with confident that i am capable, reliable and qualified to obtain 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: "Our Nick the Greek location is centrally located in the Cityscape complex where many people come for entertainment. Whether it be for local events, the comedy club, or simply to eat food, the community would definitely benefit from our ability to serve alcohol. The restaurants around us all serve alcohol as well and we all feel that there is definitely a demand for it. We have past experience with owning a liquor license (in California), so we feel confident we can responsibly serve the community."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - NICK THE GREEK
Liquor License Map - NICK THE GREEK

This item was recommended for approval.

16 Liquor License - LeDu Thai Restaurant

Request for a liquor license. Arizona State License Application 245982.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
915 N. 5th St.
Zoning Classification: DTC-Evans Churchill East
Council District: 8

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 being remodeled with plans to open in August 2023.

The 60-day limit for processing this application is July 11, 2023.

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. We will ensure our employees are Title 4 liquor law trained.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“LeDu Thai is an upscale restaurant that provides an authentic experience for people interested in this style of food. Thai chefs that specialize in the preparation of food, also an immersive experience in the interior decor. We are a sit down restaurant that encourages relaxing over a meal and drinks designed to complement the food. We are a restaurant that has a bar, not a bar that also sells food.”

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 - LeDu Thai Restaurant
Liquor License Map - LeDu Thai Restaurant

This item was recommended for approval.

17 Liquor License - Taqueria Obregon

Request for a liquor license. Arizona State License Application 246089.

Summary

Applicant
Roberto Ramos, Agent

License Type
Series 12 - Restaurant

Location
3401 E. McDowell Road, Ste. 1
Zoning Classification: C-2
Council District: 8

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 is July 14, 2023.

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.

Wing Kings (Series 12)
2836 E. Indian School Road, Ste. A-1, Phoenix
Calls for police service: 10
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 consistent in implementing policies and procedures. - Trainning of new staff and ongoing for current staff. - Follow all state and federal law pertaining to the sell of alcohol. - I have taken manager and alcohol handling classes.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“Protecting the community and citizens is my top priority. Will do this by constant training of staff and by monitoring the restaurant. Being a responsible retailer is my top priority.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Taqueria Obregon
Liquor License Map - Taqueria Obregon

This item was recommended for approval.

18 Bingo License - Christian Care Apts

Request for a Class A Bingo License.

Summary
State law requires City Council approval before a State Bingo License can be issued.

Bingo License Types
Class A - gross receipts shall not exceed $75,000 per year
Class B - gross receipts shall not exceed $500,000 per year
Class C - anticipated gross receipts may exceed $500,000 per year

Applicant
Gerald Glen Burroughs

Location

2002 W. Sunnyside Ave.
Zoning Classification: R-3A, R-5
Council District: 3

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

ORDINANCES, RESOLUTIONS, NEW BUSINESS

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

Discussion
Mayor Gallego thanked the Council stating that the meeting agenda was important and included everything from partnerships with Arizona State University to investments in housing and economic development.

A motion was made by Vice Mayor Ansari, seconded by Councilwoman Stark, that items 19-196 be approved and/or adopted, except items 24-27, 46, 49-50, 56-57, 78-79, 84-85, 88, 93, 98, 111, 155, 166, 176-181, 194-196, and noting that item 65 is as corrected and item 193 is continued to August 28, 2023. The motion carried by the following vote:

Yes:	9 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	

Items 19-23 and 28-43, Ordinance S-49904 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.

19 City of Goodyear - Annual Water Utility Payment

For $436,000 in payment authority to the City of Goodyear, for the

Phoenix Goodyear Airport annual water utility charges, as provided in the airport's annual operating budget for the Aviation Department. The airport is physically located in the City of Goodyear and is required to pay for the monthly water utilities received from the City of Goodyear. The airport will be billed by the City of Goodyear for all water and sewer charges, including the tenants' portion. Goodyear Airport will then charge back to the tenants on a monthly basis for each tenant's responsible portion of the utility payments.

This item was adopted.

20 ON Advertising Inc.

For $42,500 in payment authority to purchase graphic design services for the Office of Environmental Programs. This service will support an update of the City of Phoenix 2023 Climate Action Plan report and create attractive and informative public outreach materials. The development of public outreach materials will promote attendance at public meetings and encourage review of the 2023 Climate Action Plan update. Funding is available through the Office of Environmental Programs budget for Fiscal Year 2022-23.

This item was adopted.

21 Tata Consultancy Services Limited

For $326,596 in additional payment authority for the required software support and maintenance services for the Tax Mantra system utilized by the Finance and City Clerk departments. The Tax Mantra system holds historical taxpayer information used by the Revenue Enforcement Division in Finance for research and reporting. The City Clerk Department relies on Tax Mantra to manage all regulatory license services for citizens and businesses.

This item was adopted.

22 Phoenix Sister Cities, Inc.

For $70,000 in additional payment authority under Contract 154617 to reimburse for hosting a community event that directly benefited Phoenix residents. Specific associated costs include: event vendors, barricades, street closures, public safety measures and stage/setup equipment.

This item was adopted.

23 **Timothy F. Hendershott, dba Tartan Associates**

For $8,775 in additional payment authority for Contract 148405, which provides dispatcher chairs for the Fire Department, to extend the term through Aug. 31, 2024, with an option to extend through Aug. 31, 2025. The ergonomic work chairs provide the Dispatch Center with physical support to minimize any health and physical issues to personnel by regulating body temperature and comfort for lengthy work schedules. This contract allows the Fire Department the ability to purchase new dispatch chairs for the Alarm Headquarters to replace older chairs that have exceeded their useful life.

This item was adopted.

28 **Digital Realty Trust, LP and Telx - Phoenix, LLC**

For $94,000 in payment authority to purchase circuits, network and connectivity services for departments Citywide. Digital Realty Trust, LP and Telx - Phoenix, LLC, provide a point-of-presence space, and interconnectivity for the City's fiber optic network. These critical connections are required to maintain the daily operation of information, communication, and technology for the City's enterprise data centers for all departments.

This item was adopted.

29 **Iron Mountain Data Centers, LLC**

For $16,000 in payment authority to purchase a power addition for new cabinets for the Information Technology Services Department in support of the City's alternate data center. The power addition supports new cabinets which will house equipment for the Unified Communications group supporting the City's call manager system. Critical upgrades for the call manager system rely on this service.

This item was adopted.

30 **Mitratech Holdings, Inc.**

For $34,267 in payment authority for litigation management networking services for the Law Department. Mitratech provides litigation management networking services through a secure, private website for e-billing and administration of legal matters. This amount will cover invoices for provided services while the parties finalize the upcoming contract.

This item was adopted.

31 Alan Conrad Aimone

For $72,000 in payment authority to purchase appraisal services for Burton Barr Central Library. The appraisal for the Rare Book Collection consists of 3,400 valuable and historical items, including rare books, first editions, illuminated manuscripts, artists' books, and rare and historical objects. The appraisal will provide up-to-date information on replacement and comparable value since this collection was last appraised in 1990. Funds are available through the Library Department's Fiscal Year 2022-23 operating budget.

This item was adopted.

32 Motion Picture Licensing Corp

For $50,000 in payment authority for the purchase of an annual license subscription for the Parks and Recreation Department. This license allows the right to publicly perform, as defined by the United States Copyright Act, motion pictures, television programs and other audiovisual content originally intended for personal use only. The payment authority is for Calendar Years 2023 through 2027. The license will be renewed and paid annually.

This item was adopted.

33 Mayo Clinic Arizona

For $1,564,544 in payment authority for reimbursement of permit and plan review fees to Mayo Clinic Arizona which equals the amount of construction sales tax paid between Jan. 1, 2022, and Dec. 31, 2022, for the Planning and Development Department. The payment will be made from the Development Repayment Agreement Trust Fund, which is reimbursed from City funds based on construction sales taxes remitted to the City from applicable activity authorized by Development Agreement CON 72047 executed between City of Phoenix and Mayo Foundation for Medical Educational Research on Jan. 3, 1996.

This item was adopted.

34 Apple Inc.

For $21,727 in payment authority to purchase 13 Apple MacBook Pro

laptops for the Drug Enforcement Bureau's Human Exploitation and Trafficking (HEAT) Unit of the Phoenix Police Department. The HEAT Unit is comprised of two squads of detectives that have the primary role of investigating human trafficking in all its forms. The HEAT Unit is also partnered with the Federal Bureau of Investigation's Greater Phoenix Child Exploitation and Human Trafficking Task Force to meet the HEAT Unit's investigative needs. Currently, the unit utilizes Apple products for human trafficking investigations and operations. At this time, there are not enough functioning laptops for investigators. These laptops are budgeted to be funded through the United States Department of Justice Bureau of Justice Assistance Human Trafficking Training and Technical Assistance Grant for Fiscal Year 2022-23.

This item was adopted.

35 Rugged Solutions America dba Mobile Concept Technology, LLC

For $92,582 in payment authority to purchase 100 patrol vehicle laptop docks for the Information Technology (IT) Bureau of the Phoenix Police Department (PPD). The Havis Premium Vehicle Docks are specially designed to mount the Panasonic Toughbook 55 laptops that are utilized in PPD patrol vehicles. Vehicle docks are necessary for patrol laptops to maintain global positioning systems (GPS), broadband, and power connectivity throughout the shift. The docks also provide a method of securing the laptop while the police officer's vehicle is in motion to prevent damage/injury to officers and equipment in the event of sharp turns or hard braking. These vehicle docks will replace the damaged/failed vehicle docks currently in use within the PPD patrol vehicles at the various precincts. Funding for this purchase will be provided by savings from the IT Bureau's Fiscal Year 2022-23 cellular phone budget.

This item was adopted.

36 UCT, LLC

For $10,000 in additional payment authority for Contract 148127, which provides laboratory items for the Police Department, to extend the term through May 31, 2028. UCT, LLC, is the sole supplier of Styre Screen and Clean Screen extraction columns used for analyzing urine and blood for drug confirmations.

This item was adopted.

37 **Oxford Instruments America, Inc.**

For $25,000 in additional payment authority for Contract 148555, which provides a Maintenance Agreement for Oxford equipment for the Police Department, to extend the term through May 31, 2026. This agreement provides software updates and annual preventative maintenance for the Oxford Energy Dispersive Spectrometer (EDS) which processes crime scene analyses to analyze gunshot residue, tape comparisons, and fiber comparisons.

This item was adopted.

38 **Stop Sticks, LTD**

For $19,200 in additional payment authority for Contract 147777, for purchase of Stop Stick devices for the Police Department. This contract provides stop stick devices that the Police Department utilizes to safely reduce the mobility of a target vehicle that is being pursued. Stop sticks are designed to penetrate and deflate the tires of a moving target vehicle in a manner that will avoid catastrophic failure of the penetrated tire. The contract will be extended through May 31, 2024, with an option to extend through May 31, 2025.

This item was adopted.

39 **Knight-Swift Transportation Holdings, Inc.**

For $43,593 in payment authority to purchase temporary freezer and refrigeration temperature-controlled storage services for the Phoenix Police Department Property Management Unit (PPD-PMU). The Police Department's evidentiary freezer and refrigeration evidence storage was damaged and had to be emptied for emergency repairs. These containers hold all biological and blood evidence for the Police Department for criminal and civil investigations. Swift Transportation Company's storage trailers have been extensively vetted and comply with the required regulations for the temporary storage of evidentiary material. These services are crucial in maintaining the integrity of the evidentiary materials previously stored in the damaged evidentiary freezer and refrigeration storage. The funds for this request are budgeted through the Police Department's operating budget for Fiscal Year 2022-23.

This item was adopted.

40 **Lennar Communities Development, LLC**

Remit $29,929 of developer collected escrow funds to Lennar Communities Development, LLC, for the completion of the constructed south half median per the Sonoran Foothills Master Street Plan project, permit number CPA 03029447. Lennar Communities completed the ultimate median to replace the existing interim improvements. The project will reimburse previously collected private escrow funds from the Street Transportation trust account.

This item was adopted.

41 BC Graphics, Inc.

For $9,000 in additional payment authority for Contract 149658 for resident parking permits for the Street Transportation Department. This contract provides resident parking decals, visitor placards and year decals to residents who are eligible to participate in the City of Phoenix Resident Parking Permit Program.

This item was adopted.

42 AZ Pro Signs, Inc., dba AZPRO Group

For $35,000 in payment authority to purchase the services to have traffic signal cabinets wrapped with art for the Street Transportation Department. The Street Transportation Department has established a pilot program to support decorative wraps for traffic signal cabinets to help showcase and enhance public spaces and community identity.

This item was adopted.

43 Settlement of Claim(s) 525 Bethany LLC v. City of Phoenix

To make payment of up to $300,000 in settlement of claim(s) in 525 Bethany LLC v. City of Phoenix, 21-1075-001, GL, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement payment of a claim involving the Water Services Department that occurred on May 26, 2022.

This item was adopted.

44 Proposed I-17 and Jenny Lin Road Annexation (Ordinance S-50004)

Request City Council authorization to extend and increase the corporate limits of the City of Phoenix, Ariz., by annexing an area not within the present limits of the City of Phoenix, designated as the I-17 and Jenny

Lin Road Annexation. Further request to authorize current Maricopa County zoning to continue in effect until municipal zoning is applied to the annexed territory.

Summary

The annexation was requested by Adam Baugh with Withey Morris, PLC, for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation. The City Clerk Department has received signed petitions representing 100 percent of the assessed value and 100 percent of the owners, excluding utilities, within the proposed annexation area.

Public Outreach

A public hearing was conducted on Nov. 16, 2022, to allow the City Council to gather community comment regarding the annexation proposal. Notification of the public hearing was published in the Arizona Business Gazette newspaper, and posted in at least three conspicuous places in the territory proposed to be annexed. Also, notice by first-class mail was sent to each property owner in the area proposed to be annexed.

Location

The proposed annexation area includes Maricopa County Assessor parcel 202-22-001B, located at I-17 and Jenny Lin Road (**Attachment A**). The annexation area is approximately 7.91 acres (0.0124 sq. mi.) and the population estimate is zero individuals.

Council District: 1

This item was adopted.

45 Proposed 35th Avenue and Elliot Road Annexation (Ordinance S-50028)

Request City Council authorization to extend and increase the corporate limits of the City of Phoenix, Ariz., by annexing an area not within the present limits of the City of Phoenix, designated as the 35th Avenue and Elliot Road Annexation. Further request to authorize current Maricopa County zoning to continue in effect until municipal zoning is applied to the annexed territory.

Summary

The annexation was requested by Brian Cameron, for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation. The City Clerk Department has received signed petitions representing 100 percent of the assessed value and 100 percent of the owners, excluding utilities, within the proposed annexation area.

Public Outreach

A public hearing was conducted on March 22, 2023, to allow the City Council to gather community comment regarding the annexation proposal. Notification of the public hearing was published in the Arizona Business Gazette newspaper, and posted in at least three conspicuous places in the territory proposed to be annexed. Also, notice by first-class mail was sent to each property owner in the are proposed to be annexed.

Location

The proposed annexation area includes Maricopa County Assessor parcel 300-11-036H, located at 35th Avenue and Elliot Road (**Attachment A**). The annexation area is approximately 2.63 acres (0.0041 sq. mi.) and the population estimate is 2.8 individuals.

Council District: 8

This item was adopted.

47 Request to Enter an Intergovernmental Agreement with Arizona State University Edson College of Nursing and Health Innovation

Request to authorize the City Manager, or his designee, to allow Volunteer PHX to enter into an Intergovernmental Agreement with the Arizona Board of Regents on behalf of Arizona State University (ASU) Edson College of Nursing and Health Innovation for student placements.

Summary

The Edson College of Nursing and Health Innovation trains and educates students working towards undergraduate, masters and doctorate degrees in nursing. At all levels of nursing education placements may be required or available for credit to support student learning and educational experience.

With the addition of the Office of Public Health, there is an enhanced focus on opportunities for public health programming. The City of Phoenix offers a unique opportunity and setting for community and clinical nursing placements focused on population and public health through a variety of departments and offices.

Volunteer PHX coordinates the City's volunteer opportunities, including volunteer placements and internships. Building on existing relationships with the College, including a partnership with the Office of Heat Mitigation and Response, Volunteer PHX will work closely with the Office of Public Health other departments to initiate and coordinate routine opportunities for nursing placements across programs. These placements will enhance the capacity of departments to address population health issues and support the education and development of the local nursing workforce.

Examples of routine nursing placements include:
We're Cool summer outreach with vulnerable populations
Vaccination support with Phoenix Fire's Baby Shots program
Health Education opportunities with Office of Public Health

Contract Term
The agreement will be valid for five years from the date of execution by all parties.

Financial Impact
There is no cost or financial impact for these activities.

This item was approved.

48 V-Desk II System Operator - RFA 19-021 - Amendment (Ordinance S-49983)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 148626 with Skyline Productions, Inc., to extend the contract term and allow additional expenditures. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $89,000.

Summary
This contract will provide highly technical, trained and skilled

multi-robotics camera operator services for the robotic camera system located in the PHXTV studios, which provides live-broadcast capability for meetings in the City Council Chambers and City Hall Assembly Rooms, both on-air and online. The use of robotic cameras in the City Council Chambers and Assembly Rooms provides the City cost savings and staffing efficiencies, as fewer people are required to produce meeting coverage for broadcast.

Contract Term
Upon approval the contract will be extended through Sept. 30, 2024.

Financial Impact
Upon approval of $89,000 in additional funds, the revised aggregate value of the contract will not exceed $219,000. Funds are available in the Communications Office operating budget.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
• V-Desk II System Operator Contract 148626 (Ordinance S-45033) on Oct. 3, 2018;
• V-Desk II System Operator Contract 148626 (Ordinance S-49165) on Nov. 16, 2022.

This item was adopted.

51 Payment Ordinance for Summer Recess (Ordinance S-49939)

The request is prepared each fiscal year end to allow for continuance of operations during the annual Council summer recess.

Summary
Request to authorize the City Controller to disburse funds, not to exceed $100,000 per vendor, per occurrence, arising or otherwise due and payable during the period commencing on July 3, 2023, through Aug. 29, 2023, for the purpose of continuing payment authority for expenditure of public money for payment of claims against the City of Phoenix for normal, recurring, business operating expenditures.

This item was adopted.

52 Amend Personnel Rule 15, Merit Pay Increase (Ordinance S-49971)

Request City Council approval of amendment to City of Phoenix

Personnel Rule 15 (**Attachment A**). This action establishes final rules and adopts changes to update the City's Personnel Rules.

Summary

The proposed amendment to Personnel Rule 15 will remove 15g2, thereby permitting time taken on industrial leave or light duty assignment to be creditable for establishing the merit date.

Public Outreach

A public meeting was conducted by the Human Resources Department on May 30, 2023, to formally solicit comments on the proposed amendment.

This item was adopted.

53 Acceptance of Easement for Drainage Purposes (Ordinance S-49940)

Request for the City Council to accept an easement for drainage purposes; further ordering the ordinance recorded.

Summary

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

Easement (a)

Applicant: CTC Properties, LLC, its successor and assigns
Purpose: Drainage
Location: 5815 S. 36th St.
File: FN 220085
Council District: 8

This item was adopted.

54 Acceptance of a Quitclaim Deed from Las Haciendas de Paradise Village for Real Property Near the Northeast Corner of Cactus Road and 40th Street (Ordinance S-49906)

Request for the City Council to accept a quitclaim deed, Maricopa County recording number 2013-0679775, from Las Haciendas de Paradise Village, for real property near the northeast corner of Cactus Road and 40th Street; further ordering the ordinance recorded.

Summary

The real property, identified by Maricopa County Assessor parcel numbers 167-27-068A and 167-27-068B, is approximately 402,761 square feet and is shown as drainage ways on the Las Haciendas de Paradise Village Plat, Maricopa County recording 207-22. The Street Transportation and Parks and Recreation departments have agreed to accept the fee title and maintain the property, including drainage ways, landscaping, walking trails and wash areas through the implementation of the following maintenance plan:

Street Transportation Department - Maintain the concrete channel and its underlying drainage easement area in perpetuity.
Parks and Recreation Department - Maintain the wash area and its underlying drainage easement area in perpetuity.

Location
Near the northeast corner of Cactus Road and 40th Street.
Council District: 3

This item was adopted.

55 Acceptance of a Traffic Control Easement Along the West Side of 40th Street, North of Bell Road (Ordinance S-49957)

Request for the City Council to accept a traffic control easement along west side of 40th Street, north of Bell Road, from Paradise Valley Unified School District No. 69, a Political Subdivision of the State of Arizona; further ordering the ordinance recorded.

Summary
The approximate 100 square-foot traffic control easement was donated by Paradise Valley Unified School District No. 69 for a traffic signal modernization project. The permanent easement, located along the west side of 40th Street, north of Bell Road, is within Maricopa County Assessor's parcel number 214-01-001H and is more fully described in the legal description to be recorded with the ordinance.

Location
Along the west side of 40th Street, north of Bell Road.
Council District: 2

This item was adopted.

58 Voluntary Acquisition of Improved Real Property Located at 4050 and 4102 E. Air Lane for Phoenix Sky Harbor International Airport (Ordinance S-49938)

Request to authorize the City Manager, or his designee, to perform all acts necessary to acquire real property located at 4050 and 4102 E. Air Lane in fee simple title, together with associated improvements and appurtenances. Acquisition is to be by voluntary purchase from OTH Holdings, LLC, at a price not to exceed appraised value plus usual and customary closing costs. Further request to authorize the execution of a lease to allow occupants time to relocate, as may be necessary to and in furtherance of this acquisition. Additionally request to authorize the City Controller to disburse, and the City Treasurer to accept, all funds related to this item.

Summary

OTH Holdings, LLC, initiated a voluntary acquisition of the property consisting of 26,891 square feet of land, improved with two office buildings and warehouse structures totaling 16,059 square feet and associated land improvements. The property is strategically located adjacent to Phoenix Sky Harbor International Airport's north airfield fence line and operations. Currently, the property is occupied by Almond Brothers, LLC (Almond Brothers).

To allow occupants time to relocate, the City will lease 4102 E. Air Lane to Almond Brothers for a term of 18 months, plus one 18-month option to extend, that may be exercised at the sole discretion of the Director of Aviation, at a rental rate based on market rent.

Once the property is acquired and as the buildings become vacant, the Aviation Department intends to demolish the structures in favor of improvements to support aeronautical development. If an agreement to purchase cannot be reached at this time, the property may be acquired at a later date using other available means.

Financial Impact

The purchase price will not exceed appraised value, plus the usual and customary closing costs. Funds are available in the Aviation Department's Capital Improvement Program.

Location
4050 and 4102 E. Air Lane, identified by Maricopa County Assessor parcel numbers 124-01-006 and 124-01-005.
Council District: 8

This item was adopted.

59 Acquisition of Real Property for the Durango Street Mobility Project Along Durango Street from Central Avenue to 5th Street, and Along 5th Street from Durango to Mohave Streets (Ordinance S-49908)

Request to authorize the City Manager, or his designee, to acquire all real property and related property interests required by donation, purchase within the City's appraised value, or by the power of eminent domain for the Durango Street Mobility Project located along Durango Street from Central Avenue to 5th Street, and along 5th Street from Durango to Mohave streets. Further request to authorize dedication of land with roadway and/or public improvements to public use for right-of-way purposes via separate recording instrument, accept and grant all easements along the alignments, and execute all necessary licenses and agreements in furtherance of this ordinance. Additionally, request to authorize the City Controller to disburse all funds related to this item.

Summary
Acquisition of real property is required to enhance the roadway and sidewalk conditions for pedestrians, bicyclists and vehicular traffic. Roadway improvements include Americans with Disabilities Act compliant sidewalks, street lighting, curb and gutters. The project will include low-impact development facilities for storm water management.

The parcels affected by this project are identified in **Attachment A.**

Financial Impact
Funding is available in the Street Transportation and Neighborhood Services departments' Capital Improvement Program budgets.

Location
Along Durango Street from Central Avenue to 5th Street and along 5th Street from Durango to Mohave streets.

Council District: 8

This item was adopted.

60 Computer Hardware and Support Services - COOP 21-031 - Amendment (Ordinance S-50008)

Request to authorize the City Manager, or his designee, to execute amendments to Contracts 155722 with HP, Inc.; 155893 with Hewlett Packard Enterprise; 156003 with Dell Marketing L.P.; 154977 with Transource Services Corporation; and 156814 with NetApp, Inc., to extend the contract terms. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $6,000,000.

Summary

These contracts will provide a wide variety of technology needs for all City departments. Purchases made under these contracts include on-going replacement of end user computer hardware, peripheral equipment, devices, laptops, tablets, monitors, power cables, other end of life user devices and support services.

Contract Term

Upon approval the contracts will be extended through Oct. 31, 2023, with an option to extend through Jan. 31, 2024.

Financial Impact

Upon approval of $6,000,000 in additional funds, the revised aggregate value of the Contracts will not exceed $43,500,000. Funds are available in the various department budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

• Computer Hardware and Support Services Contracts 155722, 155893, 156003 (Ordinance S-47594) on June 2, 2021;

• Computer Hardware and Support Services Contracts 155722, 155893, 156003 (Ordinance S-48765) on June 15, 2022.

This item was adopted.

61 Facilities Maintenance and Repair and Operations and Industrial Supplies - COOP 20-056 - Amendment (Ordinance S-49914)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 151476, with W.W. Grainger, Inc., and Contract 151478, with Fastenal Company for the purchase of facilities maintenance and repair and operations and industrial supplies for Citywide use. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $14,000,000.

Summary

These contracts will provide the City with maintenance, repair, and operational (MRO) supplies which support the needs of City employees, facilities, and warehouses, as well as the general public. MRO supplies include, but are not limited to: electrical supplies, motors, lighting, hand and power tools, safety equipment, pumps, material handling equipment, pneumatic equipment, machine/cutting tools, heating ventilation and air conditioning (HVAC) equipment and supplies, test instruments, and wide variety of goods and services required for the City to remain operational on a daily basis. The primary departments utilizing the contracts are: Aviation, Fire, Parks and Recreation, Police, Phoenix Convention Center, Public Works, Street Transportation, and Water Services.

Contract Term

The contract term remains unchanged, ending on Dec. 31, 2024.

Financial Impact

Upon approval of $14,000,000 in additional funds, the revised aggregate value of the contract will not exceed $39,433,410. Funds are available in the various departments' budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

Facilities Maintenance and Repair and Operations and Industrial Supplies Contracts 151476 (Ordinance S-46245) on Dec. 18, 2019;

Facilities Maintenance and Repair and Operations and Industrial Supplies Contracts 151476 (Ordinance S-48496) on April 20, 2022.

This item was adopted.

62 MRO Supplies: Industrial, Building, Plumbing, Electrical and HVAC - COOP 20-096 - Amendment (Ordinance S-49915)

Request to authorize the City Manager, or his designee, to allow additional expenditures for contracts 152625 with Voss Lighting; 152624 with Electric Supply, Inc.; 152622 with Rexel USA Inc.; 152621 with Lighting Unlimited, Inc.; 152623 with Border States Industries, Inc.; and 152620 with Ledergy Lighting LLC, for the purchase of maintenance, repair, and operational (MRO) supplies, including industrial, building, plumbing, electrical, and heating ventilation and air conditioning (HVAC) supplies, for Citywide use. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $6,000,000.

Summary

These contracts will provide MRO supplies which support the needs of City employees, facilities and warehouses, as well as the general public. MRO supplies include, but are not limited to industrial, building, plumbing, electrical and HVAC supplies required for the City to remain operational on a daily basis. The primary departments utilizing the contracts are Aviation, Fire, Phoenix Convention Center, Public Works and Water Services.

Contract Term

The contract term remains unchanged, ending on June 30, 2025.

Financial Impact

Upon approval of $6,000,000 in additional funds, the revised aggregate value of the contracts will not exceed $13,000,000. Funds are available in the various department budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

Industrial, Building, Plumbing, Electrical, and HVAC Supplies and Materials contracts 152625, 152624, 152622, 152621, 152623, 152620 (Ordinance S-46753) on June 17, 2020.

This item was adopted.

63 Armed, Unarmed and Event Security Guard Services - IFB 18-299 - Amendment (Ordinance S-49912)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 148625 with Surveillance Security, Inc. Further

request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $2,500,000.

Summary

This contract will provide armed, unarmed, and event security guard services to secure public and private interior and exterior property, in addition to providing security at City-sponsored events. Guard services will be used during operating and after hours to monitor City buildings and patrol City locations to deter crime and protect City property. Guard services will also be used to monitor video-surveillance systems, and fire detection, alarm and communication systems as well as provide fire watch services and emergency guard services, as needed. The contract will be available for Citywide use.

Contract Term

The contract term remains unchanged, ending on Nov. 30, 2023.

Financial Impact

Upon approval of $2,500,000 in additional funds, the revised aggregate value of the contract will not exceed $13,000,000. Funds are available in various department budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
• Armed, Unarmed and Event Security Guard Services 148625 (Ordinance S-45063) on Oct. 17, 2018.

This item was adopted.

64 Web Based Contract Management Software and Support Services Contract - EXC 23-059 - Request for Award (Ordinance S-49916)

Request to authorize the City Manager, or his designee, to enter into a contract with Askreply, Inc., DBA B2Gnow, to provide web based contract management software and support services for the Equal Opportunity Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $181,362.

Summary

This contract will provide web based contract management software and support services to be used by the Equal Opportunity Department (EOD).

This software helps EOD manage the data intensive contracts and certification processes that are part of contract management as required by the United States Department of Transportation and Chapter 18. This software system supports diversity based contracting, certification, and outreach programs. The software provides for instant data retrieval from Disadvantaged Business Enterprise (DBE), Airport Concessionaire Disadvantaged Business Enterprise (ACDBE), and Small Business Enterprise (SBE) programs by North American Industry Classification Systems codes and work descriptions, which are essential for DBE and SBE goal setting.

This item has been reviewed and approved by the Information Technology Services Department.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved determination memo due to sole source. This software allows EOD to remain in compliance with the requirements associated with Title 49 of the Electronic Code of Federal Regulation, specifically Parts 23 and 26, under Subtitle A. The City of Phoenix is required by statute and federal regulations to maintain historical records for three full fiscal years. The city adopted this historical retention policy based upon Arizona state laws. EOD has determined that it would create an unnecessary obstacle in compliance to migrate to a different software system that will not contain any of the historical records necessary to manage the programs. EOD will continue to manage the DBE/ACDBE/SBE programs to ensure that federal, state, and local requirements are being met.

Contract Term

The contract will begin on or about Aug. 1, 2023, for a five-year term with no options to extend.

Financial Impact

The aggregate contract value will not exceed $181,362 for the five-year aggregate term. Funding is available in the Equal Opportunity Department's operating budget.

This item was adopted.

65 ***ITEM CORRECTED (SEE ATTACHED MEMO)*** Mobile Computing Solutions - COOP 23-075 - Request for Award (Ordinance S-49985)

Request to authorize the City Manager, or his designee, to enter into a contract with Panasonic North America Connect to provide mobile computing solutions, through their authorized resellers Mobile Concepts Technology (MCT) and Route 1, for Citywide departments. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $27,058,000.

Summary

This contract will provide Panasonic toughbooks, tablets, accessories and services for Citywide departments. The devices are used as public safety measures to help employees collect, organize and transfer data faster, more efficiently and in real-time. These devices are the industry standard to be used for field work, work orders, and asset management because they can easily withstand repetitive docking and undocking. The device allows police officers to run license plates, scan fingerprints, and check records carside, so they never leave a subject unattended. In addition, the devices allow first responders to see addresses, hazard information, and sensitive information.

Panasonic devices are durable and can withstand rigorous movement, including drops, spills, dirt, intense shock and vibration, and have the ability to handle Arizona's extreme temperatures. The City saves money in longer replacement cycles, and experiences efficiency gains from less downtime associated with device failure.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved determination memo based on special circumstances, being no alternative competition. The Finance Department has researched other mobile computing solution cooperative contracts to find an alternative contract option. The Omnia Partners contract with Panasonic North America Connect and their authorized resellers provides the best volume discount, which equates to better pricing for the City. In addition, it best aligns with the City's needs. The contract was awarded consistent with the City's procurement processes.

Contract Term
The contract will begin on or about July 1, 2023, for a five-year term with no options to extend.

Financial Impact
The aggregate contract value for will not exceed $27,058,000 for the five-year aggregate term. Funding is available in various department budgets.

This item was adopted as corrected.

66 Auctioneering Services - ADSPO17-174072 - Amendment (Ordinance S-49937)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 148111 with Sierra Auction Management, Inc., to extend contract term. Further request to authorize the City Controller to accept and disburse all funds related to this item. No funds are needed for this revenue generating contract, request to continue using Ordinance S-44835.

Summary
This contract will provide auction services required by Administrative Regulation 5.13, to protect the City's investments in fixed, sensitive, and low-value property. Fleet vehicles, obsolete computers, office furniture, appliances, lawn equipment, confiscated and unclaimed property are among the types of products auctioned. Sierra Auction Management, Inc., collects auction proceeds and remits the proceeds to the City.

This contract is paid through proceeds received from the sale of the City's property and revenue is deposited to the City's General and Enterprise Fund accounts.

Contract Term
Upon approval the contract will be extended through Aug. 31, 2024.

Financial Impact
The aggregate value of revenue generated through this contract for the City of Phoenix is approximately $15,481,330.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

• Auctioneering Services - Contract 148111 (Ordinance S-44835) on June 27, 2018;

This item was adopted.

67 AV Equipment and Services - ADSPO17-00007302 - Amendment (Ordinance S-49972)

Request to authorize the City Manager, or his designee, to execute amendments to contracts 147007 with Commercial Computer Services, Inc., dba CCS Presentation Systems; 147008 with Inter Technologies Corporation; 147009 with Bluum USA, Inc.; 147010 with Presentation Products, Inc., dba Spinitar; 147011 with Level 3 Audio Visual, LLC; 147438 with Ford Audio-Video Systems, LLC; and 155410 with IES Communications, LLC, to extend the contract terms and allow additional expenditures. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $1,480,000.

Summary

These contracts will provide the City with a broad range of audio video equipment and related services. The associated contractors provide essential services and equipment for the Emergency Operations Center, 911 Operations, PHXTV, Know99, City Council Assembly Rooms and Council Chambers, as well as direct engineering support, such as analysis, design, and configuration of existing systems. The extension of these contracts and additional funds are needed to continue essential department operations. The main users of these contracts include the Phoenix Convention Center, Municipal Court, and the Water Services, Fire, Public Transit, Aviation, Library, Parks and Recreation, Police, Human Resources, Public Works, and Human Services departments.

Contract Term

Upon approval the contract will be extended through Aug. 11, 2024.

Financial Impact

Upon approval of $1,480,000 in additional funds, the revised aggregate value of these contracts will not exceed $10,730,000. Funds are available in various department budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

• AV Equipment and Services contracts 147007, 147008, 147009, 147010, 147011, 147438, 155410 (Ordinance S-44246) on Jan. 24, 2018.

• AV Equipment and Services Contract 147010 (Ordinance S-45757) on June 5, 2019.

• AV Equipment and Services contracts 147007, 147008, 147009, 147010, 147011, 147438 (Ordinance S-46260) on Dec. 18, 2019.

• AV Equipment and Services Contract 155410 (Ordinance S-47907) on Sept. 8, 2021.

• AV Equipment and Services contracts 147007, 147008, 147009, 147010, 147011, 147438, 155410 (Ordinance S-49132) on Nov. 2, 2022.

• AV Equipment and Services contracts 147007, 147008, 147009, 147010, 147011, 147438, 155410 (Ordinance S-49521) on March 22, 2023.

This item was adopted.

68 Uninterruptible Power Supply Equipment, Service and Maintenance - IFB 17-171 - Amendment (Ordinance S-49995)

Request to authorize the City Manager, or his designee, to execute amendments to Contract 145554 with Titan Power, Inc., and Contract 145555 with Gruber Technical, Inc. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $2,150,000.

Summary

This contract will provide uninterruptible power supply (UPS) equipment and associated services and maintenance, which are vital for various City services that require constant, uninterrupted power. The UPS units supply power in the event of an outage, which allows continued operations until power resumes. Some critical operations include 911 call centers, Citywide data rooms, and water production and distribution functions. Additional funds are needed to conduct a replacement and correction of the City of Phoenix Enterprise Data Center (EDC). Replacing the UPS systems will aid the electrical security of the EDC and support the overall reliability and uptime.

This item has been reviewed and approved by the Information Technology Services Department.

Contract Term
The contract term remains unchanged, ending on June 30, 2025.

Financial Impact
Upon approval of $2,150,000 in additional funds, the revised aggregate value of the contract will not exceed $5,390,000. Funds are available in Information Technology Services Department's budget.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
• Uninterruptible Power Supply Equipment, Service and Maintenance 145554, 145555 Ordinance S-43740 on June 28, 2017.
• Uninterruptible Power Supply Equipment, Service and Maintenance 145554, 145555 Ordinance S-45948 on Aug. 28, 2019.
• Uninterruptible Power Supply Equipment, Service and Maintenance 145554, 145555 Ordinance S-48753 on June 15, 2022.
• Uninterruptible Power Supply Equipment, Service and Maintenance 145554, 145555 Ordinance S-49753 on May 31, 2023.

This item was adopted.

69 Ready Mix Concrete - IFB 18-264 - Amendment (Ordinance S-49936)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 148122 with Cemex Construction Materials South, LLC, to extend the contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed; request to continue using Ordinance S-44837.

Summary
This contract will provide a wide variety of ready mix concrete materials to City departments, including the Aviation, Parks and Recreation, Street Transportation, and Water Services departments. This contract is necessary for maintenance and upkeep of sidewalks, curbs, gutters, concrete pavements, slabs and construction projects throughout the City.

Contract Term
Upon approval the contract will be extended through June 30, 2024, with an option to extend through June 30, 2025.

Financial Impact
The aggregate value of the contract will not exceed $2,024,080, and no additional funds are needed.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
• Ready Mix Concrete Contract 148122 (Ordinance S-44837) on June 27, 2018.

This item was adopted.

70 Master Agreement for Cloud Solutions - CTR046098 - Amendment (Ordinance S-50001)

Request to authorize the City Manager, or his designee to allow additional expenditures under Contract 151147 with Carahsoft Technology Corporation for the purchase of cloud-based and information technology solutions for Citywide departments. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $2,982,453.

Summary
This contract will provide cloud-based and information technology solutions including Software as a Service (SaaS), Infrastructure as a Service (IaaS), and Platform as a Service (PaaS). The contract is currently being used by the Planning and Development Department to purchase software licensing. The additional funds will allow use by additional City departments for the purchase of the full range of cloud-based and information technology solutions services offered by Carahsoft Technology Corporation.

Contract Term
The contract term remains unchanged, ending on Oct. 31, 2026.

Financial Impact
Upon approval of $2,982,453 in additional funds, the revised aggregate value of the Carahsoft Technology Corporation contract will not exceed

$14,582,453. Total payment ordinance, to include Contracts 151147 (Carahsoft) and 151139 (Accenture, LLP), will not exceed $64,565,410. Funds are available in various department budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
• Planning, Zoning, Plan Review, and Permitting Application - Contract 151147 (Ordinance S-46102) on Oct. 16, 2019;
• Planning, Zoning, Plan Review, and Permitting Application - Contract 151139 (Ordinance S-47874) on Aug. 25, 2021.

This item was adopted.

71 Multi-Temporary Staffing Services - Managed Services Provider - ADSPO 17-00006933 - Amendment (Ordinance S-49970)

Request to authorize the City Manager, or his designee, to execute amendment to contract 148480 with Guidesoft, Inc. DBA Knowledge Services to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using ordinance S-48944.

Summary

This contract will provide information technology professional services through a Managed Service Provider (MSP) for technology projects and initiatives such as project management, system implementation, data conversion, and hardware and software configuration throughout the City. Extending this contract will enable the continuation of ongoing work assignments.

Contract Term

Upon approval the contract will be extended through Aug. 31, 2024, with an option to extend to Aug. 31, 2025.

Financial Impact

The aggregate value of the contract will not exceed $12,076,000 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
• Multi-Temporary Staffing Services - Managed Services Provider

Contract 148480 (Ordinance S-44975) on Sept. 5, 2018;
• Multi-Temporary Staffing Services - Managed Services Provider Contract 148480 (Ordinance S-45196) on Dec. 5, 2018;
• Multi-Temporary Staffing Services - Managed Services Provider Contract 148480 (Ordinance S-46189) on Nov. 20, 2019;
• Multi-Temporary Staffing Services - Managed Services Provider Contract 148480 (Ordinance S-47922) on Sept. 8, 2021;
• Multi-Temporary Staffing Services - Managed Services Provider Contract 148480 (Ordinance S-48944) on Aug. 31, 2022;

This item was adopted.

72 IT Staffing Services Contract - ITS RFQu 23-005 - Request for Award (Ordinance S-49964)

Request to authorize the City Manager, or his designee, to enter into contracts with 22nd Century Technologies, Inc., Acro Service Corporation, Compunnel Software Group, Inc., DBA Compunnel, Inc., Compu-Vision Consulting, Inc., Guidesoft, Inc. doing business as Knowledge Services, Lancesoft, Inc., MGT of America Consulting, LLC, The Intersect Group, LLC to provide IT Staffing Services and Project Based Professional Services for the Information Technology Services Department (ITS) and in support of citywide departments. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $20 million.

Summary

These contracts will provide IT Staffing Services and Project Based Professional Services to fulfill short-term or highly specialized IT staffing needs and provide flexibility in allowing the department to select resources with skill sets and experience specific to the IT project being undertaken. The number and complexity of citywide IT projects can vary over time and the City will utilize contract resources to ensure that projects meet the necessary business requirements and expenses only occur as needed to provide the specific and unique expertise ensuring projects are successful.

Procurement Information

A Request for Qualifications procurement was processed in accordance with Administrative Regulation 3.10 to establish a Qualified Vendor List (QVL).

Sixteen offerors submitted qualifications and were deemed to be responsive and responsible. An evaluation committee of City staff evaluated those offers based on the following criteria with a maximum possible point of 1,000:

Method of Approach 0-400 points
Company History, Qualifications, and Experience 0-350 points
Pricing 0-250 points

After reaching consensus, the evaluation committee recommends award to the following offerors:

22nd Century Technologies, Inc. - 867 points
Acro Service Corporation - 810 points
Compunnel Software Group, Inc. dba as Compunnel, Inc. - 802 points
GuideSoft, Inc. dba Knowledge Services - 757 points
Lancesoft, Inc. - 755 points
Compu-Vision Consulting, Inc. - 746 points
MGT of America Consulting, LLC - 641 points
The Intersect Group - 620 points

Contract Term
The contracts will begin on or about June 28, 2023, for a five-year term.

Financial Impact
The aggregate contracts value will not exceed $20 million.

Funding is available in the various departments' budget.

This item was adopted.

73 Carrier and Broadband Provider Services - Amendments (Ordinance S-49955)

Request to authorize the City Manager, or his designee, to execute amendments to contracts with CenturyLink Communications, LLC dba Lumen Technologies Group, LLC, Contract 155451; Cox Arizona Telecom, LLC, Contract 155343; and Zayo Group, LLC, Contract 155342 to allow additional expenditures and to extend the term of the

Letters of Agreement to continue to purchase carrier and broadband provider services for departments Citywide. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $4.6 million.

Summary

City departments utilize carrier and broadband provider services for telecommunication lines, circuits and services used across the City. Services include internet, phone lines, data circuits and distributed denial of service protection. The usage of these technologies is critical to the operations of all City departments. Services are procured utilizing the State of Arizona cooperative agreements, which offer significant cost savings due to the benefit from local government pricing and volume discounts. Existing services and related expenses are essential to the operations of the City, as they provide telecommunication lines, circuits, and services used to satisfy a variety of needs across the City. Continuation of these agreements allows the City to pay for monthly carrier and broadband services while the City adopts the new State of Arizona cooperative agreements.

Contract Term

Upon approval the contracts will be extended through June 30, 2024. This request will allow additional time for the City to enter into and negotiate linking agreements and obtain City Council authorization to adopt them.

Financial Impact

Upon approval of $4.6 million in additional funds, the revised aggregate value of the contracts will not exceed $17.7 million. Funds are available in various City departments' budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

• Carrier and Broadband Provider Services through Ordinance S-48585 on May 11, 2022.

• Carrier and Broadband Provider Services through Ordinance S-48206 on Dec.15, 2021.

• Carrier and Broadband Provider Services through Ordinance S-47655 on June 2, 2021.

This item was adopted.

74 Wireless Communications Services, Accessories, and Equipment - Amendments (Ordinance S-49956)

Request to authorize the City Manager, or his designee, to execute amendments to contracts with AT&T Mobility National Accounts, LLC, Contract 155219; T-Mobile USA, Inc. and Sprint Solutions, Inc., Contract 155270; and Cellco Partnership dba Verizon Wireless, Contract 155221 to allow additional expenditures and to extend the term of the Letters of Agreement to continue to purchase wireless communications services, accessories, and equipment for departments Citywide. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $7.5 million.

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. Existing equipment and services are used by staff to provide critical services to the public in various locations throughout the valley. Currently, the City pays for services for more than 5,000 cellular phones, 6,000 air cards, 6,000 push to talk radios, 470 tablets, and various other services and equipment. Continuation of these agreements is essential to the City, as the agreements allow the City to pay for monthly cellular services and purchase equipment and accessories as needed while the City adopts the State of Arizona cooperative agreements.

Contract Term

Upon approval the contracts will be extended through June 30, 2024. This request will allow additional time for the City to enter into and negotiate linking agreements and obtain City Council authorization to adopt them.

Financial Impact

Upon approval of $7.5 million in additional funds, the revised aggregate value of the contracts will not exceed $26,375,000 Funds are available in various Departments' budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
• Wireless Communications Services, Accessories, and Equipment through Ordinance S-48586 on May 11, 2022.
• Wireless Communications Services, Accessories, and Equipment through Ordinance S-48207 on Dec.15, 2021.
• Wireless Communications Services, Accessories, and Equipment through Ordinance S-47458 on April 7, 2021.

This item was adopted.

75 Communication Tower Inspection, Maintenance, and Repair - IFB 18-112 - Amendment (Ordinance S-49954)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 148450 with Arizona West Builders and Communications, Inc. to extend the contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using Ordinance S-44996.

Summary

This contract will provide communication tower inspection, maintenance, and repair services for the Information Technology Services Department. These services support the radio infrastructure used by public safety and municipal members of the Regional Wireless Cooperative and include maintenance and support of radio towers and communication equipment located throughout the valley. Support services include the supervision, labor, materials, and equipment necessary to perform inspections, maintenance, repairs, installation or removal of equipment or cabling, tower remediation or modification, painting, testing, and structural engineering analysis.

This item has been reviewed and approved by the Information Technology Services Department.

Contract Term

Upon approval the contract will be extended through Aug. 31, 2024, with an option to extend through Aug. 31, 2025.

Financial Impact

The aggregate value of the contract will not exceed $1,725,000.00 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
• Communication Tower Inspection, Maintenance, and Repair Contract 148450 (Ordinance S-44996) on Sep. 19, 2018;
• Communication Tower Inspection, Maintenance, and Repair Contract 148450 (Ordinance S-47660) on June 16, 2021.

This item was adopted.

76 Disaster Recovery-as-a-Service Contract - ITS RFP 23-003 - Request for Award (Ordinance S-50018)

Request to authorize the City Manager, or his designee, to enter into a contract with Kyndryl, Inc. to provide Disaster Recovery-as-a-Service (DRaaS) for the Information Technology Department and in support of departments citywide. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $6.2 million. Additionally, request to grant an exception from the indemnification and limitation of liability provisions of Section 42-18 of the City Code.

Summary

This contract will provide a fully managed Disaster Recovery-as-a-Service (DRaaS) solution. Kyndryl, Inc. proposed a fully managed DRaaS solution that integrates with other existing cloud disaster recovery services, established security protections to meet regulatory requirements, and offers effective approaches to keep City business applications and data synchronized. The services also prevent unauthorized access, disclosure, and/or modification of the City's data to preserve data integrity and residents' trust.

This item has been reviewed and approved by the Information Technology Services Department.

Procurement Information

A Request for Proposal procurement was processed in accordance with

City of Phoenix Administrative Regulation 3.10.

Five vendors submitted proposals deemed responsive and responsible. An evaluation committee of City staff evaluated those offers based on the following criteria with a maximum possible point total of 1,000:

DRaaS Solution Requirements 0-350 Points
Method of Approach 0-300 Points
Pricing 0-200 Points
Qualification and Experience 0-150 Points

After reaching consensus, the evaluation committee recommends award to the following vendor:

Kyndryl, Inc., 840 points

Contract Term
The contract will begin on or about July 1, 2023, for a four-year term with three two-year options to extend.

Financial Impact
The aggregate contract value will not exceed $6,200,000.

Funding is available in the Information Technology Department's operating budget.

This item was adopted.

77 Authorization to Enter into Agreement with Element Technologies, LLC (Ordinance S-50000)

Request to authorize the City Manager through the City Attorney, or his designee, to enter into an agreement with Element Technologies, LLC, as a technology consultant to assist with the onboarding of NetDocuments, a cloud-based technology solution procured by the Law Department to serve as a Document Management System (DMS). Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The Law Department has an on-premise DMS that is being replaced by a

user-friendly cloud based system, NetDocuments. NetDocuments works with an implementation partner, Element Technologies, to merge the data from the existing DMS into the new platform, assisting with the implementation and configuration of the documents. Element Technologies will review the data, work with staff to design the migration strategy, build the repository, test the import, execute the migration and provide training to the employees on the new system.

This item has been reviewed and approved by the Information Technology Services Department.

Procurement Information

In accordance with Administrative Regulation 3.10, the City completed a cooperative procurement of NetDocuments. NetDocuments provided the option of two consultants it works with to onboard their technology solution. The proper implementation of NetDocuments as a document management system capable of integrating with other technology solutions is critical to the operation of the Law Department. Element Technologies submitted a more cost-effective proposal and has the required experience to integrate NetDocuments with ProLaw, which is the Law Department's case management system that must also be integrated with NetDocuments.

Contract Term

The contract term will be a two year term from June 30, 2023, through June 29, 2025.

Financial Impact

The contract value will not exceed $200,000 and funds are available in the Law Department's budget.

This item was adopted.

80 Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-49952)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Alisha Solano in the amount of $58,451.92 to the Arizona State Retirement System. Further request to authorize the City Controller to disburse the 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 upon approval by the City Council. The following former City of Phoenix employee has requested transfer of the balance of her credited service:

Solano, Alisha: $58,451.92

Concurrence/Previous Council Action

This item was approved by the COPERS Board at the June 1, 2023 meeting.

This item was adopted.

81 Authorization for the Issuance of Water Obligations for the Water Department's Capital Improvement Program (Ordinance S-49999)

An ordinance authorizing the City Manager to cause the issuance of obligations of or by a municipal property corporation or by a private leasing company as short-term and/or long-term obligations and to issue long-term obligations to refund short-term obligations, including execution and delivery of all leases and other agreements necessary or appropriate for the financing costs of expanding and improving the water system of the City in a principal amount not to exceed $900 million, and in an amount necessary to refund currently outstanding obligations issued for such purposes and in each case, related financing costs; granting an exemption to Phoenix City Code section 42-18 to include indemnification and legal remedy limitations, and authorizing the City Controller to expend all necessary funds therefore.

Summary

As part of the rate setting process, the Water Services Department provided the City Council with an overview of Water Capital Improvement Plan (CIP) infrastructure needs over the next five years totaling over $1.5 billion. The Chief Financial Officer expects to fund approximately $900,000,000 of the Water CIP with debt financing, consisting of issuing tax-exempt bonds and entering into Water Infrastructure Finance Authority (WIFA) of Arizona loans.

Financial Impact

This ordinance provides authorization to issue obligations to fund the Water CIP. All expenditures related to the issuance and payment of any such obligations will be funded by Water Services revenues.

This item was adopted.

82 Authorization for the Issuance of Wastewater Obligations for the Water Department's Capital Improvement Program (Ordinance S-49998)

An ordinance authorizing the City Manager to cause the issuance of obligations of or by a municipal property corporation or by a private leasing company as short-term and/or long-term obligations and to issue long-term obligations to refund short-term obligations, including execution and delivery of all leases and other agreements necessary or appropriate for the financing costs of expanding and improving the wastewater treatment system of the City in a principal amount not to exceed $830 million, and in an amount necessary to refund currently outstanding obligations issued for such purposes and in each case, related financing costs; granting an exemption to Phoenix City Code section 42-18 to include indemnification and legal remedy limitations, and authorizing the City Controller to expend all necessary funds therefore.

Summary

As part of the rate revenue setting process, the Water Services Department provided the City Council with an overview of Wastewater Capital Improvement Plan (CIP) infrastructure needs over the next five years totaling over $1.4 billion. The Chief Financial Officer expects to fund approximately $830,000,000 of the Wastewater CIP with debt financing, consisting of issuing tax-exempt bonds and entering into a Water Infrastructure Finance Authority (WIFA) of Arizona loan.

Financial Impact

This ordinance provides authorization to issue obligations to fund the Wastewater CIP. All expenditures related to the issuance and payment of any such obligations will be funded by Water Services wastewater revenues.

This item was adopted.

83 Apply for the United States Environmental Protection Agency

Environmental Justice Government-to-Government Program Grant Opportunity for Federal Fiscal Year 2022-23 - Federal Inflation Reduction Act Funding (Ordinance S-49927)

Request to retroactively authorize the City Manager, or his designee, to apply for, accept and, if awarded, enter into an agreement for disbursement of Federal funding from the United States Environmental Protection Agency through the Federal Fiscal Year 2022-23 Environmental Justice Government-to-Government Program grant opportunity. If awarded, the funding will be used to pilot a Community Cool Corridor led by community-based organizations in South-Central Phoenix. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. Funding for this grant opportunity is available through the Federal Inflation Reduction Act. The total grant funds applied for will not exceed $1 million, and there is no local match required from the City. There is no impact to the General Fund.

Summary

The Office of Environmental Programs (OEP) worked with other City departments to submit a grant application to the United States Environmental Protection Agency (EPA) through the Federal Fiscal Year 2022-23 Environmental Justice Government-to-Government (EJG2G) Program to fund a project to pilot the cool corridor concept in a South Phoenix neighborhood. This Community Cool Corridor pilot project is expected to mitigate climate and health risks from urban heat islands and extreme heat; facilitate engagement, education and training of marginalized communities; and empower community-based partners to implement resiliency and adaptation at a local level.

This project will include significant collaboration with community-based organizations to provide the opportunity for residents to become directly involved in decision-making to address environmental and public health challenges. This project implements visions and actions already identified and recommended by the South-Central community through previously completed transit, heat, and tree and shade plans. This community led project enhances access to existing and future transit, integrates publicly accessible drinking water, promotes opportunities for shade, and utilizes Green Stormwater Infrastructure (GSI) within the

right-of-way, to achieve a more localized cooling effect. Art, culture and wayfinding will be incorporated into the project to celebrate this unique community. Through this project, resident and community partnerships will create shared knowledge, installation and maintenance of native trees, shrubs and GSI features by strengthening connections to existing community destinations such as parks, schools, and libraries. This pilot will enable the City to evaluate and replicate this model across varying context and community priorities.

The EJG2G grant submittal deadline was April 14, 2023.

Due to the timing of the deadlines and a shortage of City staff, the application was submitted prior to obtaining City Council approval. If City Council does not approve this retroactive request, the application will be withdrawn by OEP.

Financial Impact

The estimated total cost for the project is $1 million. No matching funds are required. Grant funds will be managed through OEP and reimbursed through the United States EPA. Potential grant funding received is available through the Federal Inflation Reduction Act, from the United States EPA through the Federal Fiscal Year 2022-23 EJG2G grant opportunity.

Location

The project focuses on a smaller geographic segment of the South-Central Communities identified as the North Area within the South Central TOD Community Plan.
Council District: 8

This item was adopted.

86 American Rescue Plan Act Affordable Housing Gap Financing Program - Amendment (Ordinance S-50024)

Request to authorize the City Manager, or his designee, to amend Ordinance S-49897 amending the entity name from Ulysses Development to Ulysses Development Group, South 12th St. Owner LLC, South 12th St. UDG Developer LLC, Affordable Housing Institute, Inc., or a City-approved nominee for the 12th Street Apartments

affordable housing development project, and to take all actions and execute all documents to complete the loan. Further request the City Controller to disburse all funds for the life of the contract.

Summary

The American Rescue Plan Act (ARPA) Affordable Housing Gap Financing program will provide the entity with a low-interest loan to subsidize the creation of affordable units serving households at or below 65 percent of the Area Median Income for a minimum period of 20 years. The 12th Street Apartments project is located at 3616 and 3624 S.12th St. and plans to provide a total of 126 affordable units, eight of which will be ARPA funded units.

Financial Impact

This program is funded by ARPA, and there is no impact to the General Fund.

Loan execution is anticipated for Fiscal Year 2023-24.

Concurrence/Previous Council Action

On June 14, 2023, the Phoenix City Council approved the entity under the name Ulysses Development.

Location

3616 and 3624 S. 12th St.
Council District: 8

This item was adopted.

87 American Rescue Plan Act Affordable Housing Gap Financing Program Amendment (Ordinance S-50025)

Request to authorize the City Manager, or his designee, to amend Ordinance S-49892 amending the entity name listed from Chicanos Por La Causa to Chicanos Por La Causa Inc., Chicanos Por La Causa Land Bank LLC, 25th & Bell LIHTC LLC, or a City-approved nominee for the 25th @ Bell Apartments, and to take all actions and execute all documents to complete the loan. Further request the City Controller to disburse all funds for the life of the contract.

Summary

The American Rescue Plan Act (ARPA) Affordable Housing Gap

Financing program will provide the entity a low-interest loan to subsidize the creation of affordable units serving households at or below 65 percent of the Area Median Income for a minimum period of 20 years. The 25th @ Bell Apartments project is located at 16801 N. 25th St. and plans to provide 53 affordable units of which 11 will be ARPA funded units.

Financial Impact
This program is funded by ARPA, and there is no impact to the General Fund.

Loan execution is anticipated for Fiscal Year 2023-24.

Concurrence/Previous Council Action
On June 14, 2023, the Phoenix City Council approved the entity under the name Chicanos Por La Causa.

Location
16801 N. 25th St.
Council District: 2

This item was adopted.

89 Grant Writing Services Qualified Vendor List (Ordinance S-49961)

Request authorization for the City Manager, or his designee, to award and enter into contracts with responsive offerors to the Request for Qualifications (RFQu) for Grant Writing Services. Further request authorization for the City Controller to disburse funds in an amount not to exceed $395,000 for the life of the Qualified Vendor List (QVL). Funding is available from the Human Services, Housing and Neighborhood Services departments' budgets.

Summary
The City of Phoenix Human Services Department (HSD) provides a comprehensive array of services to help people meet emergency, short-and long-term needs, and help every individual reach their highest level of self-sufficiency.

The Housing Department (Housing) creates a stronger and more vibrant

Phoenix through increased housing options for residents at all income levels and family sizes.

The Neighborhood Services Department (NSD) partners with residents in building to preserve, enhance and engage Phoenix neighborhoods. NSD helps neighbors work together to connect, identify needs, build consensus, coordinate and advocate for their neighborhoods.

To assist in further elevating the services provided by HSD, Housing, and NSD, the departments seek to create a QVL with experienced professional grant writing consultants with a proven track record of researching, developing, writing, preparing and submitting successfully awarded grant proposals from diverse funding sources. The goal is to identify one or more grant writers who would be engaged on an as-needed project basis to assist program staff in pursuing grants and other funding opportunities.

Procurement Information

RFQu-22-MSD-62 was conducted in accordance with City of Phoenix Administrative Regulation 3.10. HSD received a total of eight offers on May 1, 2023, and all offers were determined to be responsive and responsible to the solicitation requirements.

The Procurement Officer evaluated all offers for Pass/Fail criterion on the following minimum qualifications:

Experience writing at least two successful grant applications on behalf of one or more local governments from a federal, state, local, non-profit or private foundation grant opportunity.

Knowledge of researching and identifying potential grant opportunities.

Skills in demographic data collection and analysis.

Staffing and/or capacity and sufficient resources to complete tasks of the Scope of Work.

The following offerors met all solicitation criteria and are recommended to be added to the QVL:

Ascend Nonprofit and Business Solutions, LLC

Conethic Consulting Services, LLC

Connected Philanthropy, LLC

Hagerty Consulting, Inc.
Intuitive Group, LLC
NCW ‘GRANTS’ & Associates, PLCC
River and Sparks, LLC
Witt O’Brien’s, LLC

Contract Term
This QVL will be in effect from July 1, 2023, through June 30, 2028.

Financial Impact
Expenditures will not exceed $395,000 for the life of the QVL. Funding is available from the Human Services, Housing, and Neighborhood Services departments' budgets.

This item was adopted.

90 Request to Enter Into a Agreement with the Booker T. Washington Child Development Center for Use of a Modular Building for the Head Start Birth to Five Program (Ordinance S-49907)

Request to authorize the City Manager, or his designee, to enter into an agreement with the Booker T. Washington Child Development Center to lease a modular building for the Head Start Birth to Five Program. Further request authority to enter related agreements to sublease and license the modular building to Head Start program partners.

Summary
The Human Services Department requests to enter into a 15-year agreement with Booker T. Washington Child Development Center to lease a modular building to operate the Head Start Birth to Five Program. The Booker T. Washington Child Development Center Head Start program has grown and requires more office space and meeting rooms for its administrative staff, teachers, and community partners. The new modular building will be placed in the same vicinity, ensuring continuity of services for children and families in the area.

The Office of Head Start requires an agreement allowing use for a minimum of 15 years for any modular building purchased with Head Start grant funds and placed on land owned by another entity. The City will

lease the modular from Booker T. Washington Child Development Center and sublease and license the modular to Head Start program partners to ensure the modular is used for Head Start activities for a 15-year period.

The lease at Booker T. Washington Child Development Center includes plumbing, electricity, water, fencing, parking, a playground and access to the main campus.

Contract Term
The term of the facility use agreement will be 15 years from the installation of the modular building, beginning on or about July 1, 2023, and ending on or about Aug. 1, 2038.

Financial Impact
The Booker T. Washington Child Development Center does not charge a lease amount or taxes for the property where the modular building will be placed. Consideration for any subleases to Head Start Birth to Five Program sub-recipients and contractors will be based on the subleasee's performance of Head Start Birth to Five Program activities within the modular building.

Concurance/Previous Council Action
On May 8, 2023, the Head Start Birth to Five Policy Council approved this item by a vote of 8-0.

Location
1519 E. Adams St.
Council District: 8

This item was adopted.

91 Request to Amend the Facility Use Agreement Between the City of Phoenix Head Start Birth to Five Program and the Alhambra Elementary School District (Ordinance S-49913)

Request to authorize the City Manager, or appointed designee, to amend Facility Use Agreement (FUA) 145634 with the Alhambra Elementary

School District to authorize payment of up to $100,000 for upgrades and renovations to district-owned buildings used by the Head Start Birth to Five Program. Further, request to authorize the City Controller to disburse all funds related to this item. There is no impact on the General Fund. Funding is provided by the U.S. Department of Health and Human Services Office of Head Start.

Summary

In July 2017, the City of Phoenix Head Start Birth to Five Program entered into an FUA with the Alhambra Elementary School District to use space at 4730 W. Campbell Ave. for an Early Head Start Home-Based socialization site and office space for staff. The space houses six City of Phoenix Head Start Birth to Five staff. It is also used bi-weekly for Early Head Start families living in the Alhambra Elementary School District to interact and socialize.

The amendment to the FUA will provide a mechanism for the City of Phoenix Head Start Birth to Five Program to pay a percentage of upgrades and renovations to district-owned buildings. The upgrades and renovations include repairs to the Early Head Start socialization classrooms, such as replacing the sink, replacing ceiling tiles, and painting to ensure a healthy and safe environment for families during bi-weekly socializations.

Contract Term

The current term of the FUA is July 1, 2022, through June 30, 2026.

Financial Impact

The contract total will not exceed $100,000. Funding is provided by the Office of Head Start. There is no impact on the General Fund.

Concurrence/Previous Council Action

On May 8, 2023, the Head Start Birth to Five Policy Council approved this item by a vote of 8-0.

Location

Alhambra Preschool Academy, Building J at 4730 W. Campbell Ave.
Council District: 5

This item was adopted.

92 Authorization to Enter into Contract with Community Legal Services to Provide Tenants Eviction Assistance Project Services (Ordinance S-49929)

Request to authorize the City Manager, or his designee, to enter into contract with Community Legal Services, Inc. (CLS) in an amount not to exceed $300,000 to provide legal assistance, advocacy and representation to Phoenix tenants facing eviction proceedings through local Justice Courts. Further request authorization for the City Controller to disburse all funds related to this item. Funding is provided from the Arizona Department of Economic Security (DES). There is no impact to the General Fund.

Summary

To address the impacts of COVID-19 and rising evictions on housing stability, in June 2020, CLS created the Tenants Eviction Assistance Project (TEAP) with financial support through the City of Phoenix Human Services Department Community Services Block Grant (CSBG) allocation. TEAP is staffed with attorneys providing legal assistance, advocacy and representation to low-income Phoenix residents experiencing eviction and court action. CLS does not charge a fee for this service and has an established relationship with the Phoenix-area Justice Courts. CLS also has considerable familiarity in working with low income and vulnerable populations.

The City Council approved Ordinance S-47988 for a new contract, Contract 155937 with CLS on October 6, 2021. This contract expired on September 30, 2022. City staff and CLS began discussions to continue the much needed services shortly thereafter, needing to identify a continuing fund source. Community Services Block Grant (CSBG) funding has been identified to resume services for the next six months.

Contract Term

The term of the contract will begin on or about July 1, 2023 through June 30, 2024.

Financial Impact

The total value of this contract shall not exceed $300,000. Funding is provided from the Arizona Department of Economic Security through its CSBG allocation to the City of Phoenix Human Services Department. There is no impact to the General Fund.

This item was adopted.

94 Request to Accept Local Utility Assistance Funding from the Arizona Community Action Association dba Wildfire (Ordinance S-49944)

Request authorization for the City Manager, or his designee, to enter into an agreement with the Arizona Community Action Association, DBA Wildfire, to accept local utility assistance funds in an amount not to exceed $322,210 for the period of July 1, 2023, through June 30, 2024. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. There is no impact to the General Fund.

Summary

Funds provided to the City of Phoenix through this agreement will be used to assist low-income individuals and families by removing barriers to self-sufficiency through utility bill assistance. This funding will allow the City of Phoenix to provide financial assistance to approximately 1,000 households to eliminate the threat of utility disconnection.

Contract Term

The contract term is one year beginning July 1, 2023 and ending June 30, 2024.

Financial Impact

Funding for Fiscal Year 2023-24 will be provided by various local funding sources awarded by the Arizona Community Action Association DBA Wildfire. There is no impact to the General Fund.

This item was adopted.

95 Retroactive Authorization to Apply for, Accept and Disburse Arizona Department of Housing Grant Funding (Ordinance S-49987)

Request retroactive authorization for the City Manager, or his designee, to apply for and accept Arizona Department of Housing (ADOH) grant funding in an amount not to exceed $13.3 million. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item for the life of the grant.

Summary

ADOH provides funding for housing and housing related services and currently has available funding for homeless shelter and services. The available grant funding will be used for programs that provide shelter and services to unsheltered persons who are experiencing homelessness. Allowable activities include, but are not limited to: operating support; motel and hotel vouchers; the acquisition and conversion of temporary accommodations such as hotels and motels; and other quick occupancy housing solutions. Funding will be used in support of efforts to address the issues around the Human Services Campus. This request is retroactive because there was a short window to apply, and there was not adequate time to request authority prior to the submission due date.

Contract Term

The grant term will begin on or about July 1, 2023 and end on or about June 30, 2024.

Financial Impact

Funding in an amount up to $13.3 million will be provided by ADOH. No matching funds are required. There is no impact to the General Fund.

This item was adopted.

96 Retroactive Authorization to Accept and Disburse Grant Funding from the Arizona Child and Family Advocacy Network (Ordinance S-50012)

Request retroactive authorization for the City Manager, or his designee, to accept grant funding in an amount not to exceed $72,512.17 from the Arizona Child and Family Advocacy Network (ACFAN). Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. Funding is available from ACFAN.

Summary

ACFAN provides a coordinated, evidence-based response to crime victims who have been abused through a multidisciplinary team approach using co-located facilities. Multidisciplinary teams consist of the following areas: Victim Advocacy, Law Enforcement, Arizona Department of Child Safety, Prosecutors, Forensic Interviewers, Medical and Mental Health professionals, and Community Partners.

Funding awarded to the City of Phoenix Human Services Department, Family Advocacy Center (FAC) will be used to provide children and adult victims of crime with mental health services at the FAC. These services are provided by professionals with training, who deliver trauma-informed, evidence-supported, mental health treatment. Funding also supports mental health services for FAC staff as they and their partners in law enforcement, child welfare, social services, and prosecution are on the front lines of the worst cases of child abuse and domestic violence.

The Human Services Department was notified on June 8, 2023, of the award thus not allowing time to request authorization to accept the funding in advance.

Contract Term

ACFAN does not require the City to execute a contract to receive these grant funds. Funds must be expended by March 29, 2024.

Financial Impact

Expenditures will not exceed $72,512.17. Funding is available from ACFAN. There is no impact to the General Fund.

This item was adopted.

97 Authorization to Accept and Disburse Area Agency on Aging, Region One, Inc. Grant for Home Delivered Meals Program (Ordinance S-49975)

Request authorization for the City Manager, or his designee, to accept annual home delivered meals funding from the Area Agency on Aging, Region One, Inc. (AAA) in the amount of $2,450,000. Further request authorization for the City Treasurer to accept, and for the City Controller

to disburse, all funds related to this item.

Summary

In spring of 2019, the City of Phoenix was awarded a five-year grant which began July 1, 2019, and ends June 30, 2024. Funds provided to the City of Phoenix through AAA are used to fund the City's Home Delivered Meals (HDM) program. The HDM program assists with increasing the nutrient intake of at-risk older adults who are homebound and/or disabled, to allow them to remain independent in their homes.

The Human Services Department (HSD), through a contracted vendor, is projected to prepare and deliver approximately 300,000 nutritionally balanced meals to homebound and disabled seniors annually.

Contract Term

The initial term of the contract under the five-year grant began July 1, 2019, through June 30, 2020, with four one-year options to extend determined by AAA. AAA requires the City to reapply for funding and enter into a new contract for each additional year authorized under the grant.

The term of this contract extension is for the final year of the grant which will begin July 1, 2023, and end June 30, 2024.

Financial Impact

The contract amount for Fiscal Year (FY) 2023-24 shall not exceed $2,450,000. The term of this contract is from July 1, 2023, through June 30, 2024. There is a 10 percent match requirement that will be addressed through in-kind, program donations from program participants, and general fund.

Concurrence/Previous Council Action

Ordinance S-44610 was adopted on May 16, 2018, authorizing HSD to contract with Selrico Services, Inc. for food management of the Senior Programs Congregate Meal and HDM programs. Selrico Services produces and delivers meals according to the specified AAA standards for the HDM program grant. The contract term for Selrico

Services is July 1, 2018, through June 30, 2023, with one two-year options to extend.

Ordinance S-45521 was adopted on April 3, 2019, authorizing HSD to apply for, accept funding from and enter into the initial contract with AAA for an amount up to $2,082,325 annually.

Ordinance S-47112 was adopted on Nov. 18, 2020, authorizing HSD to accept an additional $2,843,045 in funding for FY 2020-21.

Ordinance S-47312 was adopted on Feb. 17, 2021, authorizing HSD to accept an additional $500,000 in funding for FY 2020-21.

Ordinance S-47799 was adopted on July 1, 2021, authorizing HSD to accept an additional $5,425,370 in funding for FY 2021-22.

Ordinance S-48842 was adopted July 1, 2022, authorizing HSD to accept an additional $2,652,288 in funding for FY 2022-23.

This item was adopted.

99 Online Investment Research Database Subscription - RFA 17-181 - Amendment (Ordinance S-49922)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 145959 with Morningstar, Inc. to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $76,000.

Summary

This contract will provide continued online access to the Morningstar Investment Research Center, an internet-based investing reference and research database. This database is available only through Morningstar, Inc. This database provides data on approximately 525,000 investment offerings and real-time global investment market data. The continuation of this subscription service is necessary for the Phoenix Public Library to offer current and accurate materials on investing to City of Phoenix residents. The utilization of the internet-based service reduces the time and cost of maintaining and updating these extensive reference materials in physical form.

This item has been reviewed and approved by the Information Technology Services Department.

Contract Term

Upon approval the contract will be extended through Aug. 31, 2028.

Financial Impact

Upon approval of $76,000 in additional funds, the revised total value of the contract will not exceed $154,054. Funds are available in the Library Department's operating budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

• Online Investment Research Database Subscription - Contract 145959 (Ordinance S-43817-57) on Aug. 30, 2017;

• Online Investment Research Database Subscription - Contract 145959 (Ordinance S-46852-18) on Aug. 26, 2020.

This item was adopted.

100 Library Electronic Resources and Associated Services Contract - RFQu 23-001 - Request for Award (Ordinance S-49930)

Request to authorize the City Manager, or his designee, to enter into contracts with multiple offerors, detailed in **Attachment A**, to provide electronic resources and associated services for the Library Department. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate value of the contracts will not exceed $12,500,000.

Summary

This contract will provide electronic resources and associated services for the Library's 16 branch libraries and the Central Library. The Library serves the needs of more than 900,000 registered borrowers. The Phoenix Public Library supports the City Manager's Strategic Plan by promoting early literacy, preparing young children for academic success, and achieving educational excellence for all Phoenix residents.

This item has been reviewed and approved by the Information Technology Services Department.

Procurement Information

A Request for Qualifications procurement was processed in accordance with Administrative Regulation 3.10 to establish a Qualified Vendor List (QVL).

Seventeen offerors submitted qualifications and were deemed to be responsive and responsible. An evaluation committee of City staff evaluated those offers based on the following minimum qualifications:

1. Provide Internet-based electronic resources in one or more of the required content areas.
2. Disallow advertising or solicitation in content targeted towards the ages of birth up to 18 years old.
3. Support access and compatibility with all major browser applications.
4. Allow Library users to access the resources while physically onsite at any of the Library's locations.
5. Provide access 24 hours a day, 365 days a year.
6. Achieve and maintain a greater than 98 percent uptime over 12 months.
7. Respond to technical issues within two days.
8. Provide two business day advance notice of critical security updates.
9. Provide promotional materials that describe available resources.
10. Provide technical support at no additional cost to the Library.
11. Allow users 18 and over to opt out of receiving advertising or solicitations.
12. Include content in either English or Spanish, or both.
13. Provide an English language version of any resource interface.
14. Provide basic encryption for all user-hosted information.

After reaching consensus, the evaluation committee recommends award to the offerors in **Attachment A**.

Contract Term
The contracts will begin on or about July 1, 2023, for a five-year term with no options to extend.

Financial Impact
The aggregate contract value will not exceed $12,500,000.

Funding is available in the Library Department's Operating budget.

This item was adopted.

101 Request to Enter into an Intergovernmental Agreement with Arizona State University for Opioid Response Planning

Request to authorize the City Manager, or his designee, to allow the Office of Public Health to enter into an Intergovernmental Agreement with the Arizona Board of Regents on behalf of Arizona State University (ASU), ASU's Substance use and Addiction Translational Research Network (SATRN), for the City of Phoenix Opioid and Substance Use Response Planning. Further authorize the City Controller to disburse all funds related to this item.

Summary

In August 2021, 90 Arizona cities and towns and all 15 counties signed on to the One Arizona Opioid Settlement Memorandum of Understanding ("One Arizona Agreement"). Under the One Arizona Opioid Settlement Memorandum, funds must be used for future nationally recognized opioid strategies. Approved uses include evidence-based, evidence-informed strategies regarding:

Treatment of Opioid Use Disorder (OUD)

Support for people in treatment and recovery

Support for people who have or are at risk of developing Opioid Use Disorder

Prevention of overdose deaths and other harms

Prevention of opioid misuse

As part of the initial assessment and planning phase and in accordance with the One Arizona abatement strategies, the Public Health office has outlined the following key activities:

Environmental scan of existing departmental policies and practices related to substance use and strategies identified in the One Arizona Agreement.

Development of trainings and professional development opportunities for City employees related to opioid prevention, treatment, harm reduction and evidence-based strategies.

Development and implementation of a resident survey.

Planning and implementation of community information and feedback forums.

The Public Health Office will work with ASU's Substance Use and Addiction Translational Research Network (SATRN) to support the identified activities and gain advice and assistance related to opioid response planning. SATRN's mission is to foster collaborations among community and university partners to conduct research related to substance use that impact the community and residents. Through SATRN the City of Phoenix will be able to access research expertise in substance use and leverage skills and capacity of ASU faculty, staff, and students.

Through the IGA, ASU may support the development and analysis of staff and resident surveys, develop reports with trends and key findings, support qualitative data collection via community focus group and assist with informing the city's opioid response plan.

Additionally, ASU will develop training modules for City staff on substance use prevention, treatment, recovery, and harm reduction. The implementation of substance use training for government staff is an identified strategy under the ONE Arizona Agreement.

Lastly, ASU will provide strategic advice and student time for opioid, and substance use related activities beyond the initial assessment, planning and training.

Contract Term
The agreement will be valid for five years from the date of execution by all parties.

Financial Impact
Activities under this agreement will be funded through Opioid Settlement dollars and in accordance with the One Arizona MOU up to a maximum of $100,000. All costs must be agreed by both parties.

Public Outreach
This project will support public outreach through citywide community based forums and resident surveys.

This item was approved.

102 Annual Review and Updates to the Neighborhood Services Department's Code Enforcement Policy

Request City Council approval of changes to the Neighborhood Services Department's (NSD) Code Enforcement Policy (CEP), based on the annual review.

Summary

The CEP provides guidelines for enforcement of the Neighborhood Preservation Ordinance, Zoning Ordinance, and portions of other city codes/ordinances enforced by NSD. Each year, staff present a review of the policy with any recommended updates to the City Council, as stated in the policy, which was last updated June 15, 2022.

The CEP is comprised of five sections. Sections I through III of the CEP establish the purpose of standard code enforcement and the notification and enforcement options available to inspection staff; define recidivist person/properties and the possible consequences for repeat offenders; and describe the inspection and enforcement protocols for resident complaints, with exceptions for proactive code enforcement in the immediate area of a complaint and in strategic initiative areas. Section IV includes information encouraging the use of hardship assistance programs for low- and moderate-income households where funding is available. Section V provides guidance for NSD to work cooperatively with other departments and agencies to resolve complex and hazardous cases.

In March 2023, staff provided a presentation to the Community and Cultural Investment Subcommittee on the required annual review of the CEP. The presentation included the following possible updates identified by staff, City Council and the community to clarify and clean up current language and propose additional language to allow deviations from the standard enforcement process to address specific violations:

Additional language addressing hardships related to homelessness and modification of the enforcement process to include increased communication about available resources to support compliance.

Clarification of exceptions regarding health, safety, episodic and egregious violations.

Additional language about enforcement limitations in private communities.
Simplification of the pre-notification requirement regarding confusing recidivist language more appropriately provided in the Notices of Ordinance Violation (NOV).
Revision of the definition of recidivist to 12 months to be consistent with NSD's strategic enforcement process.

During the presentation, a member of the subcommittee also recommended NSD include a statement of intent in the policy.

Public Outreach

Following the Subcommittee presentation, NSD held three community outreach meetings: two virtual and one in-person. Outreach included social media (FaceBook, Twitter, Next Door, NSD Internet website), Neighborhood Associations listed with the Department, Arizona Multihousing Association and Arizona Association of Realtors. Approximately 56 residents attended the meetings and provided feedback on the proposed changes. Overall, staff received positive feedback and support for the proposed changes, with one resident expressing concern about the proposed language addressing hardships related to homelessness. Additionally, the community provided input specific to short term rental properties and the length of time for NOVs. Based on the feedback, staff added the following recommended changes:

Statement of Intent.
Language to address Short Term Rentals as part of the episodic violations.
Standard timelines for NOV re-inspections, which are part of NSD's existing standard code enforcement practice.

All staff recommended updates to the CEP are highlighted in **Attachment B**, with the current CEP provided as **Attachment A** for reference.

Concurrence/Previous Council Action

On May 3, 2023, the Community and Cultural Investment Subcommittee unanimously recommended City Council approval of the CEP updates by

a vote of 4-0.

This item was approved.

103 Request to Apply for and Accept Grant Funds for the U.S. Department of Energy Buildings Upgrade Prize (Ordinance S-50014)

Request to authorize the City Manager, or his designee, to apply for, and, if awarded, accept prize funds from the U.S. Department of Energy Buildings Upgrade Prize to fund a solar for low-income pilot program. Further request to authorize a procurement process to identify an entity to administer the pilot program to fund the installation of solar on low-income homes in Phoenix. Additionally request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The total prize funds applied for is $400,000.

Summary

The U.S. Department of Energy launched an innovative Buildings Upgrade Prize (Buildings UP) on Jan. 18, 2023 to accelerate the transformation of U.S. buildings into energy-efficient and clean energy-ready homes, commercial spaces, and communities. In Phase 1 of Buildings UP, applicants will propose a concept to deliver scalable and replicable upgrades to buildings in disadvantaged communities, low- and moderate-income households, and underserved commercial, nonprofit, and public buildings. Phase 1 Equity-Centered Innovation winners will each receive a $400,000 cash prize.

Staff are proposing to use the prize funds to offer free solar installations on twenty low-income owner-occupied homes in the City of Phoenix on a first-come first-served basis. The purpose of the program is to document the impact of solar on energy affordability in homes where more than 15 percent of household income is typically spent on energy. Roof-top solar energy can, in many cases, reduce annual energy bills by 75 percent or more. The proposed program is envisioned to be administered by a non-profit, who will assist the homeowner to select the solar installer, inspect the installation and contracts to ensure a quality installation, and track and report the impact for the two years following. The City's Human Services Department will provide the income verification to qualify applicants.

Contract Term

The prize would likely be awarded in the fall of 2023 and will be free from any reporting requirements back to the U.S. Department of Energy.

Financial Impact

The prize is $400,000. No matching funds are required. Prize funds will be managed through the Office of Sustainability.

Concurrence/Previous Council Action

The Transportation, Infrastructure and Planning Subcommittee approved this item on June 21, 2023 by a vote of 3-0.

This item was adopted.

104 Request to Apply for and Accept Spark Grant Funds for Community Engagement in e-Mobility (Ordinance S-50017)

Request to authorize the City Manager, or his designee, to apply for, and, if awarded, accept grant funds from Vitalyst Health Foundation (Vitalyst) to enhance existing e-mobility outreach to underserved neighborhoods and provide support to community-based organizations such as Unlimited Potential that are assisting in the outreach. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The total grant funds applied for is $25,000.

Summary

Vitalyst Health Foundation offers $25,000 Spark Grants for unique initiatives that support and enhance outreach to underserved communities. As part of the Transportation Electrification Action Plan implementation, the City is currently conducting listening sessions in underserved neighborhoods to better understand the e-mobility and active transportation needs of the community and identify solutions such as cool corridors, e-bike-share, and e-carshare, that would improve their quality of life. Listening sessions have already been conducted in English and Spanish in Maryvale and South Phoenix. This Spark Grant would support listening sessions to diverse populations in Sunnyslope, Alhambra, North Phoenix, East Phoenix, Estrella, and Laveen communities. The grant funds will include costs for community outreach and listening session facilitation services by community-based organizations.

Contract Term

The grants funds would be awarded and disbursed in calendar year 2023.

Financial Impact

The Spark Grant is $25,000. No matching funds are required. The funds and the listening sessions would be administered by the Office of Sustainability.

This item was adopted.

105 Authorization to Issue a Request for Qualifications to Create a Qualified Vendor List for Solar Installations on City Property (Ordinance S-50015)

Request to authorize the City Manager, or his designee, to issue a Request for Qualifications (RFQu) to create a Qualified Vendor List (QVL) for solar services. The requested procurement process will result in a recommended Qualified Vendors List and associated contracts to be proposed for City Council approval in the fall.

Summary

On Feb. 7, 2018, City Council approved the creation of a QVL for solar contractors with five-year contracts that extended to February 2023. Multiple solar projects were implemented under those agreements at both Aviation and Public Works facilities to bring the total number of solar installations on City property to 57 as shown in **Attachment 1**. Staff are forecasting that up to 20 new solar installations are likely to be completed by 2030, the majority of which could be completed through solar services agreements under a new qualified vendor list. Staff are seeking Council approval to proceed with the procurement process.

Procurement

The RFQu will be issued in accordance with Administrative Regulation 3.10, Qualified Based Selection. Qualifications must include demonstrated past experience and ability to finance installations through solar services agreements. The RFQu will result in a list of qualified vendors established on specific criteria, such as statements of qualification and work, key personnel and firm references.

Financial Impact

A recommendation for approval of firms will be brought back to City Council in the fall. Once solar projects are developed, the primary means of financing will require no upfront capital, but instead paid through solar services agreements that commit to purchasing the power they produce at a stated price competitive with existing and projected electric utility rates.

Concurrence/Previous Council Action

This item was approved by the Transportation, Infrastructure and Planning Subcommittee on June 21, 2023 by a vote of 3-0.

This item was adopted.

106 Authorization to Issue a Request for Proposals for an Owner Representative for Energy Performance Contracts (Ordinance S-50030)

Request to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for an owner representative to assist City staff in evaluating energy efficiency and renewable energy project proposals submitted by energy service companies on contract with the City. Further request to authorize the City Manager, or his designee, to execute an amendment to Contract 146596 with JBA Consulting Engineers Inc. dba NV5 Consultants (NV5), that extends the end date of the current contract by 12 months to October 31, 2024 to ensure adequate time is available to conduct the full procurement process and contract signing prior to the current owner representative contract expiring. Additionally request to authorize the City Controller to disburse all funds related to this item.

Summary

The City has contracts with five Energy Service Companies (ESCO) under the Job Order Contract (JOC) program to install energy efficiency measures on a large number of City facilities totaling approximately 11.5 million square feet of space. The Owner Representative acts as a Project Facilitator, working with all ESCOs to achieve the City's energy reduction goals and provide oversight. The scope of work includes proposal analysis, project review, project implementation inspection, and post-completion Measurement and Verification (M&V) reviews.

The procurement process may require more than six months to complete and, therefore, staff are requesting an extension on the current owner representative contract with NV5 in order to ensure City services and projects are not interrupted.

Contract Term

The amendment to the current owner representative contract will extend the end date of the NV5 contract from Oct. 31, 2023 to Oct. 31, 2024.

Financial Impact

A recommendation for approval of the selected firm will be brought back to City Council at a later date. The current authorization for the Owner Representative was previously approved for expenditures not-to-exceed $544,000 using the existing revolving energy fund cost center. No additional spending authority is required.

Concurrence/Previous Council Action

The City Council approved:

Owner Representative for Energy Performance Contracts with JOC Vendors Contract 146596 (Ordinance S-44026) on Nov. 1, 2017.

Owner Representative for Energy Performance Contracts with JOC Vendors Contract 146596 - Amendment (Ordinance S-45818) on June 19, 2019.

Owner Representative for Energy Performance Contracts with JOC Vendors Contract 146596 - Amendment (Ordinance S-48046) on Oct. 27, 2021.

This item was adopted.

107 Authorization to Issue a Request for Qualifications for Energy Service Companies for Energy Performance Contracting (Ordinance S-50016)

Request to authorize the City Manager, or his designee, to issue a Request for Qualifications (RFQu) for Energy Service Companies (ESCOs) to implement turnkey energy-saving projects in City facilities. The requested procurement process will result in a recommended Qualified Energy Contractors List for City Council approval in the fall.

Summary

On July 6, 2017, City Council approved five Energy Service Companies (ESCOs) to be on a Qualified Vendors List (QVL) to undertake cost-effective turn-key energy efficiency solutions to achieve energy savings that are sustainable throughout the operating life of the facilities. The scope of work included: surveying applicable sites and facilities; conducting investment grade audits and identifying energy-saving solutions that maximize the economic benefit to the City; providing project recommendations and evaluating cost-saving potential; constructing, implementing, commissioning, and financing of the projects.

Under the current QVL, energy upgrade projects have been completed at the airport, the convention center and in Public Works managed facilities, and numerous Investment Grade Audits (IGAs) are nearing completion. However, the current job order contracts expire at the end of September 2023. Staff are seeking Council approval to issue a Request for Qualifications (RFQu) to select an updated list of qualified vendors to undertake additional energy efficiency projects.

Projects completed by the current qualified vendors have been directly funded by the City using capital or other funds made available at the time of project proposals. However, under the proposed RFQu, vendors will be required to offer a Contingency Payment Agreement (CPA) such that the City can request the projects be fully funded by the vendor and paid exclusively out of energy savings verified by the third party. In this form of contract, no upfront capital is required by the City, but instead, payments are "contingent" on verified energy savings. In addition, because the payments are not fixed but contingent on savings, the rating agencies have confirmed the projects would not effect the borrowing capacity of the City. Lastly, because the savings are guaranteed, the vendors typically underestimate the savings to manage their risk, so additional savings may be realized by the City beyond what is guaranteed in the payment agreements.

Procurement

The RFQu will be issued as soon as possible. Qualifications must include demonstrated past experience and ability to finance installations through contingency payment agreements. In accordance with Administrative Regulation 3.10, Qualifications Based Selection, a list of

qualified vendors shall be established based on specific criteria, such as statements of qualification and work, key personnel, and firm references.

Financial Impact

A recommendation for approval of firms will be brought back to City Council in the fall. Once procurement is complete and projects are underway, participating departments may elect to use capital or other funds to pay for energy efficiency projects, however, the procurement will require that all vendors offer contingency payment arrangements as described in the narrative above. The Finance Department will review and approve all contingency payment agreements arising from approved energy performance contractors.

Concurrence/Previous Council Action

Council previously approved:

Energy Efficiency Services Job Order Contract - 4108JOC157 (Ordinance S-43807) on July 6, 2017.

This item was approved by the Transportation, Infrastructure and Planning SubCommittee on June 21, 2023 by a vote of 3-0.

This item was adopted.

108 Donation from STACK Americas for the Parks and Recreation Department (Ordinance S-49982)

Request authorization for the City Manager, or his designee, to accept a donation of $200,000 from STACK Americas for the Parks and Recreation Department. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this donation.

Summary

The Planning and Development Department confirmed that submittal and receipt of the donated funds to the Parks and Recreation Department will satisfy the intent and constitute compliance with Stipulation 8 regarding Rezoning Case No. PHO-2-07-Z-341-85-8.

Financial Impact

This donation does not require any matching funds.

This item was adopted.

109 Van Rental - IFB 18-179 - Amendment (Ordinance S-49966)

Request to authorize the City Manager, or his designee, to execute contract amendments for van rental transportation with A-1 Leasing, Inc Contract (147968) and Carl Van Rentals Contract (147969) to extend the contract terms. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed; request to continue using Ordinance (S-44797).

Summary

These contracts enable the Parks and Recreation Department to rent vans to support various summer and recreational programs offered by the City to the community. The contracts include two different types of vans: a 15-passenger van and a 4-passenger wheelchair accessible van. The ability to rent vans for youth summer activities supports and enhances the quality of summer and recreational programs. The term extensions will allow staff additional time to conduct a competitive procurement process.

Contract Term

Upon approval the contracts will be extended through June 30, 2024.

Financial Impact

No additional funds are requested. The aggregate value of the contracts will not exceed $100,000.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

• Van Rentals (Ordinance S-44797) on June 20, 2018.

This item was adopted.

110 Intergovernmental Agreement with Arizona Game and Fish Commission for City of Phoenix Community Fishing Program - Amendment (Ordinance S-49968)

Request to authorize the City Manager, or his designee, to execute an amendment to the Intergovernmental Agreement (IGA) with Arizona Game and Fish Commission to continue the City's participation with the Community Fishing Program by extending the contract beyond term. Further request additional funding in the amount of $66,000 and authorize

the City Controller to disburse all funds related to this item. Funding for this item will not exceed $353,879.

Summary

The City has participated in the Community Fishing Program since 1986 and it is very popular with Phoenix residents. The program provides urban fishing opportunities at seven City parks: Cortez, Cesar Chavez/Alvord Lake, Desert West, Encanto, Papago, Steele Indian School and Roadrunner. As part of the IGA, the Arizona Game and Fish Department will stock the seven lakes with various fish species for anglers and will market the program through its Community Fishing Program brochure and website. In addition, fishing education clinics will be offered, including an information station at each lake location.

Arizona Game and Fish Commission requested to enter into an amendment for beyond term to allow additional time for negotiating the next five-year agreement.

Contract Term

Upon approval, the contract will be extended through June 30, 2024.

Financial Impact

Upon approval of $66,000 in additional funds, the revised aggregate value of the contract will not exceed $353,879. Funds are available in the Parks and Recreation Department’s budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

• Intergovernmental Agreement with Arizona Game and Fish Commission for City of Phoenix Community Fishing Program S-44943 on Aug. 29, 2018.

This item was adopted.

112 Entertainment District Formation Consulting Services - Authorization to Issue Solicitation (Ordinance S-49918)

Request City Council to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for a consultant to assist in the identification, establishment, and activation of an entertainment district.

There is no impact to the General Fund with this action.

Summary

In 2019, Conventions, Sports & Leisure International (CSL) completed a market study on behalf of the Phoenix Convention Center (PCC). The study included an analysis of the PCC's strategic advantages along with recommendations to enhance the PCC market capture through near and long-term space and site planning, hotel development, and destination enhancement. In 2022, an update to the study was completed to incorporate the effects and changes of the COVID-19 pandemic to the industry. A key finding and recommendation of both the 2019 study and the 2022 update was the creation of an entertainment district, to generally surround PCC. An entertainment district would provide conventioneers, visitors, and residents a walkable, vibrant, safe, and navigable area that could include amenities such as density of restaurants, bars, attractions, street performers, public art, significant lighting and landscaping, scooter docks, and electric vehicle shuttles.

With approval, staff will issue an RFP to obtain entertainment district formation consulting services. The procurement will be led by the Community and Economic Development Department with support from key stakeholder departments and City partners.

The scope of work will include:

Identification of potential boundaries for the Entertainment District.
Market and feasibility analysis.
Evaluation of land use and zoning ordinances that impact the recommended area.
Stakeholder engagement and feedback.
Plan development including location, Zoning/Code change recommendations, and an implementation strategy.

Each proposer and its primary consultant will be required to have five years experience providing entertainment district formation consulting services. Prior to issuance, staff will complete research on best practices regarding the analysis and implementation of an entertainment district, and selection of a consultant.

Responsive proposals will be evaluated by a panel based on the following evaluation criteria:
Primary Consultant's Qualifications and Experience (0-300 points).
Approach to Scope of Work (0-250 points).
Proposer's Qualifications and Experience (0-250 points).
Fees (0-200 points).

Staff will return to City Council for contract award approval. Following the contract award, staff will conduct outreach to stakeholders concerning the results of the study as well as recommended strategies that will form the implementation plan.

Financial Impact
There is no impact to the General Fund as a result of this action.

Previous Council Action
The item was recommended for approval by the Economic Development and Equity Subcommittee at the June 13, 2023 meeting by a vote of 4-0.

Location
Council Districts: 7 and 8

This item was adopted.

113 Western Maricopa Coalition (WESTMARC) Dues for Fiscal Years 2023-26 (Ordinance S-49921)

Request to authorize the City Manager, or his designee, to pay membership dues to Western Maricopa Coalition (WESTMARC) for Fiscal Years (FY) 2023-26 in the amount of $20,000 annually, plus a consumer price index escalator each year after the first year, for a total not to exceed $75,000 for the three years. Further request authorization for the City Controller to disburse funds related to this item.

Summary
WESTMARC was formed in 1990 to address important issues facing the West Valley's economic prosperity. WESTMARC, a public-private partnership, actively promotes the West Valley region of Greater Phoenix (area west of I-17) and represents 15 cities and the West Valley business community and education sector. In partnership with the Community and Economic Development Department (CEDD),

WESTMARC gives specific focus to the Villages of Alhambra, Estrella, Deer Valley, Laveen, Maryvale, North Gateway, North Mountain, and Rio Vista.

CEDD participates in many of WESTMARC's committees, including the Economic Development, Quality of Life, Workforce and Marketing committees. Participation in these committees promotes collaboration with other west valley cities, businesses, investors and stakeholders. In addition, WESTMARC provides statistical information regarding workforce and West Valley demographics, which are utilized in preparing strategies for retail and business attraction to West Phoenix. CEDD has also had opportunities to promote West Phoenix Opportunity Zones and featured sites for restaurant and retail development at WESTMARC pitch events. The membership provides a table of 10 to each of WESTMARC's signature events including its annual meeting, Governor's State of the State Luncheon, Economic Development Summit, and the Best of the West Awards.

Financial Impact

Membership dues are based on population and communities with more than 100,000 residents, the cost is $20,000 for FY 2023-24. A consumer price index escalator will be applied for subsequent years. The three-year, cumulative amount for Fiscal Years 2023-26 will not exceed $75,000. Funding is available in CEDD's General Fund budget.

Concurrence/Previous Council Action

This item was recommended for approval by the Economic Development and Equity Subcommittee at the June 13, 2023, meeting by a vote of 4-0.

Location

Council Districts: 1, 4, 5, 7 and 8

This item was adopted.

114 Arizona BioIndustry Association Annual Membership for Fiscal Year 2023-24 (Ordinance S-49917)

Request City Council to authorize the City Manager, or his designee, to pay membership dues to the Arizona BioIndustry Association (AZBio) for Fiscal Year (FY) 2023-24 in the amount of $15,000. There is no impact to

the General Fund with this action. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

CBRE, Inc., a national commercial real estate firm, has recognized the City of Phoenix as a hub of bioscience activity and has ranked Phoenix fifth in the nation as an Emerging Life Science Market in its 2020 annual U.S. Life Science Report and first for Life Science Job Growth in Emerging Life Science Markets in its 2021 report. The City has been a member of the AZBio for six years and staff recommend continuing this membership for FY 2023-24 to maintain and grow the City's position in the industry. AZBio is the only statewide organization exclusively focused on building Arizona’s bioindustry and it is committed to building a top-tier life science industry in Arizona and is a critical partner for Phoenix. As specialists, AZBio provides industry insight, programs specifically designed for life science organizations, visibility into investment opportunities, and a voice for the industry in the media, across the community, and with elected leaders and government agencies at the local, state, and federal levels.

Financial Impact

Annual membership is $15,000. Funding is available in the Genomic Facilities and Operations Fund. There is no impact to the General Fund.

Concurrence/Previous Council Action

The item was recommended for approval by the Economic Development and Equity Subcommittee at the June 13, 2023, meeting by a vote of 4-0.

This item was adopted.

115 Business Attraction and Development Services Contract Award - Greater Phoenix Economic Council (Ordinance S-49920)

Request to authorize the City Manager, or his designee, to enter into a contract with the Greater Phoenix Economic Council (GPEC) for business attraction and development services. The cost for year one of the contract will not exceed $811,450. Further request to authorize the City Controller to disburse all funds related to this item. Funding is available in the budgets of the Aviation, Community and Economic Development, Public Works and Water Services departments.

Summary

GPEC's mission is to attract and grow quality businesses in the region and advocate for Greater Phoenix's competitiveness. Its efforts include marketing the region, including coordinating regional prospect proposals and real estate tours, domestic and international sales missions, and other strategic activities resulting in business investment in Greater Phoenix.

The City has been a member of GPEC since the organization's inception in 1989. The fee for each GPEC member in Maricopa County is calculated using a per capita rate of $0.4897, which has remained constant since 2020, and is based on the most current population estimates from the Arizona Office of Economic Opportunity. The 2022 population estimate for Phoenix is 1,657,035. Based on this formula, the Fiscal Year (FY) 2023-24 contract amount is $811,450, which will be shared equally by the Aviation, Public Works, Water Services, and Community and Economic Development (CED) departments.

GPEC regularly collaborates with CED to generate prospects and attract new business investment from outside the region. As of Feb. 2023, GPEC's efforts this fiscal year have helped locate 25 companies to the region, with the expectation of creating nearly 5,000 jobs and capital investments exceeding $397.4 million. To date, eight of those companies have chosen to locate in Phoenix. Over the past five years, Phoenix's return on investment from our partnership with GPEC has been $107 of direct revenue for every $1 invested.

GPEC represents 23 municipalities in the region, including Maricopa County, and conducts a variety of diverse and value-added services and activities on behalf of its members. In addition to the public sector members, more than 190 private investors contribute resources to support GPEC's efforts.

Procurement Information

In accordance with Administrative Regulation 3.10, an exception to the procurement process was approved to select this vendor as a Sole Source given its unique role in performing business attraction and development services for the Greater Phoenix region.

Contract Term

If approved, the term of the contract will be one year with four one-year renewal options to be exercised at the City's discretion. Staff will return to Council for approval of each year's proposed contract amount. The contract term will begin on or around July 1, 2023.

Financial Impact

The FY 2023-24 contract amount is $811,450, which will be shared equally by the Aviation, Public Works, Water Services and CED departments.

Concurrence/Previous Council Action

This item was recommended for approval by the Economic Development and Equity Subcommittee at the June 13, 2023 meeting by a vote of 4-0.

This item was adopted.

116 Phoenix Sister Cities, Inc. - Authorization to Extend Contract (Ordinance S-49942)

Request to authorize the City Manager, or his designee, to extend the City's contract with Phoenix Sister Cities, Inc. (PSC). The original contract dates were July 1, 202, through June 30, 2024. The extension would continue the contract through June 30, 2026. The contract supports program coordination in youth and education, municipal and technical cooperation, business, and arts and culture with Phoenix's 11 Sister Cities. Additional expenditures are not to exceed $1,350,000 through June 30, 2026.

Summary

Phoenix Sister Cities, Inc. is a 501(c)(3) nonprofit organization established in 1972. It is responsible for coordinating exchange programs in youth and education, municipal and technical cooperation, business, and arts and culture with Phoenix's 11 Sister Cities. Currently, the City has Sister Cities relationships with Calgary, Canada; Catania, Italy; Chengdu, China; Ennis, Ireland; Hermosillo, Mexico; Himeji, Japan; Grenoble, France; Prague, Czech Republic; Ramat-Gan, Israel; Suwon, South Korea; and Taipei, Taiwan.

PSC exists to create people-to-people relationships between the residents of Phoenix and its Sister Cities through commercial,

educational, cultural, and artistic exchange programs and events that create and sustain global, long-term, international partnerships, and business opportunities for Phoenix. The City has contracted with PSC since the mid-1980s. The organization is administered by a Board of Directors composed of PSC Commission members, appointed by the Mayor and approved by the City Council, the chairpersons of the 11 Sister Cities committees, and the Disability Awareness Committee. Currently, four other community members serve as at-large Board members.

During the contract period July 1, 2021 through the present, PSC coordinated:

The establishment of a Sister Cities relationship with Suwon, South Korea;
Events and activities to welcome to Phoenix employees of the Taiwan Semiconductor Manufacturing Company and their families, including a celebration at Arizona State University (ASU) West for Double Ten (Taiwan's national holiday);
A trade mission of companies from Calgary, Canada, exploring opportunities to launch their U.S. operations in consumer packaged goods from Phoenix;
A trade mission of companies from the Czech Republic in artificial intelligence, biotech, fintech, and cybersecurity, exploring opportunities to launch their U.S. operations from Phoenix;
An event to introduce Phoenix economic development opportunities to 27 economic attaches of the European Union (stationed in their respective embassies in Washington, D.C.) during a visit to Phoenix;
A delegation of Phoenicians to Hermosillo, Mexico, to explore baseball, art, and cuisine in Phoenix's oldest Sister City;
An event to introduce Phoenix economic development opportunities to 31 members of the Global Federation of Chinese Business Women (headquartered in Taipei, Taiwan) during a visit to Phoenix;
Negotiations to establish a Sister Cities relationship with Medellin, Colombia, including sending a working delegation to Medellin and receiving a working delegation, in turn, to determine the terms of a Sister Cities agreement; and more.

These activities are accomplished by outsourcing the coordination of events and exchanges through a great number of PSC volunteers, totaling more than 13,000 hours and valued at more than $400,000 between July 1, 2021 and June 30, 2022.

In March 2020, Council approved an International Trade Strategy to advance the City's economic development activities with multiple partners internationally. Described in the plan, amongst its many components, is the expansion of international inbound and outbound delegations to grow new international activity as well as partnerships.

Beginning in Fiscal Year 2024, PSC will expand its scope beyond its traditional role and provide support to the City's International Trade Strategy. To meet this expanded role and continue the work already undertaken, funding for PSC will support:

The adoption of up to three new Sister Cities: one in India; one in Africa; and Medellin, Colombia (contingent upon City Council approval);
Business Development programs - continuing the work that began with the trade missions outlined above; and
Costs associated with the Phoenix Global Forum - an international economic development conference to be presented annually beginning in May 2024 in partnership with the International Economic Forum of the Americas.

The PSC program has been recognized by Sister Cities International for its excellence, receiving the award for Best Overall Program in the U.S. (for a city with a population over 500,001) 10 times in the last 24 years - most recently in 2022.

Procurement Information
In compliance with Administrative Regulation 3.10, an exception to the procurement process was approved to select this vendor as a sole sources given its unique role in providing these services to the City.

Contract Term
If approved, the revised contract term will be extended through June 30, 2026.

Financial Impact

City funds pay for staff salaries and benefits. All PSC exchanges, events and travel are privately funded. The budget for the remaining contract period through June 30, 2026, totals $1,350,000. The funding increase for these expanded services in FY 2023-24 will come from the Downtown Community Reinvestment Fund and the funding for FY 2024-25 and FY 2025-26 will come from the General Fund.

Concurrence/Previous Council Action

The Economic Development and Equity Subcommittee recommended approval of this request on June 13, 2023, by a vote of 4-0.

This item was adopted.

117 Authorization to Enter into a Temporary Parking License Agreement with Translational Genomics Research Institute (Ordinance S-49988)

Request to authorize the City Manager, or his designee, to enter into a temporary parking license agreement with Translational Genomics Research Institute (TGen) for temporary parking staging needs. Further request to authorize the City Treasurer to accept all necessary funds related to this item. There is no impact to the General Fund as a result of this action.

Summary

The Community and Economic Development Department (CEDD) manages the property at the southwestern corner of Fillmore and 7th streets. The property has been vacant for a number of years and is occasionally used to support development activities in the Phoenix Biosciences Core. CEDD requests authorization to enter into a temporary parking license agreement with TGen for the temporary parking of a mobile testing unit, MindCrowd. The mobile unit utilizes online 'games' to assess brain health and insights for brain diseases, including Alzheimer's. The mobile testing unit is expected to require six parking spaces.

Contract Term

The term of the license will be 30 days, with a maximum of two 30-day extensions as defined in the license, and will begin later this year. The

specific start and end dates will be determined once the mobile testing unit's schedule has been finalized.

Financial Impact
The license fee will be based on market rent and/or other valuable consideration, and any fees received will be deposited into the City's Genomic Facilities and Operations Fund.

Location
Southwestern corner of Fillmore and 7th streets
Council District: 8

This item was adopted.

118 Amend Development Agreements with Phoenix IG, LLC for Redevelopment of the Former Metrocenter Mall (Ordinance S-49950)

Authorize the City Manager, or his designee, to amend City Contracts 157702 and 157703 (Agreements) with Phoenix IG, LLC, or its City-approved designee (Developer), to facilitate proposed bond financing through the Phoenix Industrial Development Authority (Phoenix IDA) for the future redevelopment of Metrocenter Mall at 9617 N. Metro Parkway West (Site), as well as construction of additional public amenities at the Site and commitment of additional future transaction privilege tax (TPT) revenues generated by the project. Staff requests further authorization to enter into an intergovernmental agreement (IGA) with the Phoenix IDA and other agreements necessary to effectuate the terms of the amendments and authorization from the City Controller to disburse funds related to this item.

Summary
Developer has entered into Agreements with the City to facilitate the demolition and redevelopment of the Site into a mixed-use transit oriented development. In conjunction with executing those Agreements, Developer successfully purchased 65 acres of the former mall in January 2023.

Following the acquisition, Developer approached the City concerning its desire to utilize bond financing through the Phoenix IDA. To support the construction of bond-financed public amenities as part of the

redevelopment, Developer has requested the City exercise its authority to facilitate assessments on the Site to re-pay the bond trustee to the extent permitted by law. There will be no financial obligation or debt liability to the City as a result of this action; the City will only be utilizing its authority to perform assessments to the extent permitted by law.

In addition, Developer has proposed to build further public amenities at the Site, including an expansion of the public plaza on the roof deck of the proposed garage and construction of shell office space for use by the Phoenix Police Department at the new development. Furthermore, additional private streets where public access will be beneficial to the City have been identified. The Developer has agreed to dedicate public access easements across these streets. These proposed additional public amenities will qualify for reimbursement by project-generated TPT payments as contemplated by the TPT Development Agreement (TPT DA) (157703) previously authorized by City Council.

To support the public amenities constructed by Developer, City will pledge the additional non-restricted three percent portion of the City's Hotel Tax for a period equal to the 25-year period that is currently pledged under the TPT DA for the General Fund share of the Hotel Tax. This will only apply to the Site-generated TPT.

Beyond the public amenities at the Site, Developer has also committed to entering into maintenance agreements and revocable permits with the Street Transportation Department to accept maintenance and beautification of the City Right-of-Way at Cheryl Drive and Metro Parkway East adjacent to the new Metro Parkway Transit Center and Park and Ride, which is under construction.

All other terms and conditions of the Agreements will remain in full force and effect.

Financial Impact

The additional City financial impact will be the contribution of the full non-restricted portion of the Hotel TPT generated from properties within the Site. Staff estimates the additional non-restricted Hotel TPT over the term of the Agreements to equal $7.2 million. Financial terms of the

Agreements will be provided to the Budget and Research and Finance departments for review prior to execution of the Agreements.

Concurrence/Previous Council Action

City Council previously approved:

Transaction Privilege Tax Development Agreement (Ordinance S-48677) on May 25, 2022; and

Government Property Lease Excise Tax (GPLET) Development Agreement on Nov. 16, 2022.

Location

9617 N. Metro Parkway West

Council District: 1

This item was adopted.

119 Authorization to Enter into an Intergovernmental Agreement with Arizona State University for the Development of Entrepreneurship and Innovation Programs in Downtown Phoenix (Ordinance S-50019)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with Arizona State University (ASU) for the development of entrepreneurship and innovation programs in downtown Phoenix. There is no impact to the General Fund as a result of this action.

Summary

On Oct. 18, 2017, City Council authorized an IGA with ASU (Contract 146961) for the development of programs designed to assist Phoenix community-based entrepreneurs with launching, growing and scaling their ventures, and commercializing technologies, in downtown Phoenix. The ASU programs will also provide the opportunity to enhance learning environments, offering students a location to learn the practical application of coursework while providing the entrepreneur, hobbyist, inventor, and small-business community with access to the tools, services and physical space needed for startup business development. Services available to assist startup businesses will include hands-on instruction, mentorship, and business services such as legal, marketing and operational services. The programs will increase opportunity for connectivity and collaboration, and will leverage existing resources and

clusters of active entrepreneurs. Additionally, the programs will increase intensity and attention, by highlighting downtown Phoenix's assets, enhance the reputation and visibility of Arizona as a leading state to support startups as well as development of an entrepreneurial ecosystem.

Due to COVID-19, the program planning and implementation efforts were halted. At the end of 2022, ASU began to re-imagine what these programs may look like moving forward, considering the change in the downtown landscape and programmatic needs post-COVID. The agreement expired in February 2023; this new IGA will contain substantially the same terms as the previous agreement. This IGA will alter the timeline and site requirements as follows:
The term of the agreement shall be for three years.
ASU and the City shall work together to identify a mutually agreeable site(s) for program implementation.

Financial Impact
There is no impact to the General Fund as a result of this action.

Concurrence/Previous Council Action
The Downtown, Aviation, Economy and Innovation Subcommittee recommended approval of this item on Oct. 4, 2017.
City Council approved IGA 146961 (Ordinance S-44006) on Oct. 18, 2017.

This item was adopted.

120 Issuance of Multifamily Housing Revenue Bonds (Bret Tarver Terrace Project), Series 2023 (Resolution 22136)

Requests City Council approval for the issuance of Multifamily Housing Revenue Bonds (Bret Tarver Terrace Project), Series 2023, to be issued in one or more tax-exempt and/or taxable series, in an aggregate principal amount not to exceed $20,000,000.

Summary
Request City Council adoption of a resolution granting approval of the proceedings under which The Industrial Development Authority of the City of Phoenix, Arizona (the “Phoenix IDA”) has previously resolved to

issue up to $20,000,000 of Multifamily Housing Revenue Bonds (the "Revenue Bonds") for use by UMOM Housing 9, LLC (the "Borrower"), an Arizona limited liability company, to:
a.) finance, and/or refinance, as applicable, the acquisition, construction, development, improvement, equipping and/or operation of a multifamily residential rental housing community to be comprised of 96 units in Phoenix, Arizona, and

b.) pay certain costs related to the issuance of the Revenue Bonds.

Contract Term
The Phoenix IDA Board has previously resolved to issue the Revenue Bonds at its meeting held on May 18, 2023.

Location
The Project is located at or near 3101 W. McDowell Road.
Council District: 4

With the exception of certain housing bonds/notes, the Phoenix IDA can finance projects located anywhere in Arizona. In addition, the Phoenix IDA may issue bonds/notes to finance projects outside of Arizona, if the out-of-state project provides a benefit within the State.

This item was adopted.

121 Intelligent Lighting Fixtures Installation, Maintenance, Repair and Parts Contract IFB PPC 23-0080 - Request for Award (Ordinance S-49910)

Request to authorize the City Manager, or his designee, to enter into a contract with Clearwing Systems Integration, LLC to provide intelligent lighting fixtures, installation, maintenance, repair, and parts for the Phoenix Convention Center Department (PCCD). Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $150,000.

Summary
This contract is for intelligent lighting fixtures, installation, maintenance, repair, and parts for the PCCD over a five-year period. The services will involve an annual visit by a factory-certified technician to inspect and

service the highly specialized and sensitive computer components within the complex computerized lighting equipment. These components are extensively utilized in the Orpheum Theatre.

Procurement Information
An Invitation for Bid was processed in accordance with City of Phoenix Administrative Regulation 3.10.

One vendor submitted bids deemed to be responsive to posted specifications and responsible to provide the required goods and services. Following an evaluation based on price, the procurement officer recommends award to the following vendor.

Selected Bidder:
Clearwing Systems Integration, LLC

Contract Term
The contract will begin on or about July 1, 2023, for a five-year term with no options to extend.

Financial Impact
The contract value will not exceed $150,000.

Funding is available in the Phoenix Convention Center Department operating budget.

Location
Phoenix Convention Center Department, 100 N. 3rd St.
Council Districts: 7 and 8

This item was adopted.

122 Audio Visual System Replacement Project, Phoenix Convention Center - IFB PCC 23-0098 - Request for Award (Ordinance S-49932)

Request to authorize the City Manager, or his designee, to enter into contracts with Bluum USA Inc., Clearwing Systems Integration, Ford Audio Video Systems LLC, OGMIS Group Inc., and Spinitar to provide audio visual equipment for the Phoenix Convention Center Department. Further request to authorize the City Controller to disburse all funds

related to this item. The total value of the contracts will not exceed $300,000.

Summary

These contracts will provide various audio-visual equipment for the West Building 200 level audio-visual replacement items at the Phoenix Convention Center. The provided audio-visual equipment will be used in client meeting spaces to support, enhance, and complement the contracted client event activities within the department's facilities and meeting spaces. The current systems are more than 17 years old with outdated technology and are approaching the end of useful life. To maintain performance, reliability, and adhere to industry standards in conventions and live events, it is necessary to update the audio and video equipment and components specified in the contracts. The contracts offer a comprehensive selection of audio and visual equipment, along with the required account and delivery services. Examples of the equipment available through this contract include sound system components, microphones, and video equipment.

Procurement Information

An Invitation for Bid procurement was processed in accordance with City of Phoenix Administrative Regulation 3.10.

Five vendors submitted bids deemed to be responsive to posted specifications and responsible to provide the required goods and services. Following an evaluation based on price, the procurement officer recommends award to the following vendors:

1 - Bluum USA Inc.
2 - Clearwing Systems Integration
3 - Ford Audio Video Systems LLC
4 - OGMIS Group Inc.
5 - Spinitar

Contract Term

The contracts will begin on or about July 1, 2023 for a five-year term with no options to extend.

Financial Impact

The value of the contracts will not exceed $300,000.

Funding is available in the Phoenix Convections Center Operating budget.

Location: 100 North Third Street

Council Districts: 7 and 8

This item was adopted.

123 Event Security Services - RFP 16-005 - Amendment 7 (Ordinance S-49953)

Request to authorize the City Manager, or his designee, to execute Amendment 7 to Contract 143908 with Contemporary Services Corporation to extend the contract term. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

This contract provides Event Security Services at the Phoenix Convention Center Department (PCCD) and is set to expire on Nov. 1, 2023. The PCCD is scheduled to host several large, high-profile events through the end of the year. It is in the best interest of all parties to extend the current Event Security Services contract through Feb. 1, 2024, to provide a continuity of services and on-boarding to the awarded vendor at a time that is more conducive for our clients and the PCCD event calendar.

Contract Term

Upon approval the contract will be extended through Feb. 1, 2024.

Financial Impact

This is a revenue-generating contract with a 10 percent commission that generates approximately $73,000 in revenue per year. PCCD clients pay the cost of all vendor services.

Concurrence/Previous Council Action

The Downtown, Aviation, Economy and Innovation Subcommittee recommended City Council approval by a vote of 4-0 on Aug. 31,

2016.

City Council approved Contract 143908 (Ordinance S-47596) with Contemporary Services Corporation on Sept. 21, 2016.

Location

Council Districts: 7 and 8

This item was adopted.

124 One-Time Purchase of Ambulances (Ordinance S-49993)

Request to authorize the City Manager, or his designee, to enter into a contract with Redsky Fire Apparatus LLC., to provide six ambulance units for the Phoenix Fire Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $2,875,000.

Summary

The Public Works Department seeks to purchase new ambulances on behalf of the Fire Department to replace aging units. These units are vital to responding to residents and other emergencies throughout the City and is essential to safety, health and well-being of City residents and visitors.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Without Competition, due to the unique build specifications that have been reviewed and deemed acceptable by the Phoenix Fire and Public Works departments.

Contract Term

The contract will begin upon City Council approval, June 28, 2023, for the one-time purchase of six ambulance units.

Financial Impact

The contract value will not exceed $2,875,000.

Funding is available in the Fire Department's budget.

This item was adopted.

125 One-Time Purchase of Fire Pumper Trucks (Ordinance S-49996)

Request to authorize the City Manager, or his designee, to enter into separate contracts with Hughes Fire Equipment, Inc, H&E Equipment Services Inc., and Freightliner of Arizona, LLC, DBA Velocity Truck Centers to provide fire pumper trucks for the Phoenix Fire Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $18,400,000.

Summary

The Public Works Department is seeking to purchase fire pumper trucks on behalf of the Fire Department to replace aging units. These units are critical as they are used to provide emergency response services, including combating structural fires and providing emergency medical services to Phoenix residents and surrounding municipalities.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Without Competition due to the unique build specifications reviewed and deemed acceptable by the Fire and Public Works Department.

Contract Term

The contract will begin on or about City Council approval on June 28, 2023, for the purchase of pumper trucks.

Financial Impact

The contract value will not exceed $18,400,000.

Funding is available in the Fire Department's budget.

This item was adopted.

126 One-Time Purchase of Fire Ladder Trucks (Ordinance S-49994)

Request to authorize the City Manager, or his designee, to enter into a contract with H&E Equipment Services, Inc. to provide fire ladder trucks for the Phoenix Fire Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the

contract will not exceed $8,050,000.

Summary

The Public Works Department is seeking to purchase fire ladder trucks on behalf of the Fire Department to replace aging units. These units are essential for operations and provide sure suppression to multi-story structure fires and large volume fire suppression needs.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Without Competition. Due to the unique build specifications reviewed and deemed acceptable by the Phoenix Fire and Public Works departments.

Contract Term

The contract will begin on or about June 28, 2023, for the purchase of the fire ladder trucks.

Financial Impact

The contract value will not exceed $8,050,000. Funding is available in the Fire Department's budget.

This item was adopted.

127 One-Time Purchase of Fire Utility and Ladder Tender Trucks (Ordinance S-49997)

Request to authorize the City Manager, or his designee, to enter into a contract with Freightliner of Arizona, LLC DBA Velocity Truck Centers to provide utility trucks and ladder tender trucks for the Phoenix Fire Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $4,945,000.

Summary

The Public Works Department is seeking to purchase fire utility trucks and ladder tender trucks on behalf of the Fire Department to replace aging units. The ladder tender units are critical and respond to emergency medical and vehicle patient extraction, along with response to fire calls. The utility trucks are used to respond to structure fires and other multi-unit incidents to provide air from large on-board compressors for

breathing apparatus, as well as provide drinking fluid and scene lighting.

Procurement Information
In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Without Competition, due to the unique build and specifications reviewed and deemed acceptable by the Fire and Public Works Departments.

Contract Term
The contract will begin on or about City Council approval on June 28, 2023, for the purchase of utility trucks and ladder tender trucks.

Financial Impact
The contract value will not exceed $4,945,000.

Funding is available in the Fire Department's budget.

This item was adopted.

128 Donation from Donald Mills Jr. for Phoenix Fire Department Historical Preservation Purposes (Ordinance S-50005)

Request authorization for the City Manager, or his designee, to accept a donation of historic fire equipment valued at approximately $2,000 from Donald Mills Jr. for Phoenix Fire historical preservation purposes. Further request authorization for the City Treasurer to accept and for the City Controller to disburse all funds related to this donation. If not approved, the donation would be declined.

Summary
Donald Mills Jr. wishes to donate various fire equipment to the Fire Department for historical preservation.

The donation consists of the following equipment:
Two three-wheeled hand pulled hose carts
Electric golf cart fire truck (not operational)
Four miscellaneous lamps
Two Fire extinguishers
Play pipe
Photos

Helmets
Two standup call pull boxes
Brass bell
United States flag

This request adheres to the Fire Department's charitable donations process.

This item was adopted.

129 Authorization to Enter into Agreement with Arizona Center for Fire Service Excellence (AzCFSE) (Ordinance S-49933)

Request authorization for the City Manager, or his designee, to enter into an agreement with Arizona Center for Fire Service Excellence (AzCFSE) for the annual Arizona Fire School to be hosted at the Phoenix Fire Department (PFD) Training Academy. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

The Arizona Fire School (AFS) was created in 1973 to improve the safety and effectiveness of Arizona firefighters through education and training. AFS operates out of the Office of the State Fire Marshal and is actively managed by the AzCFSE. Held annually in early September, the AFS lasts for five days and includes a combination of classroom and hands-on fire training. All participants must be either an employee or representative of the sponsoring fire department or active emergency service personnel.

The PFD hosts the AFS and provides support and instructional assistance through the use of its facility, apparatus and training staff. Training includes the standard functions of a firefighter, such as search and rescue, hose line deployment and management, live fire training, and self-rescue and victim removal techniques. Training follows all applicable standards and guidelines including National Fire Protection Association (NFPA) 1403 Standard on Live Fire Training.

Contract Term

The term of the agreement, if approved, will be for five years, beginning Sept. 1, 2023, through Aug. 31, 2028.

Financial Impact

PFD will receive an aggregate amount not to exceed $15,000 from AzCFSE to host and provide training for the annual Arizona State Fire School.

Location

The PFD Training Academy is located at 2425 W. Lower Buckeye Road. Council District: 7

This item was adopted.

130 International Code Council Reference Materials Contract - EXC 23-036 - Request for Award (Ordinance S-49960)

Request to authorize the City Manager, or his designee, to enter into a contract with International Code Council, Inc. to provide reference materials for construction codes, building standards, safety professional and related training services for the Phoenix Fire and Planning and Development departments. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $344,000.

Summary

This contract will provide construction code reference materials, guides and publications, subscription to premium digital codes, and related training and seminars, as necessary, to the departments' staff conducting inspections and testing within the City of Phoenix limits. Departments need to train and educate staff to maintain and enhance the city's building and fire codes. Building codes are published to meet the needs of local jurisdiction charged with enforcement of building standards for construction and use, and are updated to reflect the latest standards of life-safety and construction technology. The City of Phoenix is a member of the International Code Council. On June 6, 2018, the Phoenix City Council approved the adoption of the 2018 Phoenix Building Construction Code (PBCC). Departments intend to refer to the 2018 building codes, the 2021 fire codes through new code adoption and the 2024 building codes once adopted.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition

was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Without Competition. The City is a member of the International Code Council, which adopt building standard codes to meet compliance of the local jurisdiction.

Contract Term

The contract will begin on or about July 1, 2023, for a five-year term with no options to extend.

Financial Impact

The aggregate contract value for will not exceed $344,000 for the five-year term. Funding is available in the Phoenix Fire and Planning and Development departments' operating budgets.

This item was adopted.

131 Paramedic Textbooks and Dictionaries - IFB 18-088 - Amendment (Ordinance S-49951)

Request to authorize the City Manager, or his designee, to execute amendments to Contract 148191 and Contract 148192 with Complete Book and Media Supply, LLC, and Jones & Bartlett Learning, LLC, to extend the terms of the contracts. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $100,000.

Summary

These contracts will provide a wide variety of paramedic textbooks for the Fire Department used to train firefighters to become Emergency Medical Technician (EMT) and Advanced Life Support (ALS) certified. The training is needed for the Fire Department to provide immediate emergency response to medical situations.

Contract Term

Upon approval, the contracts will be extended through June 30, 2024, with an option to extend through June 30, 2025.

Financial Impact

Upon approval of $100,000 in additional funds, the revised aggregate value of the contracts will not exceed $458,963. Funds are available in the Fire Department's budget.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
• Paramedic Textbooks and Dictionaries Contract 148191 and Contract 148192 (Ordinance S-44867) on July 5, 2018.

This item was adopted.

132 Fire Fighting Equipment - RFP 1605 - Amendment (Ordinance S-49974)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 149261 with Municipal Emergency Services to extend the contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using ordinance S-45008.

Summary
This contract will provide fire protective clothing and personal protective equipment for Phoenix firefighters which is intended for extensive use and provides high thermal protection, and protection from body injuries related to structural firefighting activities. This gear is a critical part of the Fire Department's efforts to provide life safety services to the public.

Contract Term
Upon approval the contract will be extended through Aug. 31, 2024, with an option to extend through Aug. 31, 2025.

Financial Impact
The aggregate value of the contract will not exceed $1,200,000 and no additional funds are needed.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
• Fire Fighting Equipment, Contract 14926 (Ordinance S-45008) Sept. 19, 2018;

This item was adopted.

133 Firefighting Personal Protective Equipment - PS16008 - Amendment (Ordinance S-49977)

Request to authorize the City Manager, or his designee, to execute

amendment to Contract 148481 with LION First Responder PPE, Inc., to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $4,000,000.

Summary

This contract will provide Personal Protective Equipment (PPE), such as protective coats, pants, and turnout gear, that are used by the Fire Department to protect the firefighters from radiant and thermal exposure, unexpected flashover conditions, and puncture and abrasion hazards during firefighting. This PPE also protects firefighters from extreme heat and flames, while battling fires. This gear is a critical part of the Fire Department's efforts to provide life safety services to the public. The contract extension will allow for the continued purchase of protective coats, pants and turnout gear needed for newly hired recruits, and to replace any expired or damaged PPE to stay current with the National Fire Protection Association standards.

Contract Term

Upon approval the contract will be extended through Aug. 31, 2024, with an option to extend through Aug. 31, 2025.

Financial Impact

Upon approval of $4,000,000 in additional funds, the revised aggregate value of the contract will not exceed $18,725,000. Funds are available in the Fire Department’s budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
• Firefighting Personal Protective Equipment Contract 148481 (Ordinance S-45007) on Sept. 19, 2018.
• Firefighting Personal Protective Equipment Contract 148481 (Ordinance S-47249) on Jan. 20, 2021.

This item was adopted.

134 Amend Contract with Maricopa Association of Governments for 9-1-1 System Planning (Ordinance S-50006)

Request authorization for the City Manager, or his designee, to execute an amendment to City Contract 154162 to accept additional funds in the

amount of $135,000 from the Maricopa Association of Governments (MAG) to continue to provide emergency 9-1-1 system management and planning. Further request authorization for the City Treasurer to accept and for the City Controller to disburse all funds related to this item.

Summary

Contract 154162 was approved by the City Council on March 3, 2021, to provide emergency 9-1-1 system management and planning. MAG will provide an additional $135,000 for the renewal period of July 1, 2023, through June 30, 2024.

The System Administrator Agency for the Regional 9-1-1 Program Maricopa Region is the City of Phoenix (Fire Department). The City of Phoenix is the contracting agent of ongoing operations of the 9-1-1 call routing system. This authority is given through signed resolutions by MAG member agencies. These agreements act as the governing documents for the oversight of the 9-1-1 system design, implementation, and management in the MAG Region.

MAG is the recipient of 9-1-1 Special Assessments and intends to contract with the City of Phoenix to develop network plans and implementation strategies to enhance information transport into the 9-1-1 emergency system, support the economic goals of the State, provide an easily accessible emergency service to the community, and emergency 9-1-1 planning services.

Contract Term

The amended contract term is July 1, 2020, through June 30, 2024, with an additional one-year period, not to exceed a total extended term of five years.

Financial Impact

The Fire Department will be reimbursed for emergency 9-1-1 planning efforts in an amount not to exceed $135,000 for Fiscal Year 2023-24.

Concurrence/Previous Council Action

Contract 154162 was approved by the City Council on March 3, 2021.

This item was adopted.

135 Allow Additional Expenditures Under Contract 152101 for Fire Department Medical Direction (Ordinance S-50011)

Request authorization for the City Manager, or his designee, to allow additional expenditures under Contract 152101 with International Medical Direction, LLC for the provision of Emergency Medical Services (EMS) Medical Direction and related services for the Fire Department's EMS Program. Authorization is also requested for the City Controller to disburse funds. The additional funding will not exceed $225,250.

Summary

The City entered into a five-year contract for medical direction services with International Medical Direction, LLC in May 2020.

The Phoenix Fire Department (PFD) is required to have medical direction for the Emergency Medical Services (EMS) program including its Emergency Medical Technician (EMT) and Emergency Medical Technician-Paramedic (EMT-P) programs. The Medical Director is responsible for establishing the following:

Overall medical direction for patient care in accordance with state rules and regulations;

Standards for basic and advanced training; providing continuing education programs for all EMS personnel;

Appropriate medical protocols for all operational phases of the basic and advanced life support programs; and,

Policy on the selection and use of medications, supplies and medical equipment in coordination with the Fire Department.

The Medical Director is also responsible for the management and coordination of online direction to PFD paramedics and for providing oversight to other physicians that may be used to provide medical direction to PFD paramedics while they are working in the field.

Additional funding is needed to add an Assistant Medical Director to the EMS section to support the Administrative Medical Director that is already in place. This position will liaison and support the Fire Department's nationally accredited Paramedic Training program. This position will also participate in EMS programs that will result in quality improvement initiatives, including developing and implementing strategies to improve

patient care outcomes and reduce gaps in pre-hospital patient management to the community.

Contract Term
The term of this Agreement is July 1, 2020 through June 30, 2025.

Financial Impact
Upon approval of $225,250 in additional funds, the revised aggregate value of the contract will not exceed $2,247,389. Funds are available in the Fire Department's budget.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
• Fire Department Medical Direction, Ordinance S-46583 on May 6, 2020.

This item was adopted.

136 inPURSUIT Records Management System Professional Services and Support - Amendment (Ordinance S-49935)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 148218 with Intergraph Corporation dba Hexagon Safety & Infrastructure to extend the contract term and allow additional expenditures for continued maintenance of the inPURSUIT Records Management System for the Phoenix Police Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $1,643,000.

Summary
This contract provides annual licensing, software maintenance, support and professional services in support of the heavily customized Records Management System (RMS) for Phoenix Police Department. The additional contract term and expenditures will allow the City to transition and replace its current system.

This item has been reviewed and approved by the Information Technology Services Department.

Contract Term

Upon approval the contract will be extended through July 31, 2024.

Financial Impact

Upon approval of $1,643,000 in additional funds, the revised aggregate value of the contract will not exceed $10,143,000. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
inPURSUIT Records Management System contract award, Contract 148218, Ordinance S-44430, on April 4, 2018.

This item was adopted.

137 Firearms Transfer Agreement (Ordinance S-50010)

Request to authorize the City Manager, or his designee to execute an agreement with D.T. Gruelle (Gruelle) to transfer unclaimed firearms.

Summary

The City has selected approximately 500-600 unclaimed firearms to transfer through Gruelle, a private company which provides export and import services. Gruelle will transfer to the National Police of Ukraine. Only 9mm, 45mm, 39mm and 12 gauge firearms will be sent. Firearms are unclaimed when there has been no owner contact after a thirty day notice, in which case the City can dispose of them.

Contract Term

Contract term is for two years, from June 28, 2023 to June 28, 2025.

Financial Impact

No funds expended by the City.

This item was adopted.

138 Radar and Lidar Units Repair and Maintenance - RFA 18-143 - Amendment (Ordinance S-49973)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 148378 with Arizona Law Enforcement Radar Technology, LLC. to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $125,000.

Summary

This contract will provide radar and lidar units repair and maintenance services for the Police Department's Traffic Bureau. This service is vital for the Traffic Bureau to provide certification, annual function tests and frequency count on the handheld units, mounted units and radar trailers. In addition, this service will provide repairs, parts, and labor to the handheld units. This equipment is part of the Police Department's effort to provide life safety services to the public and will be used in critical incidents and complicated scenes. A five-year extension is recommended to continue the supply of products and services, with distinct specifications and limited suppliers, which are critical for Police Department operations.

Contract Term

Upon approval the contract will be extended through Aug. 31, 2028.

Financial Impact

Upon approval of $125,000 in additional funds, the revised aggregate value of the contract will not exceed $275,000. Funds are available in the Police Department’s budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
Radar and Lidar Units Repair and Maintenance Contract 148378
Ordinance S-44902-0055, Aug. 29, 2018;
Radar and Lidar Units Repair and Maintenance Contract 148378
Ordinance S-46550-0016, May 06, 2020;
Radar and Lidar Units Repair and Maintenance Contract 148378
Ordinance S-48152, Dec. 01, 2021.

This item was adopted.

139 Body Worn Cameras - RFP 18-056 - Amendment (Ordinance S-49931)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 149316 with Axon Enterprise, Inc. to modify scope of work and extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $39,263,040.

Summary

This contract will provide a Body Worn Camera (BWC) equipment and software solution for use by the Phoenix Police Department. This request is for a bundled set of new features and functionality offered by the vendor which will increase operational efficiencies for the City and community. The five-year extension will allow for continued use and support of the City's BWC program, of the Police Department's continued commitment to transparency and accountability.

Examples of the additional features and functionality include:

Unlimited 3rd-party storage to upload and store non-Axon videos and evidence.

Capture Application, which allows officers to use City-issued smart phones to capture, upload, store and share digital evidence.

Citizen Application, which allows citizens to directly share digital evidence with the Phoenix Police Department via smart phones.

Investigative Pro Application and Training, used by the Forensix Imaging Unit for processing surveillance videos and other digital evidence.

This item has been reviewed and approved by the Information Technology Services Department.

Contract Term

Upon approval the contract will be extended through June 30, 2028.

Financial Impact

Upon approval of $39,263,040 in additional funds, the revised aggregate value of the contract will not exceed $47,445,125. Funds are available in the Police Department’s budget.

Concurrence/Previous Council Action

This item was recommended for approval by the Public Safety and Justice Subcommittee on June 14, 2023.

The City Council previously reviewed this request:

Body Worn Cameras - Contract 149316 (Ordinance S-45348) on Feb. 6, 2019.

Body Worn Cameras - Contract 149316 (Ordinance S-46104) on Oct.

16, 2019.

Body Worn Cameras - Contract 149316 (Ordinance S-48125) on Nov. 17, 2021.

This item was adopted.

140 Hardware and Software Maintenance for Mug Photo Workstations - ADSPO 13-038745 - Amendment (Ordinance S-49946)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 145552 with ImageWare Systems, Inc. to extend the contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $60,000.

Summary

This contract will provide hardware and software maintenance and support of the mug photo workstations located at several Police precincts and bureaus.

This item has been reviewed and approved by the Information Technology Services Department.

Contract Term

Upon approval the contract will be extended through June 30, 2024, with an option to extend through June 30, 2025.

Financial Impact

Upon approval of $60,000 in additional funds, the revised aggregate value of the contract will not exceed $288,166. Funds are available in the Police Department’s budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

Hardware and Software Maintenance for Mug Photo Workstations Contract 145552 (Ordinance S-42657) on June 15, 2016.

Hardware and Software Maintenance for Mug Photo Workstations Contract 145552 (Ordinance S-43686) on June 21, 2017.

Hardware and Software Maintenance for Mug Photo Workstations Contract 145552 (Ordinance S-48767) on June 15, 2022.

This item was adopted.

141 CovertTrack Global Positioning Units & Surveillance Equipment - RFA 18-017 - Amendment (Ordinance S-49943)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 148210 with CovertTrack Group Inc. to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $350,000.

Summary

This contract will provide the Police Department with electronic surveillance including GPS trackers, surveillance cell phones, unlimited five-second updated monitoring, and maintenance for the devices. The equipment is used for felony investigations by the Police Department's Drug Enforcement Bureau, as well as other bureaus within the department to aid in ensuring public safety.

This item has been reviewed and approved by the Information Technology Services Department.

Contract Term

Upon approval the contract will be extended through June 30, 2028.

Financial Impact

Upon approval of $350,000 in additional funds, the revised aggregate value of the contract will not exceed $658,000. Funds are available in the Police Department’s budget.

Concurrence/Previous Council Action

The City Council previously approved this request:
CovertTrack Global Positioning Units & Surveillance Equipment Contract 148210 (Ordinance S-44833) on June 27, 2018.

This item was adopted.

142 Diving Equipment - IFB 18-144-Amendment (Ordinance S-49963)

Request to authorize the City Manager, or his designee, to execute amendments to contracts 148475 with AHS Rescue, LLC, 148476 with Saguaro Diving & Sports, Inc., 148477 with House of Scuba, Inc., 148478 with Dive Rescue International, Inc. and 148479 with American

Diving Supply, LLC to extend the contract terms. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $61,170.

Summary

These contracts will provide a wide variety of diving equipment for the Police Department. The Department's Underwater Search and Recovery Dive Team is responsible for providing underwater search and recovery of drowning victims, evidence to crime scenes and removal of items deemed as hazardous to navigation. The team also provides rescue services to victims of water accidents. All dive equipment will be maintained in accordance with Commercial Diving Standards, Occupational Safety and Health Act and Arizona Division of Occupational Safety and Health guidelines.

Contract Term

Upon approval the contracts will be extended through Aug. 31, 2024 with an option to extend through Aug. 31, 2025.

Financial Impact

Upon approval of $61,170 in additional funds, the revised aggregate value of the contracts will not exceed $411,776.42. Funds are available in the Police Department’s budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
Diving Equipment contracts 148475, 148476, 148477, 148478, 148479 (Ordinance S-44911) on Aug. 29, 2018.

This item was adopted.

143 LexisNexis Accurint and Accurint Crime Analysis Services - RFA 18-009 - Amendment (Ordinance S-49969)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 148401 with LexisNexis Risk Solutions FL, Inc. to extend the contract term and allow additional expenditures. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $650,000.

Summary

This contract will provide two software applications for legal investigative

research for the Phoenix Police Department (PPD). The two applications include Accurint LE and Accurint Crime Analysis.

The Accurint LE application allows PPD personnel to locate suspects, persons of interest and potential crime witnesses. Accurint LE will also provide the capabilities of locating individuals, discovering associations, visualizing complex relationships, investigating businesses and uncovering assets. The Accurint Crime Analysis application provides a secure online dashboard with a public-facing component that enables crime data sharing, pattern analysis, and crime mapping. Accurint Crime Analysis receives data from multiple established interfaces and is updated upon the finalization of each crime report. This ability to combine data from various sources into a seamless, standardized data set allows PPD personnel to view, analyze, and share data with other law enforcement agencies.

The combined capabilities of these applications are critical to PPD's operations as they allow personnel to solve open cases faster and they reduce the volume of public records requests received for neighborhood crime statistics. This ensures that staff have more time to work on high-priority case work and that costs associated with lengthy investigations are minimized. The extension of this contract and additional funds are necessary to maintain access to these vital applications.

This item has been reviewed and approved by the Information Technology Services Department.

Contract Term
Upon approval, the contract will be extended through Aug. 31, 2028.

Financial Impact
Upon approval of $650,000 in additional funds, the revised aggregate value of the contract will not exceed $1,054,000. Funds are available in the Police Department’s budget.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
LexisNexis Accurint LE and Accurint Crime Analysis Contract 148401

(Ordinance S-44909) on Aug. 29, 2018.

This item was adopted.

144 Service Support Agreement for Forensic Equipment - RFA 17-158 - Amendment (Ordinance S-49934)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 147535 with Qiagen, Inc. to extend the contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $80,000.

Summary

This contract provides the Police Department, Laboratory Services Bureau, Forensic Biology Section, with maintenance and repair services on the QIAsymphony and QIAcube equipment. The forensic instruments are used to process deoxyribonucleic acid (DNA) evidence collected from crime scenes. Regular maintenance of the instruments is vital to maintaining the appropriate International Organization for Standardization (ISO) standards. Qiagen is the sole provider of the maintenance and repair services of the forensic instruments.

Contract Term

Upon approval, the contract will be extended through May 31, 2024, with an option to extend through May 31, 2025.

Financial Impact

Upon approval of $80,000 in additional funds, the revised aggregate value of the contract will not exceed $281,030. Funds are available in the Police Department’s budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
Service Support Agreement for Forensic Equipment Contract 147535 (Ordinance S-44551) on May 16, 2018.

This item was adopted.

145 Maintenance and Certification of Chemical Hoods and Biological Safety Cabinets - ADSPO17 00007025 - Amendment (Ordinance S-49947)

Request to authorize the City Manager, or his designee, to execute an

amendment to Contract 145129 with Controlled Environment Management, LLC to extend the contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $9,000.

Summary

This contract will provide annual certification, including velocity profile, maintenance, calibration and repair of chemical fume hoods and bio-safety cabinets for the Phoenix Police Department, which is needed to ensure that the equipment remains within compliance and in proper working order.

Contract Term

Upon approval the contract will be extended through May 23, 2024, with an option to extend through May 23, 2025.

Financial Impact

Upon approval of $9,000 in additional funds, the revised aggregate value of the contract will not exceed $44,000. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

Maintenance and Certification of Chemical Hoods and Biological Safety Cabinets Contract 145129 (Ordinance S-43530-0036) on May 31, 2017.

This item was adopted.

146 Pre-Employment Psychological Examination and Evaluations - RFQu 23-111 Request for Award (Ordinance S-50003)

Request to authorize the City Manager, or his designee, to enter into contracts with Arizona Police Psychology PLLC; IMA Evaluations LLC; and Jeni McCutcheon, PSY.D, PLLC to provide Pre-Employment Psychological Examination and Evaluation Services for the Police Department's Employment Services Bureau (ESB). Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $802,332.

Summary

The contracts will provide the ESB comprehensive psychological

evaluation services for recruits, and expert witness testimony, as needed, for police personnel and police officers. The purpose of the pre-employment psychology evaluation is to determine the fitness of a recruit to perform the sworn duties of a police officer. Pre-employment psychological assessments for the Police Department are essential to ensure that candidates are psychologically suited for the demanding and critical nature of law enforcement work, to mitigate risks, and to support the well-being of the officers and the communities they serve.

Procurement Information
A Request for Qualifications procurement was processed in accordance with Administrative Regulation 3.10 to establish a Qualified Vendor List (QVL).

Three offerors submitted qualifications and were deemed to be responsive and responsible. An evaluation committee of City staff evaluated those offers based on the following minimum qualifications:
Experience
Qualifications
Capacity

After reaching consensus, the evaluation committee recommends award to the following offerors:

Arizona Police Psychology PLLC
IMA Evaluations LLC
Jeni McCutcheon, PSY.D, PLLC

Contract Term
The contracts will begin on or about Aug. 1, 2023, for a five-year term with no options to extend.

Financial Impact
The aggregate contracts' value will not exceed $802,332. Funding is available in the Police Department's operating budget.

This item was adopted.

147 Authorization to Enter into an Agreement with the Arizona Attorney

General's Office and Accept Funds for the Internet Crimes Against Children Task Force Program (Ordinance S-49984)

Request to authorize the City Manager, or designee, approval for the Police Department to enter into an agreement with the Arizona Attorney General's Office and accept funding for the Internet Crimes Against Children (ICAC) Program. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item.

Summary

The Police Department will enter into an agreement with the Arizona Attorney General's Office for the Internet Crimes Against Children (ICAC) Task Force program. Additionally, the Police Department requests ratification of Arizona Internet Crimes Against Children Task Force Intergovernmental Agreement 150924--0 (KR-2019-0852) and all related amendments between the Police Department and The Arizona Attorney General's Office. The Arizona Attorney General's Office agreement will provide reimbursement to support ICAC Task Force investigations. The agreement supports the ICAC Task Force by providing funding for personnel, technology, equipment and supplies. The goal of this task force is to identify, investigate and prosecute individuals who exploit children.

Contract Term

The contract term will be from July 1, 2023, through June 30, 2025.

Financial Impact

No matching funds are required. Costs to the City would be in-kind resources only.

This item was adopted.

148 **Authorization to Enter into Agreement with Arizona Peace Officer Standards and Training Board (Ordinance S-50027)**

Request authorization for the City Manager, or his designee, to enter into an agreement with the Arizona Peace Officer Standards and Training Board (AZPOST) for the reimbursement of basic training costs at the Phoenix Regional Police Academy. Further request authorization for the City Controller to receive and disburse all funds related to this item.

Summary

The Phoenix Regional Police Academy is managed by the Phoenix Police Department Training Bureau and trains recruits from multiple Arizona law enforcement agencies. The Phoenix Regional Police Academy holds approximately 12 classes per fiscal year. In Fiscal Year 2023-24, AZPOST shall pay $2,500 per recruit who graduates and $900 per recruit who completes at least 50 percent of the academy but does not graduate.

Contract Term

This agreement is effective when ratified by all signatories, and terminates June 30, 2028, with annual options to amend for the per recruit amount.

Financial Impact

Funds will be used for recruit training supplies, equipment, vehicle maintenance, fuel and capital improvements at the training facilities.

Concurrence/Previous Council Action

The City Council previously approved this request:

Authorization to Enter into Agreement with Arizona Peace Officer Standards and Training Board 148135-003 (Ordinance S-44896) on July 5, 2018.

This item was adopted.

149 Arizona Criminal Justice Commission Project Safe Neighborhoods Drive Test Scanner Grant (Ordinance S-49992)

Request retroactive authorization for the City Manager, or his designee, to allow the Police Department to apply for, accept, and enter into an agreement with the Arizona Criminal Justice Commission for the Project Safe Neighborhoods (PSN) Drive Test Scanner grant. Funding provided under this grant will not exceed $194,975. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item.

Summary

The PSN grant is a nationwide initiative that brings together federal, state, local, tribal and territorial law enforcement officials, prosecutors, community-based partners and other stakeholders to identify the most

pressing violent crime problems in a community and develop comprehensive solutions to address them.

The U.S. Department of Justice, Bureau of Justice Assistance, has awarded each State funding to implement a PSN Project within their jurisdiction. The Police Department is applying for funding in the amount of $194,975 for equipment for the Violent Crimes Bureau. If authorization is denied, the grant application will be rescinded.

Contract Term
The term of the contract will be for six months, beginning on April 11, 2023, through Sept. 30, 2023.

Financial Impact
The amount of funding available is $194,974. No matching funds are required.

This item was adopted.

150 Authorization to Enter into Agreement with Vertical Growth Partners LLC for Police Programs 2022 (Ordinance S-49981)

Request retroactive authorization for the City Manager, or his designee, to allow the Police Department to enter into an agreement with the Vertical Growth Partners, dba Vitanya, to use Phoenix Police (PPD) locations to provide programs for first responders.

Summary
Vitanya seeks to enter and use a designated room at the Phoenix Police Headquarters and precinct locations to provide brain programs to volunteer participants, such as City employees and first responders. The intent of this agreement is to provide programs that will optimize the brain's health and increase mental resilience for first responders.

Contract Term
Services will be from Dec. 27, 2022 through Dec. 27, 2023.

Financial Impact
There will be no financial impact for this agreement.

This item was adopted.

151 Amend Interim Executive Services Agreement 157017 (Ordinance S-50029)

Request to authorize the City Manager, or his designee, to execute amendments to Agreement 157017 with Michael Sullivan that outlines terms of his temporary employment with the City of Phoenix and extend the agreement to Oct. 31, 2024.

Summary

On Sept. 1, 2022, the City and Michael Sullivan entered into an agreement to fill a temporary employee position as Interim Police Chief. This temporary position included a salary of $232,000 as well as executive level benefits available to temporary employees including a nine percent Deferred Compensation Plan contribution, $120 per month communication allowance, vacation and sick leave accruals, life insurance benefits and access to other voluntary benefits.

Additional terms include a provision for termination with cause, or if without cause to be paid the remaining balance due under the term of the agreement, and requirement for 90 day notice of resignation.

Upon approval, the agreement will include the following amendments:

Base salary to increase in alignment with Pay Ordinance Section 5(k) regarding Unit 18 (Police Executives), effective July 10, 2023 as well as Section 10(a) and Pay Plan 027 Grade 976, effective Aug. 7, 2023.

Except as otherwise amended, all other terms and conditions of the Agreement and any prior amendments not in conflict will remain in full force and effect. If there is a conflict or ambiguity among amendments and the Agreement, the documents in the following order prevail and control: (a) the most recent amendment; and (b) the original Agreement.

Contract Term

Upon approval, the agreement will extended to Oct. 31, 2024. The initial term was for 12 months, which may be extended for up to 24 months, the length of which will be determined by the parties.

Financial Impact

Funds are available in the Police Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

Interim Executive Services Agreement 157017 (Ordinance S-48963) on Aug. 31, 2022.

This item was adopted.

152 GPT GIG BOA PORTFOLIO OWNER, LLC and RT Sky Harbor, LLC Ground Lease Amendment (Ordinance S-49980)

Request to authorize the amendment of Ground Lease Agreement 48819 with GPT GIG BOA PORTFOLIO OWNER LLC (GPT) and Ground Lease Agreement 102545 with RT Sky Harbor, LLC by requesting that the extension option on Lease 48819 be approved and in exchange the $11 million capital improvement be transferred to Lease 102545 with the condition that the capital improvement investment be completed as a condition to exercise the first extension option for Lease 102545.

Summary

The current premises consist of three separate parcels within Sky Harbor Center under two separate Ground Lease Agreements (Lease 48819 and Lease 102545). GPT is the tenant under Lease 48819 and RT Sky Harbor, LLC is the tenant under Lease 102545. GPT and RT Sky Harbor, LLC are owned by the same corporation, Link Logistics, LLC which is a division of Blackstone. Lease 48819 currently has a provision that GPT must spend $11 million in capital improvements to the premises in order to achieve a 14-year lease extension option. Lease 102545 currently has no capital investment improvement provisions and has three extension options. Both parties are requesting that the extension option on Lease 48819 be approved and in exchange the $11 million capital improvement investment be transferred to Lease 102545 with the requirement that the capital improvement investment be completed as a condition to exercise the first extension option under Lease 102545.

Contract Term

The current term for Lease 48819 will expire in 2053. This action will amend the term to Nov. 29, 2067. The current term for Lease 102545 ends Nov. 30, 2067. This action will amend the term by adding the required capital improvement investment condition for the extension

options.

Financial Impact

There is no financial impact.

Concurrence/Previous Council Action

The City Council approved:

Ground Lease 48819 Amendments (Ordinance S-22521, Ordinance S-45116 and Ordinance S-267373) on Jan. 11, 1995, on Nov. 7, 2018, and on Aug. 31, 2022; and

Ground Lease 102545 Amendment (Ordinance S-37964) on June 8, 2011.

Location

Phoenix Sky Harbor International Airport - 1825 E. Buckeye Road
Council District: 8

This item was adopted.

153 Request to Amend City Contract 154552 Lease and Development Agreement 154552-0 with Chicanos Por La Causa (Ordinance S-49990)

Request to authorize the City Manager, or his designee, to amend Unsubordinated Ground Lease No. 154552 (Ground Lease) and Development Agreement No. 154552-0 (collectively, Agreements), and any other agreement, as necessary, with Chicanos Por La Causa, an Arizona non-profit corporation (CPLC) to develop approximately 35 acres of land in Sky Harbor Center at Phoenix Sky Harbor International Airport located at the northeast corner of 16th St. and Buckeye Rd. and the northeast corner of Sky Harbor Circle North and Buckeye Rd. (Site); to consent to CPLC partnering with Trammel Crow Company (TCC) to form a limited liability company to develop the Site as “Developer” in the Development Agreement and as “Tenant” in the Ground Lease; to amend the term of the Ground Lease to include one 15-year option to extend the term subject to Federal Aviation Administration (FAA) approval; to allocate 2.5-acres on the Site for the development of a convenience store-gas station, including electric vehicle charging infrastructure and the delivery of other alternative energy services, such as hydrogen, as future demand warrants; and to modify certain

development and business terms and conditions.

Summary

At the direction of Phoenix City Council, staff from the Aviation and Community and Economic Development Departments negotiated with CPLC for the use of the Site, which was purchased by the Aviation Department in the 1980s as part of the West Approach Land Acquisition program, which includes the historic Sacred Heart building.

On May 11, 2021, the City entered into a separate Unsubordinated Ground Lease No. 154383-0 with Sacred Heart Roman Catholic Parish Phoenix for the rehabilitation and activation of the historic Sacred Heart building on Parcel 2 of the Site.

On June 4, 2021, the City entered into the Agreements with CPLC for the development of a mixed-use project on the Site that included a focus on compatible, commercial uses and the construction of an 80,000 square foot corporate headquarters facility for CPLC on Parcel 1.

CPLC recently notified the City that it has been working with TCC on a development for the Site and, in order to complete the development, CPLC requested modifications of certain business terms.

Subject to City Council and FAA approval, the following business terms have been negotiated with CPLC and would be implemented throughout the Agreements:

1. CPLC to partner with TCC to form a limited liability company to develop the Site as “Developer” in the Development Agreement and as “Tenant” in the Ground Lease.

2. Modify the Site Parcel Map exhibit in the Agreements to re-label the parcels as depicted on the parcel map attached and marked **Attachment A**.

3. Remove the 80,000 square foot corporate headquarter facility for CPLC on Parcel 1 and allow for the Site development to focus on employment-generating uses based on federal requirements for compatible land uses, including leasing buildings to general industrial,

manufacturing, aviation-related, and aerospace tenants. The Site development will include community-orientated attributes and CPLC's initiative of workforce training in the manufacturing space.

4. The Site will be designed and developed to a premium standard consistent with Commerce Park/General Commerce Park. If there are any zoning changes from the current Class A-1 Light Industrial zoning, then the zoning changes must be compatible uses for Sky Harbor Center and zoning uses that allow for distribution as the primary source of business operations are prohibited from the Site.

5. Provide a reinvestment capital requirement of cumulative $10 million in upgrading existing or adding new building and leasehold improvements as tenant improvements. All improvements, whether completed by CPLC and TCC or the subtenants, must be documented and approved by the Aviation Department to qualify as part of the $10 million reinvestment capital requirement.

6. Amend the Ground Lease term to include one fifteen-year option to extend the term that is subject to FAA approval. A request exercise the option to extend will be contingent in part upon the completion of the full reinvestment capital requirement and the Ground Lease shall be in good standing and not in default.

7. Modify the development timeline requirements for Phase 1 to include Parcels 1, 3, 4, and building(s) at a minimum of 10,000 square feet and a maximum of 210,000 square feet. Phase 1 must be completed within 24 months from the date the Phoenix City Council approved the amended terms. If construction is not completed and a certificate of occupancy is not issued on all subsequent phases, excluding Phase 1 and Phase 2, within 72 months of the date the Phoenix City Council approved the amended terms, the City reserves its to terminate CPLC's and TCC's development rights, lease rights, and any subleases to those remaining parcels.

8. Allocate 2.5 acres of the Site as Parcel 1A located at the northwest corner of Sky Harbor Circle North and Buckeye Rd. for the development of a convenience store-gas station, including electric

vehicle charging infrastructure as Phase 2 (see **Attachment A**). If construction does not commence on Parcel 1A within 30 months from the date the Phoenix City Council approved the amended terms, the City may terminate the Ground Lease and sublease for Parcel 1A and terminate CPLC's and TCC's development rights to Parcel 1A. In addition to the existing requirements to pay 10% of annual gross sales for a convenience store-gas station operation and a fuel flowage fee of $0.10 per gallon, CPLC and TCC or the approved gas station operator subtenant agrees to pay $0.50 per transaction for electric vehicle charging.

9. Establish short-term development milestones to ensure timely construction of the project, as well as development milestone payments based on modified development timeline performance benchmarks for Phase 1.

10. Modify Ground Lease rental rates (Rent) for each parcel (see **Attachment A** for parcel map):
- Parcel 1: $1.05 per square foot per year, or approximately $622,900 per year.
- Parcel 1.A: $1.02 per square foot per year, or approximately $111,078 per year.
- Parcel 3: $1.05 per square foot per year,or approximately $528,344 per year.
- Parcel 4: $1.05 per square foot per year, or approximately $266,450 per year.

11. Modify the Rent commencement date for Parcels 1, 3, and 4 to commence 24 months from the date the Phoenix City Council approved the amended terms or upon issuance of construction permits for Phase 1, whichever occurs first. Rent for Parcel 1A will commence 36 months from date the Phoenix City Council approved the amended terms or upon issuance of a certificate of occupancy for Phase 2, whichever occurs first.

12. Modify Rent adjustment to a Rent escalation schedule with Rent increasing every five years by a cumulative three percent and fair market value (FMV) adjustment based on an appraisal every ten years.

The FMV Rent cannot decrease from the previous year's Rent by more than 95 percent or increase by more than 105 percent.

13. Amendments may include other terms and conditions deemed necessary or appropriate by the City Manager or his designee.

Contract Term
Subject to FAA approval, a one 15-year option to extend the term will be added to the Ground Lease for a total lease term of 65 years. In order to request the extension option, CPLC and TCC must complete the $10 million capital reinvestment requirement and the Ground Lease contract must be in good standing and not in default. Extension of the term may be exercised at the sole discretion of the Director of Aviation Services.

Financial Impact
If amended, the project will have no expense impact on the General Fund. CPLC and TCC will pay Rent of approximately $1.5 million for the first year and subject to a Rent escalation schedule for the remaining years.

Concurrence/Previous Council Action
The Phoenix City Council authorized the City to enter into a Ground Lease and Development Agreement with CPLC on Dec. 13, 2017 (Ordinance S-44141) and extended the execution deadline of the Ground Lease and Development Agreement on Dec. 12, 2018 (Ordinance S-45258).

Location
The Site is generally located on the northeast corner of 16th St. and Buckeye Rd. and the northeast corner of Sky Harbor Circle North and Buckeye Rd. in Sky Harbor Center at Phoenix Sky Harbor International Airport.
Council District: 8

This item was adopted.

154 Amend City Contract 154383 with Sacred Heart Roman Catholic Parish Phoenix (Ordinance S-50020)

Request to authorize the City Manager, or his designee, to amend

Unsubordinated Ground Lease 154383 (Lease) with Sacred Heart Roman Catholic Parish Phoenix, an Arizona non-profit corporation, or its City-approved designee (Tenant), to extend the term of the Lease.

Summary

At the direction of the Phoenix City Council, staff from the Aviation and Community and Economic Development Departments negotiated with Tenant and Chicanos Por La Causa for the use of approximately 35 acres of land in Sky Harbor Center. The site, which includes the historic Sacred Heart Church (Building), was purchased by the Aviation Department in the 1980s as part of the West Approach Land Acquisition program.

On June 20, 2018, the Phoenix City Council approved business terms with the Tenant to lease the 5,200 square foot Building and approximately three acres of land for the establishment and use of a consecrated Catholic church and other potential development consistent with the uses in the Lease. The Lease was executed on May 11, 2021 (Effective Date) and the Tenant began its plans to rehabilitate the Building. Due to the COVID pandemic, inflation, and other economic impacts, the Tenant is seeking an additional two-years to renovate and activate the Building as required by Article 10.1(A) of the Lease. The current requirement is 36 months from the Effective Date and this amendment would change that requirement to 60 months from the Effective Date.

No other terms or conditions of the Lease will be amended.

Contract Term

The Lease Term is 50 years. This amendment would not change the term.

Financial Impact

This action will have no impact on the General Fund.

Concurrence/Previous Council Action

City Council authorized this Lease on the June 20, 2018 (Ordinance S-44586).

Location

The site is generally located on the northeast corner of 16th Street and Buckeye Road and the northwest corner of Sky Harbor Circle North and Buckeye Road in Sky Harbor Center at Phoenix Sky Harbor International Airport.
Council District: 8

This item was adopted.

156 Fleet Management and Smart Cities Contract - COOP 23-042 Request for Award (Ordinance S-49967)

Request to authorize the City Manager, or his designee, to enter into a cooperative participating agreement/contract with Samsara Inc., to provide fleet management technologies with related software solutions under the cooperative established by Sourcewell solicitation number RFP #020221 for the Public Works Department. City Council previously awarded a participating agreement/contract to Rubicon Global, LLC. under this cooperative. Samsara Inc. was not included at that time as the City was still in negotiations with them. Funds previously authorized by the City Council to vendor(s) under the cooperative may be applied to this agreement. Further request an exception to the indemnity and assumption of liability provisions of Phoenix City code 42-18. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed.

Summary
This contract will provide safety camera systems for the Solid Waste Division vehicles, this will be utilized by all divisions within the solid waste utility at Union Hills, Okemah, Salt River, Glenrosa, North Gateway, 27th Avenue, and SR85 landfill. The safety camera system will be used to ensure safety standards are adhered to following federal, state, city laws, policies, and guidelines. Drivers will be provided instant feedback to correct risky driving behavior, and pictures or recordings taken by the camera system may be utilized to provide evidence against false claims filed against the city.

This item has been reviewed and approved by the Information Technology Services Department.

Procurement Information
In accordance with Administrative Regulation 3.10, standard competition

was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Alternative Competition. The Public Works Department conducted a Request for Information (RFI) to learn about technologies on the market that would fit the requirements of the utility. Samsara Inc. responded to the RFI and through research Public Works has determined that the contract with Samsara Inc. from Sourcewell is the best fit for the City. Sourcewell contract covers the purchase of fleet management technologies with related software solutions and was awarded consistent with the City of Phoenix's procurement processes.

Contract Term

The contract will begin on or about June 29, 2023 and expire on May 03, 2028.

Financial Impact

The contract value will not exceed $3,780,000 and no additional funds needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
• Fleet Management Technology for Heavy-Duty Vehicles (Ordinance S-49672) on May 03, 2023.

This item was adopted.

157 Refuse Truck Body Repair Contract - IFB 24-FSD-003 Request for Award (Ordinance S-49979)

Request to authorize the City Manager, or his designee, to enter into separate contracts with American Equipment Services, AMREP Manufacturing Company LLC., Balar Holding Corp. dba. Balar Equipment, BTE Body Company, Inc, Short Equipment, Inc., Spartan Truck Manufacturing, Inc. and Terrific Trucks & Equipment Sales, LLC, to provide refuse truck body repair services for the Public Works Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $18,534,264.

Summary

The Public Works Department manages a fleet of approximately 300

solid waste refuse trucks, predominantly automated side loaders. Last fiscal year, approximately 400 different body repairs were made to the refuse truck fleet. Quick repair of these trucks minimizes downtime, allowing for timely provision of solid waste collection service to Phoenix residents. Contractors will perform all work in accordance with the current standards set forth by the original equipment manufacturer (OEM) for electrical, welding and repair of refuse trucks.

Procurement Information

An Invitation for Bid was processed in accordance with City of Phoenix Administrative Regulation 3.10. Nine groups were identified with the following different body types:
Curbtender, Scorpion, AMREP, Heil, Spartan, Galbreath, McNeilus, NewWay, and Other Manufacturers. The Public Works Department, Procurement Section, received seven bids for all eight groups of refuse body types with an evaluation occurring on labor rate and pickup/delivery fees. All bids are deemed to be responsive to posted specifications and responsible to provide the required goods and services.

Selected Bidders

American Equipment Services - All groups: $390.00
AMREP Manufacturing Company LLC - All groups: $260.00
Balar Holding Corp. dba. Balar Equipment - All groups: $493.00
BTE Body Company, Inc. - All groups: $431.43
Short Equipment, Inc - All groups: $363.00
Spartan Truck Manufacturing, Inc. - Only Group E - Spartan: $332.50
Terrific Trucks & Equipment Sales, LLC. - All groups: $387.00

Contract Term

The contracts will begin on or about July 1, 2023, for a three-year term with two one-year options to extend, for a total contract term of up to five years.

Financial Impact

The value of the contracts will not exceed $18,534,264.

Funding is available in the Public Works Department's budget.

Location

Locations that could request on-site or mobile repairs are:
Glenrosa Service Center: 4021 W. Glenrosa Ave., District 5
Okemah Service Center: 3828 E. Anne St., District 8
Salt River Service Center: 3045 S. 22nd Ave., District 7
Union Hills Service Center: 138 E. Union Hills Drive, District 2
Council Districts: 2, 5, 7 and 8

This item was adopted.

158 Emergency Vehicle Preemption System Contract - EXC 23-118 - Request for Award (Ordinance S-49978)

Request to authorize the City Manager, or his designee, to enter into a contract with Tomar Electronics, Inc. to provide Emergency Vehicle Preemption (EVP) system equipment for the Street Transportation Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $15,000,000.

Summary

This contract will provide the Street Transportation Department with EVP system equipment designed for full integration between Street Transportation's existing traffic control intersections and the existing Fire Department emergency vehicles. EVP system equipment allows responding Fire Department vehicles to manipulate the traffic signal light from red to green thereby expediting passage through an intersection to arrive at an emergency faster than having to wait at a red light. Devices are already installed on several existing traffic control boxes and traffic signal poles as well as Fire's emergency vehicles. Tomar's EVP system is also integrated with the City's traffic network management system.

This item has been reviewed and approved by the Information Technology Services Department.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Without Competition. Pursuing an alternate EVP system could create a financial and operational challenge for the City.

Contract Term
The contract will begin on or about June 30, 2023, for a five-year term with one five-year option to extend.

Financial Impact
The aggregate contract value for will not exceed $15,000,000 for the 10-year aggregate term.

Funding is available in the Street Transportation Department's Operating and Capital Improvement Program budgets.

This item was adopted.

159 Intelligent Transportation System Devices and Communication Equipment - COOP 20-100 - Amendment (Ordinance S-49941)

Request to authorize the City Manager, or his designee, to execute amendments to Contracts 152715 with AM Signal, LLC, 152773 with Clark Electric Sales, Inc., 152759 with Enterprise Network Solutions, Inc., 152772 with MSI Tec, Inc., and 152739 with Summit Traffic Solutions, LLC to extend the contract term and add additional funds. The additional expenditures will not exceed $2 million. Further request to authorize the City Controller to disburse all funds related to this item.

Summary
These contracts will provide specialized equipment and supplies needed to perform critical maintenance on citywide infrastructure of the traffic signal system. Extension of these contracts and the additional funds requested will allow the City to maintain the current inventory, keep pace with changing technologies, and allow for consistent repairs and maintenance to the City's traffic signals.

Contract Term
Upon approval, the contracts will be extended through June 30, 2024.

Financial Impact
Upon approval of $2 million in additional funds, the revised aggregate value of the contract will not exceed $5 million. Funds are available in the Street Transportation Department’s budget.

Concurrence/Previous Council Action

The City Council previously approved:

Intelligent Transportation System Devices and Communication Equipment - 152715, 152773, 152759, 152772 and 152739 (Ordinance S-46649) on June 3, 2020; and

Intelligent Transportation System Devices and Communication Equipment - 152715, 152773, 152759, 152772 and 152739 (Ordinance S-48755) on June 15, 2022.

This item was adopted.

160 Speed Hump/Speed Cushion Program - 2-Step Job Order Contracting Services - 4108JOC213 (Ordinance S-49925)

Request to authorize the City Manager, or his designee, to enter into separate master agreements with two contractors to provide Citywide Speed Hump/Speed Cushion Program 2-Step Job Order Contracting services. 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 all services will not exceed $2 million.

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 should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The contractors' services will be used on an as-needed basis to provide Speed Hump/Speed Cushion Program 2-Step Job Order Contract (JOC) services for installation, repair, replacement, or removal of speed humps, speed tables and speed cushions; furnish and install permanent signage

with post, pavement markings and Blue Stake; apply crack seal to all pavement cracks; remove permanent signage and pavement markings; and proper disposal of debris. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

Procurement Information
The selection was made using a two-step qualifications and price-based selection process set forth in section 34-604 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-604(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Three firms submitted proposals and are listed below.

Selected Firms
Rank 1: Swaine Asphalt Corp.
Rank 2: M.R. Tanner Development and Construction, LLC

Additional Proposer
Rank 3: Sunland Asphalt & Construction, LLC

Contract Term
The term of each master agreement is up to five years. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact
The combined master agreement value for the JOC contractors will not exceed $2 million, including all subcontractor and reimbursable costs.

Request to authorize the City Manager, or his designee, to execute job order agreements performed under these master agreements for up to $1 million each. In no event will any job order agreement exceed this limit without Council approval to increase the limit.

Funding is available in the Street Transportation Department's Capital

Improvement Program and Operating budgets. The Budget and Research Department will review and approve funding availability prior to issuance of any job order agreement. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Public Outreach

Planned resident notification will be conducted by flyers and/or door hangers to be handed out prior to construction.

This item was adopted.

161 Preformed Thermoplastic Pavement Marking Materials - IFB 18-249 - Amendment (Ordinance S-49945)

Request to authorize the City Manager, or his designee, to execute amendments to Contracts 147994 with Geveko Markings, Inc., 147995 with Ennis-Flint, Inc., and 147996 with Centerline Supply West, Inc. to extend the contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $50,000.

Summary

These contracts will provide the Street Transportation Department Signing and Striping Shop a variety of preformed thermoplastic pavement marking materials, such as turn arrows and bicyclist symbols, in addition to straight line segments to enhance traffic pavement markings throughout the City on street infrastructure. In addition, to standard white and yellow material, these contracts will also include colored marking materials for specialized applications.

Contract Term

Upon approval the contracts will be extended through June 30, 2024, with an option to extend through June 30, 2025.

Financial Impact

Upon approval of $50,000 in additional funds, the revised aggregate value of the contracts will not exceed $792,905. Funds are available in the Street Transportation Department’s budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
Preformed Thermoplastic Pavement Marking Materials Contracts 147994, 147995 and 147996 (Ordinance S-44815) on June 20, 2018;
Preformed Thermoplastic Pavement Marking Materials Contracts 147994, 147995 and 147996 (Ordinance S-46432) on March 18, 2020;
Preformed Thermoplastic Pavement Marking Materials Contracts 147994, 147995 and 147996 (Ordinance S-47429) on April 7, 2021.

This item was adopted.

162 Reflectorizing Glass Beads - IFB 18-250 - Amendment (Ordinance S-49962)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 147983 with Potters Industries, LLC to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed; request to continue using Ordinance S-44704.

Summary
This contract will provide reflectorizing glass beads that the Street Transportation Department uses to add a retro-reflective element to pavement markings, making them more visible to the motoring and biking public. The beads are used by the Signing and Striping Shop for paint striping operations and are applied to all paint and thermoplastic pavement markings for use throughout the City of Phoenix street infrastructure.

Contract Term
Upon approval the contract will be extended through June 30, 2024, with an option to extend through June 30, 2025.

Financial Impact
The aggregate value of the contract will not exceed $1,259,400, and no additional funds are needed.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
Reflectorizing Glass Beads Contract 147983 (Ordinance S-44704) on June 6, 2018.

This item was adopted.

163 Salt River Project Distribution Design and Construction Contracts for Installation of Electrical Facilities along Grand Canal from 47th to 75th Avenues - ST87600131 (Ordinance S-49959)

Request to authorize the City Manager, or his designee, to enter into 12 Distribution Design and Construction Contracts with Salt River Project for the design and construction of electrical facilities along the Grand Canal from 47th Avenue to 75th Avenue for City of Phoenix Project ST87600131. 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 these items. The total value of the contracts will not exceed $56,034.25.

Summary

The City is constructing canalscape improvements along the Grand Canal 47th Avenue to 75th Avenue which will include the design and construction of new electrical facilities. These contracts represent the costs for Salt River Project's design and construction to provide power services to new streetlights, High Intensity Activated CrossWalk (HAWK) signals, landscaping, and pathway lighting throughout the scope of the project limits.

Contract Term

The contracts will begin on or about July 10, 2023, and will end in one year.

Financial Impact

Funding in the amount of $56,034.25 is available in the Street Transportation Department's Capital Improvement Program budget.

Location

Grand Canal from 47th Avenue to 75th Avenue
Council Districts: 4 and 5

This item was adopted.

164 Authorization to Apply for and Accept Transportation Funding for

Design Assistance Grants through Maricopa Association of Governments (Ordinance S-49989)

Request to authorize the City Manager, or his designee, to apply for, accept, and if awarded, enter into agreements, if necessary, for transportation funding through the Maricopa Association of Governments Design Assistance Program. Further request an exemption from the indemnification prohibition set forth in the Phoenix City Code section 42-18 for a governmental entity pursuant to Phoenix City Code section 42-20. The total value of requested grant funding will not exceed $120,000.

Summary

Maricopa Association of Governments (MAG) has announced and shared the grant schedule for the upcoming Call for Projects for its Design Assistance Program, which provides funding to develop a project assessment or feasibility study up to a 15 percent design level on prospective bicycle and/or pedestrian projects. The goals of eligible projects under the Design Assistance Program should be focused on improving the quality of life, completing a regional shared use path and/or canal network, improving bicycle and pedestrian access to transit, or providing safety improvements for bicycle and pedestrian facilities. If funding is awarded for a City project, Street Transportation Department staff will select a consultant from MAG's approved on-call list, and MAG will enter into a contract for consulting services and manage the contract. Street Transportation Department staff will interact with MAG staff and the consultant to develop the project assessment or study for the project.

For Fiscal Year 2024, $500,000 is available through MAG's Design Assistance Program and applications are due by June 30, 2023. Projects will be competitively scored and evaluated based on their individual merits.

Financial Impact

The total value of requested grant funding will not exceed $120,000. There is no financial impact to the general fund as a local agency match is not required for this grant opportunity.

This item was adopted.

165 Wireless Communications Equipment in Right of Way License

Agreement with DISH Wireless (Ordinance S-49958)

Request to authorize the City Manager, or his designee, to execute a non-exclusive, revocable license agreement with DISH Wireless to construct, install, operate, maintain and use the Public Highways in the City of Phoenix for wireless communications equipment in, under, over and across the public rights of way in the City, subject to the terms and conditions contained in the license and Phoenix City Code. Further request that the licensee sign the license within 60 days of Council action, or this authorization will expire. Additionally, request to authorize the City Treasurer to accept all funds related to this item.

Summary

DISH Wireless is a communications company that has approached the City desiring to enter into a License Agreement to utilize City rights of way for the purpose of installing wireless communication equipment to serve wireless customers. The license will be for a period of 10 years with two five-year renewal options; contain appropriate insurance and indemnification provisions; require a performance bond and a security fund; provide for terms of transfer and revocation; and provide for compensation for the commercial use of public rights-of-way while permitting the City to manage the rights-of-way.

Contract Term

The license term is for a 10-year Wireless Communications Equipment in Right of Way License Agreement with up to two successive five-year renewal periods.

Financial Impact

There is no financial impact to the City. Licensee will pay an annual fee based on the type and location of the antenna structure and the cubic footage of ground equipment. The annual fee will have a three percent per year escalator.

This item was adopted.

167 Support for Formation of Grove Park Estates Irrigation Water Delivery District (Resolution 22133)

Request to adopt a resolution to support formation of the Grove Park Estates Irrigation Water Delivery District (IWDD) through Maricopa

County. The proposed IWDD includes the single-family residential properties bounded by Earll Drive to the south, Osborn Road to the north, 52nd Street to the west and 54th Street to the east. This action has no financial impact to the City of Phoenix.

Summary

Under the provisions of Arizona Revised Statutes (A.R.S.) Chapter 20, Title 48, Irrigation Water Delivery Districts, when the majority of the lot or parcel owners entitled to or capable of receiving irrigation water from the same system want irrigation water delivered to their lands, they may propose organization of an IWDD. Maricopa County requires that applicants for an IWDD within City of Phoenix boundaries obtain City Council support before the County will start the process of forming or re-establishing a district.

If approved by the City Council, landowning neighbors seeking an IWDD complete a special taxation impact statement and submit this document to the Maricopa County Board of Supervisors. The Board of Supervisors, along with Salt River Project (SRP), will decide if a petition to organize an IWDD may be circulated. See **Attachment A** for the consent from SRP to the Board of Supervisors and map of the SRP delivery system.

This request has been reviewed by the Street Transportation and Water Services departments.

Financial Impact

This action has no financial impact to the City of Phoenix.

Public Outreach

On Feb. 2, 2023, the City received a formal written request from City of Phoenix resident Brett Bacon, representative for the Grove Park Estates neighborhood, to pursue City Council approval to form an IWDD with Maricopa County (**Attachment B**).

Location

The proposed IWDD includes the single-family residential properties bounded by Earll Drive to the south, Osborn Road to the north, 52nd Street to the west and 54th Street to the east.
Council District: 6

This item was adopted.

168 Toughbooks Computers - Request for Award (Ordinance S-50002)

Request to authorize the City Manager, or his designee, to ratify the existing purchase order for a one-time purchase with Rugged Solutions America, LLC, DBA Mobile Concepts Technology to provide ruggedized laptops for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The expenditures will not exceed $226,653.64.

Summary

The purpose of this request is to ratify the purchase and delivery of 89 Toughbooks. Various Water Services Department (WSD) Divisions use ruggedized laptops to perform essential job functions. A ruggedized laptop is required for these positions due to the exposure of extreme outside elements and higher drop ratings. WSD attempted to procure Toughbooks laptops from the contract with Mobile Concepts Technology, (MCT), but the contract expired prior to completing the purchase. MCT, unaware the contract expired, processed and delivered 89 Toughbooks. With the supply chain issues due to a microchip shortage, and the unsuccessful attempts to procure from other vendors, the Toughbooks delivered by MCT were retained.

Procurement Information

WSD attempted to source the Toughbooks from multiple vendors including CDW-G, Mobile Concepts Technology, SHI International Corp, and Panasonic. Of the four vendors contacted, MCT was the only vendor that had a contract in place at the time and a quote was provided by the contractor. A review of pricing was conducted, and it was determined that the price quote received from MCT was competitive as well as fair and reasonable.

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Without Competition-One Time Contract-Due to Time Restrictions.

Contract Term

This is a one-time purchase to procure ruggedized laptops.

Financial Impact

The total value of the one-time purchase will not exceed $226,653.64.

Funding is available in the Water Services Department Operating Budget.

This item was adopted.

169 Brass Fittings and Meters - Request for Award (Ordinance S-49919)

Request to authorize the City Manager, or his designee, to execute a one-time purchase to multiple vendors to provide brass fittings and water meter supplies for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The expenditures will not exceed $320,000.

Summary

The purpose of this request is to provide funding for Water Services Department (WSD) critical items where contracted vendors have declared extended lead times of nine months or greater. Supply has been located on these critical items from off contracted vendors who have inventory available for WSD to purchase. In order to ensure repairs to the City's water infrastructure are timely, it is necessary to procure specific items off contract.

Procurement Information

WSD contacted multiple vendors including Dana Kepner Company, LLC and Core & Main LP to procure the critical brass fittings and meter supply with a shorter lead time. Additional vendors are being contacted for future purchases under this request, in order to fulfill business critical needs until the contracted vendors can supply the identified items.

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: After the Fact Determination.

Contract Term

This is a one-time purchase to ensure water infrastructure repairs and ongoing projects continue without interruption.

Financial Impact

The total value of the one-time purchase will not exceed $320,000.

Funding is available in the Water Services Department Operating Budget.

This item was adopted.

170 Automated Vehicle Locator Service - RFA 19-SW-008-Amendment (Ordinance S-49986)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 148595 with Manhattan Telecommunications Corporation to extend the contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using Ordinance S-44634.

Summary

This contract will provide the Water Services, Public Works and Street Transportation departments with electronic vehicle and equipment tracking capabilities for all department vehicles. The amendment will extend the current contract while Water Services Department (WSD) finalizes a new exemption agreement with Manhattan Telecommunications Corporation that is in progress. To satisfy the needs of the city, WSD is requesting a six month extension on the current contract.

This item has been reviewed and approved by the Information Technology Services Department.

Contract Term

Upon approval the contract will be extended from June 30, 2023 to Dec. 31, 2023.

Financial Impact

The aggregate value of the contract will not exceed $2,910,001 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council approved:

Automated Vehicle Locator Service Agreement 148595 (Ordinance S-44634) on June 6, 2018.

Automated Vehicle Locator Services Agreement 148595 - Amendment (Ordinance S-47906) on Sept. 8, 2021.
Automated Vehicle Locator Services Agreement 148595 - Amendment (Ordinance S-47965-0046) on Oct. 6, 2021.

This item was adopted.

171 Locator Equipment Services - RFQ - 1920 - WDD - 231 - Amendment (Ordinance S-49905)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 151225 with AZ Locators, LLC to provide additional funding to the agreement. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures included in this amendment will not exceed $19,500.

Summary

The purpose of this amendment is to request additional funds to allow necessary services related to locator equipment services. AZ Locators, LLC is responsible for providing testing, calibration, maintenance, and repair services for City owned locator equipment, which is used by utility technicians to detect subterranean pipes while performing repairs on water and wastewater infrastructure.

Contract Term

The contract term will remain unchanged ending on Jan. 14, 2025.

Financial Impact

The initial authorization for the contract was authorized for an expenditure not-to-exceed $50,000. An amendment increased the authorization for the contract by $9,500. This amendment will increase the agreement by an additional $19,500, for a new total not-to-exceed agreement value of $79,000.

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

Concurrence/Previous Council Action

The City Council approved:
• Locator Equipment Services Contract 151225 - (Ordinance S-46129) on Nov. 6, 2019.

• Locator Equipment Services Contract 151225 - (Ordinance S-47658-0015) on June 16, 2021.

This item was adopted.

172 Maintenance, Support and Development Services Agreement - RFA-22203-WPC-583 - Request for Award (Ordinance S-49926)

Request to authorize the City Manager, or his designee, to enter into an agreement with OZ Engineering, LLC to provide Maintenance, Support and Development Services for Water Department Services. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed $1,894,600.

Summary

The agreement will provide the Water Services Department the ability to purchase technical support, maintenance and development services, as well as provide ongoing enhancements for data interface applications developed by OZ Engineering, LLC. These services will allow water services to meet regulatory performance requirements, comply with federal, state and county regulations.

This item has been reviewed and approved by the Information Technology Services Department.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Without Competition as there exists a lack of available, qualified, vendors to provide services, which makes a competitive selection process impracticable, unnecessary, or contrary to the public interest.

Contract Term

The contract will begin on or about July 1, 2023, for a five-year term with no option to extend.

Financial Impact

The aggregate contract value will not exceed $1,894,600 for the five-year aggregate term.

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

This item was adopted.

173 Apply for Water Infrastructure Finance Authority - Water Conservation Grant Fund Opportunity: Phoenix Water Conservation Corps Program Development Grant Opportunity for Fiscal Year 2023-24 - American Rescue Plan Act of 2021 (Ordinance S-49948)

Request to retroactively authorize the City Manager, or his designee, to apply for accept and, if awarded, enter into an agreement for disbursement from the state of Arizona (Federal funding origin) from the Water Infrastructure Finance Authority, beginning on or about May 2023 through Fiscal Year (FY) 2026-27. This is the Water Conservation Grant Fund (WIFA-WCGF) opportunity. Further request the City Controller to disburse all funds related to this item. Total grant funds applied for will not exceed $3 million and the City's local match will not exceed $2 million.

Summary

The Water Services Department (WSD) submitted a grant application to the Water Infrastructure Finance Authority for a Water Conservation Grant Fund award. This award would be used to pilot and operate a collaborative program to implement residential water conservation solutions. If awarded, WSD would procure a partner organization; ideally, a nonprofit organization which is locally-based and has a demonstrated history of successful conservation work through partnerships with diverse entities (federal, state, city, local, tribal, etc.). The program would be a collaborative effort, and WSD and the Partner would organize and operate a water conservation "corps": a team of young environmental professionals who implement water conservation solutions with Phoenix residents through voluntary educational methods.

The grant program period would have a developmental phase beginning in Summer 2023 and ending in Summer 2024.The conservation corps would begin work at the start of FY 2024-25 and the corps would operate for two years with work concluding in FY 2026-27. The deadline to utilize the WIFA-WCG funds is Dec. 31, 2026.

The WIFA-WCGF submittal deadline was May 19, 2023.

Financial Impact

The estimated total cost for the program is approximately $5 million. The maximum WIFA award is $3 million. The required local match, if awarded, is 25 percent of the award. If the maximum award is received, the minimum match is $750,000. WSD projects a water savings of 1,000 to 4,000 acre feet of water as a result of only two years of the programs operation. WSD's plans to go beyond the match, not to exceed $2 million.

Funding for the local match is available in the Water Services Department's operating budget. There is potential for additional match funding from upcoming Bureau of Reclamation grant opportunities for water conservation related work.

This item was adopted.

174 Apply for Water Infrastructure Finance Authority - Water Conservation Grant Fund opportunity: High Efficiency Toilet Replacement, Smart Irrigation Controller, and Turf Conversion Rebate Programs (Ordinance S-49949)

Request to retroactively authorize the City Manager, or his designee, to apply for and accept, if awarded, enter into an agreement for disbursement of Arizona state and Federal funding from the Water Infrastructure Finance Authority, beginning on or about May 2023 through Fiscal Year (FY) 2026-27 the Water Conservation Grant Fund (WIFA-WCGF) opportunity. Further request to authorize the City Controller to disburse all funds related to this item. The total grant funds applied for will not exceed $3,105,000 and the City's local match will not exceed $2,600,000.

Summary

The Water Services Department (WSD) submitted a grant application to the Water Infrastructure Finance Authority for a Water Conservation Grant Fund award. This award would be used to offer rebates/incentives to WSD customers for replacing their toilets with a high-efficiency toilet; installing a smart irrigation controller; and/or converting turf grass to desert-adapted landscaping. If awarded, WSD would initiate a program of accepting application for rebates, verifying program eligibility requirements are met, and issuing rebates in the form of a check. The

rebate programs would meet an increasing demand for rebates throughout the city and fulfill components of the city's Drought Management Plan.

The grant programs would be phased in over the grant period of FY 2023-24 through FY 2026-27 with operations beginning as soon as possible. The deadline to utilize The WIFA-WCGF funds is Dec. 31, 2026.

The WIFA-WCGF submittal deadline was May 19, 2023.

Due to the timing of the deadline put forth by WIFA, WSD submitted applications prior to obtaining City Council approval. If City Council does not approve this retroactive request, the application will be withdrawn by WSD.

Financial Impact

The estimated total cost for the project is approximately $5,705,000. The maximum WIFA award is $3,100,000. The required local match, if awarded, is 25 percent of the award. If the maximum award is received, the minimum match is $776,250. WSD projects a water savings of 273 acre-feet of water as a result of only two years of the program's operation. The lifetime savings is estimated to be 1,500 acre-feet. WSD plans to go beyond the match, not to exceed $2,600,000.

Funding for the local match is available in the Water Services Department's operating budget. There is potential for additional match funding from upcoming Bureau of Reclamation grant opportunities for water conservation related work.

This item was adopted.

175 Authorization to Amend Farming Lease Agreement 152025 with K-B Farms, LLC, to Increase Acreage of the Leased Premises and Extend Term (Ordinance S-49911)

Request to authorize the City Manager, or his designee, to amend Lease Agreement 152025 with K-B Farms, LLC, to increase acreage of the leased premises to approximately 7.94 acres and to extend the lease term for three years, plus three additional one-year options. Further

request authorization for the City Treasurer to accept all funds related to this item.

Summary

The Water Services Department owns approximately 41.64 acres of undeveloped land located west of 99th and Southern avenues. K-B Farms currently leases approximately 6.9 acres and is seeking to expand farming operations by 1.04 acres, increasing the leased premises to approximately 7.94 acres. Additionally, the term of the lease will be extended three years, plus three additional one-year options to extend. Annual rent at the beginning of the extended term is $196.69 per acre, plus applicable taxes, to be adjusted three percent annually during the three-year extension and at the beginning of each option period. As consideration for the extension, the tenant will forego the remaining term and options under the existing lease agreement.

K-B Farms is a long-term tenant in good standing. All other terms and conditions will remain the same.

Contract Term

Three years, beginning on or around July 1, 2023, plus three additional one-year options to extend.

Financial Impact

Annual revenue during the first year of the extended term will be $1,561.72, plus applicable taxes.

Concurrence/Previous Council Action

Agreement 152025 authorized by Ordinance S-45991, adopted Sept. 4, 2019.

Location

West of 99th and Southern avenues, within a portion of Maricopa County Assessor parcel numbers 101-49-002K, 101-49-002L, and 101-49-008A.
Council District: 7

This item was adopted.

182 Final Plat - Pinnacle Peak and 23rd Ave - PLAT 230026 - Southwest Corner of William A. Alter Way and 23rd Avenue

Plat: 230026
Project: 20-162
Name of Plat: Pinnacle Peak and 23rd Ave
Owner: MREG Deer Valley SFR, LLC
Engineer: James A. Brucci, RLS
Request: A One-Lot Commercial Plat
Reviewed by Staff: May 24, 2023
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 at the southwest corner of William A. Alter Way and 23rd Avenue
Council District: 1

This item was approved.

183 Final Plat - 29th Avenue and Sonoran Desert Drive - PLAT 220042 - Northwest Corner of 29th Avenue and Sonoran Desert Drive

Plat: 220042
Project: 21-1206
Name of Plat: 29th Avenue and Sonoran Desert Drive
Owner: Blueprint Sonoran, LLC, Sonoran Desert Retail, LLC, CWS 29th Sonoran MF, L.P.
Engineer: James G. Spring, RLS
Request: A Three-Lot Commercial Plat
Reviewed by Staff: May 11, 2023
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 230002.

Location
Generally located at the northwest corner of 29th Avenue and Sonoran Desert Drive
Council District: 2

This item was approved.

184 Final Plat - 17 North - Amended - PLAT 230030 - Northeast Corner of Blue Sky Drive and Black Canyon Highway

Plat: 230030
Project: 20-2966
Name of Plat: 17 North - Amended
Owner: Brookfield Holdings, LLC
Engineer: James A. Loftis, RLS
Request: A 272-Lot Residential Plat
Reviewed by Staff: May 16, 2023
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
Northeast corner of Blue Sky Drive and Black Canyon Highway
Council District: 2

This item was approved.

185 Final Plat - Pierson and 11th Ave Townhomes - PLAT 220004 - Southeast Corner of 11th Avenue and Pierson Street

Plat: 220004
Project: 20-2152
Name of Plat: Pierson and 11th Ave Townhomes
Owner: Rich Frank
Engineer: Shane R. Barnett, RLS
Request: A 13-Lot Residential Plat
Reviewed by Staff: May 30, 2023
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 at the southeast corner of 11th Avenue and Pierson Street
Council District: 4

This item was approved.

186 Final Plat - Park Aldea II - PLAT 230002 - Southwest Corner of Montebello Avenue and 101st Avenue

Plat: 230002
Project: 18-3875
Name of Plat: Park Aldea II
Owner: TC Park Aldea Phase 2 Venture, LLC
Engineer: James M. Williamson, RLS
Request: A Four-Lot Commercial Plat
Reviewed by Staff: May 25, 2023
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 at the southwest corner of Montebello Avenue and 101st Avenue
Council District: 5

This item was approved.

187 Final Plat - Ryder 202 and I-10 - PLAT 220085 - Northeast Corner of 57th Avenue and Latham Street

Plat: 220085
Project: 18-3673
Name of Plat: Ryder 202 and I-10
Owner: Ryder System, Inc.
Engineer: Thomas E. Granillo, RLS

Request: A One-Lot Commercial Plat
Reviewed by Staff: May 18, 2023
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 180071. The sequence of recording is that the resolution of abandonment is recorded first and the plat second.

Location

Generally located at the northeast corner of 57th Avenue and Latham Street
Council District: 7

This item was approved.

188 Abandonment of Easement - ABND 230002 - 2800 West Sonoran Desert Drive (Resolution 22137)

Abandonment: ABND 230002
Project: 21-1206
Applicant: Blueprint Sonoran, LLC
Request: To abandon the 120-foot drainage easement north of Sonoran Desert Drive for Parcel 16A.
Date of Decision/Hearing: March 8, 2023

Summary

The resolution of the abandonment and PLAT 220042 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

2800 West Sonoran Desert Drive
Council District: 2

Financial Impact

Pursuant to Phoenix City Code article 5, section 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.

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

This item was adopted.

189 Abandonment of Easement - ABND 230024 - 17217 N. 17th Ave. (Resolution 22135)

Abandonment: ABND 230024
Project: 01-21134
Applicants: APSP Phoenix LLC, c/o Andover Properties, LLC
Request: To abandon the 16-foot wide public utility easement (PUE) 99 feet south of the north property line of APN# 201-08-007W.
Date of Decision/Hearing: June 13, 2023

Location
17217 N. 17th Ave.
Council District: 3

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.

No consideration fee was required as a part of this easement abandonment, although filing fees were paid.

This item was adopted.

190 Abandonment of Right-of-Way and Easements - V180071 - 5546 West Latham Street (Resolution 22134)

Abandonment: V180071A
Project: 18-1533

Applicants: Rod Jarvis and Greg Loper; Earl & Curley P.C.
Request: To abandon right-of-way and public utility easements, bounded by parcels APN 103-27-018, 103-27-017C and 103-27-062B.
Date of Decision/Hearing: Jan. 22, 2019

Summary

The resolution of the abandonment and PLAT 220085 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

5546 W. Latham St.
Council District: 7

Financial Impact

A consideration fee was also collected as part of this right-of-way and easements abandonment in the amount of $34,025.

This item was adopted.

191 Authorization to Enter into a Development Agreement for Funding to Help Complete Sonoran Desert Drive and Dove Valley Road (Ordinance S-49976)

Request to authorize the City Manager, or his designee, to negotiate and enter into a development agreement between the City of Phoenix, Taylor Morrison/Arizona, INC., and Macewen Ranch LLC outlining the parties' participation contributions to Sonoran Desert Drive and Dove Valley Road. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, funds related to this item.

Summary

Taylor Morrison is proposing a contribution to address their traffic impacts to Sonoran Desert Drive resulting from their development of a residential community (Verdin) in north Phoenix. The contribution is consistent with the City Council adopted Sonoran Desert Drive Funding Policy as follows:

The developer will make a contribution for each home built within their development at the time building permits are purchased for new home construction.

The funds will be combined with other funding to design and construct

Sonoran Desert Drive in the future.
The contribution will be adjusted for inflation periodically in accordance with an agreed upon index.
The developer anticipates an approximately 8-10 year development horizon to reach full build out of the parcel.

Financial Impact

The City will receive a proportionate funding contribution in lieu of built improvements to be held in a separate account for future completion of Sonoran Desert Drive and Dove Valley Road between North Valley Parkway and Cave Creek Road.

Concurrence/Previous Council Action

City Council has approved:
Sonoran Desert Drive Funding Policy (Resolution 22048) on July 1, 2022.
Formation of the Verdin Community Facilities District (CFD) (Resolution 22114) on April 19, 2023.
Authorization to negotiate a development agreement for CFD administrative costs (Ordinance S-49611) on April 19, 2023.

Location

The Verdin CFD is generally the 473 acres of land on the south side of Sonoran Desert Drive between the 16th and 24th Street alignments.
Council District: 2

This item was adopted.

192 Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-23--Z-9-20-6 - Southwest Corner of 16th Street and Colter Street (Ordinance G-7130)

Request to authorize the City Manager, or his designee, to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on May 17, 2023.

Summary

Application: PHO-1-23--Z-9-20-6
Existing Zoning: C-O, PUD
Acreage: 3.48

Applicant: Trinsic Residential Group
Owner: Willowick Square Owner LLC
Representative: Benjamin Tate, Withey Morris Baugh PLC

Proposal:
1. Request to review and approve proposed modifications to a conceptual site plan (building footprint and south building setback) that do not meet the criteria for administrative review per Section 671.E.3.b.

VPC Recommendation: The Camelback East Village Planning Committee chose not to hear this case.
PHO Recommendation: The Planning Hearing Officer recommended approval with modifications and additional stipulations.

Location
Southwest corner of 16th Street and Colter Street
Council District: 6
Parcel Address: 5150 N 16th St.

This item was adopted.

193 *****REQUEST TO BE CONTINUED (SEE ATTACHED MEMO)*** Modification of Stipulation Request for Ratification of May 17, 2023, Planning Hearing Officer Action - PHO-3-23--Z-182-87-8 - Southeast Corner of Central Avenue and Olympic Drive**

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on May 17, 2023. This ratification requires formal action only.

Summary
Application: PHO-3-23--Z-182-87-8
Existing Zoning: C-2 BAOD
Acreage: 3.82

Owner: BENT Design and Development LLC, et al.
Applicant: Andrew Biskind, TBBG Acquisitions LLC
Representative: Benjamin Tate, Withey Morris PLC

Proposal:
1. Modification to Stipulation 2 regarding general conformance to site plan dated July 27, 1993 (PHO-1-93).
2. Modification to Stipulation 2 regarding general conformance to site plan date stamped Oct. 25, 2006, and Landscape Plan approved on Dec. 27, 2006 (PHO-2-06).
3. Technical corrections to Stipulations 1, 5, 8, 10, 11 and 13 (PHO-1-93 and PHO-2-06).

VPC Action: The South Mountain Village Planning Committee was scheduled to hear this case on May 9, 2023, but did not have a quorum.
PHO Action: The Planning Hearing Officer recommended approval with modifications and additional stipulations.

Location
Southeast corner of Central Avenue and Olympic Drive
Council District: 8
Parcel Address: N/A

This item was continued to the August 28, 2023 City Council Formal Meeting.

Discussion
Councilwoman Pastor commented on items 24-27 stating that she was excited to see the payment ordinance pass for training and apprenticeship program. She added that they were areas that she was passionate about as a teacher noting her enjoyment for the new opportunity for individuals to enter the City through apprenticeships as well as those continuing training through workshops already in the City.

A motion was made by Ansari, seconded by Vice Mayor Stark, that items 24-27 be adopted. The motion carried by the following vote:

Yes:	9 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	

24 **Laborers' International Union of North America (LIUNA) Local 777**

For $20,000 in additional payment authority for Contract 158238, through

June 30, 2024, for City of Phoenix Apprenticeship Programs, to purchase training materials, uniforms, promotional outreach materials, instructional activities such as schools and workshops, and any other activity related to LIUNA Local 777-City of Phoenix Apprenticeship Programs for Unit 1 members approved to participate in apprenticeship programs, for the Human Resources Department. Approval will ensure compliance with the Memorandum of Understanding.

This item was adopted.

25 American Federation of State, County and Municipal Employees (AFSCME) Local 2384

For $20,000 in payment authority for Contract 158239, through June 30, 2024, for designated members of the AFSCME Local 2384, Unit 2, to attend schools, conferences, workshops and training to develop skills in effective member representation, conflict resolution techniques, labor-management cooperation, and other employee relations areas which promote cooperative and harmonious relationships for the Human Resources Department. Approval will ensure compliance with the Memorandum of Understanding.

This item was adopted.

26 American Federation of State, County and Municipal Employees (AFSCME) Local 2960

For $14,000 in additional payment authority for Contract 158240, through June 30, 2024, for designated members of AFSCME Local 2960 - Unit 3 to attend schools, conferences, workshops and training to develop skills in effective member representation, conflict resolution techniques, labor-management cooperation, and other employee relations areas that promote cooperative and harmonious relationships. Approval will ensure compliance with the Memorandum of Understanding.

This item was adopted.

27 American Federation of State, County and Municipal Employees (AFSCME) Local 2960

For $45,000 in additional payment authority for Contract 158240, through June 30, 2024, for expenses of maintaining the AFSCME Local 2960 - Unit 3 Honor Guard, a professional organization that represents the City of Phoenix at official events, memorial services, and employee funerals

and provides public education and community service. Approval will ensure compliance with the Memorandum of Understanding.

This item was adopted.

46 Agreements with Aspirant Partners for Development of Property Located at 2nd Avenue North of Van Buren Street in Downtown Phoenix (Ordinance S-49923)

Request to authorize the City Manager, or his designee, to enter into a development agreement, lease agreement, easements and other agreements as necessary (Agreements), with Aspirant Partners, or its City-approved designee (Developer), for the development of a two-phase multi-family rental and commercial project located on 2nd Avenue between Fillmore and Van Buren streets in downtown Phoenix. Further request to authorize the City Treasurer to accept all funds related to this item. There is no impact to the General Fund.

Summary

On June 11, 2020, the Developer submitted a project proposal requesting the City's consideration of a Government Property Lease Excise Tax (GPLET) transaction for the development of a multi-phased, mixed-use development on 2nd Avenue between Fillmore and Van Buren streets in downtown Phoenix. Now that the project is ready to move forward, the Developer re-submitted an updated project proposal on April 18, requesting the City's consideration of a GPLET transaction for the development of a two-phase, 697 rental unit, 229 hotel room, multi-family residential rental, and commercial project that would include approximately 36,000 square feet (SF) of commercial space, 185,000 SF of office space, and 1,156 parking spaces (Project) on approximately 2.18 acres of surface parking lot on 2nd Avenue between Fillmore and Van Buren streets in downtown Phoenix. The Project will bring a new co-living space option into the area, offers workforce housing units, adds 147 exclusive parking spaces for the neighboring YMCA, and extends a widened Paseo from its current terminus at the YMCA, across the alleyway, through the development, and over 2nd Avenue.

If approved, the Project will bring a capital investment of approximately $535 million to downtown and create approximately 4,191 construction jobs and 2,563 permanent jobs. Upon issuance of a certificate of occupancy (C of O) for the Project, and other terms and conditions

specified in the Agreements, the Developer will convey title of the property to the City, and the City will lease the property back to the Developer for a term not to exceed eight years. The GPLET on the Project will be abated for up to eight years from the date of the C of O. The Developer has also agreed that the Project will generate to the City and other taxing jurisdictions new revenue in the form of certain minimum tax payments (in the construction and leasing of the Project, and in ad valorem property taxes after the lease term). These minimum tax payments would be estimated by a third party economic impact study. Details regarding those minimum tax payments will be specified in the Agreements, as well as other terms and conditions deemed necessary by City staff.

The Developer also recognizes the issues relating to affordable housing in this and other markets across the country. To help address this critical issue, the Developer has proposed a one-time contribution of 200 percent of the City’s share of property taxes otherwise due during each of the two lease terms to the City's Affordable Housing Trust Fund, which will be used in the future by the City towards affordable housing in Phoenix.

Evaluation

An evaluation panel, consisting of a representative from the Roosevelt Action Association, the development community, and City staff from the Community and Economic Development and Planning and Development departments, was convened in September 2020 to review the proposal. The panel recommended the City begin negotiations with the Developer.

Contract Term

The lease term for each phase will be for a maximum of eight years upon issuance of the C of O for each phase. There are no extensions to the proposed lease, and upon conclusion of the term, ownership of the property will be transferred back to the Developer. The Developer will have the ability to terminate the lease at any time subject to the terms of the Agreements.

Financial Impact

The Project will have no expense impact to the General Fund. The

estimated one-time construction sales tax revenue to the City is $5,382,000, plus an estimated annual commercial rental and transaction privilege tax revenue generation of approximately $4,396,500 at stabilization. The Developer will pay an annual rental payment, per phase, starting at $25,000 in years one through four, and $75,000 in years five through eight. The rent payments will be deposited into the Downtown Community Reinvestment Fund. The estimated total deposit into the Affordable Housing Trust Fund will be approximately $5,500,000.

Public Outreach
Staff presented to the Roosevelt Action Association on Dec. 15, 2020 and the Downtown Voices Coalition on Jan. 9, 2021 and June 10, 2023. The Developer also met with the Phoenix Elementary School District No. 1.

Previous Council Action
The item was recommended for approval by the Economic Development and Equity Subcommittee at the June 13, 2023 meeting by a vote of 4-0.

Location
333 - 377 N. 2nd Ave.
Council District: 7

Discussion
Mayor Gallego noted that there was significant public testimony for the item.

Joan Kelchner President of the Roosevelt Action Association that served the neighborhood where the development was planned stated that the neighborhood had only had one meeting within the last three years and had voted to oppose the proposed Government Property Lease Excise Tax (GPLET). She spoke on the neighbors concerns with water and heat as well as preserving the walkable and biking community the city had invested in. Ms. Kelchner emphasized that approving the proposed 1,000 car garage after the City had just invested to narrow the streets would cause severe traffic congestion and pollution. She also urged the City to oppose the development.

Patricia Zermeno opposed entering into a development agreement with

Aspirant or their developer to build a two-phase multi-family rental and commercial project at Second Avenue between Fillmore Street and Van Buren Street. Ms. Zermeno stated that the proposal was brought to Council during the COVID-19 pandemic in June of 2020 where developers asked for a GPLET for a 50-story, phased office space, co-living like dormitories, or workforce housing luxury apartments, office space, hotel, multi-family residential rental and commercial property. She detailed that the development was 535 million dollars of glass and steel in the center of Roosevelt Historic District, the oldest neighborhood in Phoenix. She asked the Council to postpone the vote on the GPLET with a request that the developer work with the neighborhood reiterating her opposition to the item.

Kate Kunberger emphasized the neighborhood's opposition to the development. She added that the neighborhood had sent a letter to Council detailing their concerns on the scale of the development, the impact to the character of the historic neighborhood, traffic,and environmental concerns. Ms. Kunberger noted that one of the proposed developments did not comply with the GPLET which used tax payer funds. Ms. Kunberger asked the Council to postpone the GPLET and noted concerns with developments not being required to provide adequate retail.

Brent Kleinman spoke on the transformation of the downtown area emphasizing that the development promoted density in the Downtown Phoenix area. He added that the development would create a landmark in the downtown area noting that there was sufficient retail surrounding the property. He asked the Council to approve the GPLET noting the positive opportunity it presented to add to the downtown area.

Sigrid Bantleon resident of District 4 with Unite Here Local 11 spoke in support of the development. She stated that as a renter housing was important to her and noted that she was pleased with the development and asked the Council to approve.

Jordan Greenslade with Unite Here Local 11 stated that workers met with developers to work through and add stipulations to address affordable housing and neighborhood concerns. He stated that the organization was

pleased with the developer and their donation to the Affordable Housing Trust Fund and appreciated the reduction of hotel rooms stating that he hoped the Council approve the item.

Stacey Champion urged the council to vote no on the item and spoke on concerns of projects that were not specifically affordable housing projects being awarded GPLETs.

Nick Wood spoke on the five years of work that went into the project mentioning meetings with the surrounding community clarifying that the development was south of the Roosevelt Neighborhood. Mr. Wood spoke on the Aspirant Development's experience with building high-rises in the Downtown area adding that the developers were widening Second Avenue and included retail. Mr. Wood stated that the property was zoned for 550 feet in height which aligned with the vision of Downtown Phoenix and stated his availability for questions.

Vice Mayor Ansari asked Community and Economic Development Director Christine Mackey to walk the Council through the process the agreement underwent including outreach, stakeholder engagement, and any necessary rezoning.

Ms. Mackey stated that Deputy Director of Community and Economic Development Xandon Keating was present as well for any additional information. She stated that the project was submitted for consideration in June of 2020, noting that the applicant met with the Phoenix Union and with the evaluation panel required by the GPLET policy in June of 2020. Ms. Mackey added that the agreement went through a text amendment for its height in November of 2020 that was approved adding that in December of 2020 staff presented to the Roosevelt Action Association (RAA) and to the Downtown Voices Coalition in January of 2021. Ms. Mackey continued, adding that in February 2021 Council paused all GPLETs to develop a policy driven by the City that was worked on for approximately two years to ensure GPLETs were used thoughtfully which was approved in November of 2022. Ms. Mackey stated that upon the Council's new direction the applicant modified their application and resubmitted. She mentioned that since the time of resubmittal, staff had met with Downtown Voices, had a Subcommittee meeting, as well as met

with the RAA.

Vice Mayor Ansari thanked Ms. Mackey for her explanation and asked her to speak on the public benefits of the development in relation to the GPLET policy that was approved.

Ms. Mackay stated that the policy was created to give the City control of developing what was important to the City as opposed to having development companies suggest what they would do as part of the GPLET application. She added that two of the items that were of importance was affordable housing and workforce housing noting that the developers would be required to make a 200 percent deposit of the tax the City would get during the eight year period of time to the Affordable Housing Trust Fund totaling $5.5 million. She also stated the workforce housing proposed met the 20 percent requirement outlined by the GPLET policy. Ms. Mackey added that the project provided just under 36,000 square feet of retail in the project. She mentioned that The Paseo was added in the Downtown Strategic Plan noting that the 40 feet wide Paseo connection from the east side of Central Avenue to 7th Avenue was important to the community and was addressed through an ultra wide, heavily landscaped outdoor space including outdoor dining. Ms. Mackay added that GPLETs were provided for in State statute including that under the Council's GPLET policy developers were required to make a contribution to the school district to ensure that school districts were held harmless.

Vice Mayor Ansari asked if the developers 200 percent deposit to the Affordable Housing Trust Fund amounting to $5.5 million could be compared to deposits received in other developments.

Ms. Mackey confirmed that the largest deposit previously received was $1.5 million with the Metro Center agreement in December of 2022 noting that previous to that was $100,000.

Vice Mayor Ansari emphasized that outside of Cityscape and Block 23 the proposed development would be the largest retail development in Downtown Phoenix.

Ms. Mackay confirmed and mentioned similarly large retail projects like Arizona Center and Central Station.

Vice Mayor Ansari mentioned a letter received from the school board containing concerns about making sure the board received their contribution in a timely manner and asked how the City would be held accountable to their workforce housing standard.

Ms. Mackay thanked Vice Mayor Ansari's staff for sharing the information from the letter noting that one of the items stated that a previous development took almost two years to submit their contribution to the school district as a result of difficulty to reach the Phoenix Union Elementary School District staff amidst the COVID-19 pandemic. Ms. Mackay affirmed that the payment was processed in a timely manner as soon as developers received communication from the district and have remained current. She added that the letter mentioned defaulting developers who do not make timely payments and included her concern with defaulting a developer for an inability to contact the school district. Ms. Mackay also included that staff received an annual report of the workforce housing component in each project that is reviewed by Mr. Keating and his team to ensure compliance with the projects individual development agreement; noting that developers found to be out of compliance were notified and allowed 60-days to come into compliance. She added that if after the 60-day time period the developer is not in compliance staff moves forward with defaulting them on the development agreement. Ms. Mackay also addressed a topic mentioned in the letter regarding marketing of the workforce housing units to the teachers of the school district that City staff and Downtown Phoenix Inc. (DPI) worked to address through a housing website housed on the City of Phoenix, resident, and DPI websites that market all the workforce housing units.

Vice Mayor Ansari mentioned her involvement with the Economic Development and Equity Subcommittee noting their discussions on building a world-class downtown and city. She asked Ms. Mackay how the development fit into the larger vision of building a world-class destination.

Ms. Mackay described the Downtown as a destination location for sports, entertainment, music, and culture adding that it was becoming a great

location that people from all walks of live want to live in. Ms. Mackay recalled a conversation she had concerning a restaurant that was unable to remain open discovering that small businesses required density to thrive. Ms. Mackay added that the project brought 1,000 more people to live in Downtown Phoenix adding that the workforce housing with the co-living units were rising in popularity with all age groups including the senior workforce. Ms. Mackay stated that the vision of the location was to allow individuals to get off work and walk home and also have options to socialize and enjoy the skyline to create a dense urban downtown. Ms. Mackay continued stating that the project was not in a neighborhood and was in an area that did allow for a 44-story building mentioning Central Station that was 32 stories high, a 38-story building under construction on Central Avenue on the old Public Market side across the street from the project, a 24-story building under construction not too far at 2nd Street and Van Buren. Ms. Mackay emphasized that creating density where light rail and mass transit combined with the Council's efforts to make Downtown more vibrant has allowed small businesses to thrive in the downtown area. Ms. Mackay also added that the project brought 80,000 square feet of office space into the market noting that new and modern office space was thriving mentioning office space developments like The Grove which was 100 percent occupied before it was completed. Ms. Mackay recalled the downtown situation in 2014 where there were 173,000 people working in the central city but nobody living there. She emphasized the importance for balance that the project helped to provide through creating a place for quality jobs.

Vice Mayor asked if the item addressed traffic or planning specific pieces of the project or if it was only the GPLET.

Ms. Mackay confirmed that the vote is regarding the development agreement and clarified that if the development agreement did not address traffic mitigation or traffic improvements then the Streets Department and Fire Department would work together to develop a plan to establish safe traffic options.

Vice Mayor Ansari asked that departments work together to explore different traffic and fire lane options asking staff to keep her office informed and involving the developments surrounding community.

Ms. Mackay ensured Vice Mayor Ansari that the Community and Economic Development Department would work with the various department as requested.

Vice Mayor Ansari reiterated the details of the development stating that the project brought 697 rental units, 229 hotel room, 180,000 square feet of office space, and 36,000 square feet of retail providing 2,563 permanent jobs to the downtown core. She added that the Council worked on the GPLET policy to ensure that critical investments are made mentioning the proposed development's $5.5 million contribution to the Affordable Housing Trust Fund. Vice Mayor Ansari thanked staff for their work with the community.

Prior to his vote Councilman Waring stated he does not vote for GPLETs noting that his vote was separate from his opinion of the proposed development.

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

Yes: 8 - Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Vice Mayor Ansari and Mayor Gallego

No: 1 - Councilman Waring

49 **Amend Chapter 43, Articles II and III, Phoenix City Code Relating to Formal Competitive Procurement Threshold (Ordinance G-7125)**

Request City Council amend Phoenix City Code, Chapter 43, Article II, Section 43-10, entitled "Contract authorizations" and Article III, Section 43-11, entitled "Available source selection methods" to increase the formal competitive procurement threshold, effective Sept. 1, 2023.

Summary

The amendment to Phoenix City Code, Chapter 43, Article II, Section 43-10, and Article III, Section 43-11, will increase the formal competitive procurement threshold from $100,000 to $250,000. Specifically, as shown in Attachment A, "$100,000" will be removed and replaced with

"$250,000" where it appears in Section 43-10 and Section 43-11.

City procurement staff must currently use formal competitive methods if the cost of goods and/or services is anticipated to exceed $100,000. City staff evaluated procurement processes and determined increasing the formal competitive procurement threshold from $100,000 to $250,000 will allow for easier and increased opportunities for small and local business entities and result in increased efficiencies overall.

Concurrence/Previous Council Action

City Council adopted Phoenix City Code Chapter 43 on Oct. 15, 2014, and amended the same on June 17, 2015, July 1, 2015, and May 10, 2017.

Discussion

City Clerk Denise Archibald read the title of the ordinance.

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

Yes:	9 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	

50 Amend Chapter 2, Article I, Phoenix City Code Relating to Payment Ordinance Threshold (Ordinance G-7126)

Request City Council amend Phoenix City Code, Chapter 2, Article I, Section 2-4, entitled "City Manager authority for the enforcement of ordinances; distribution of work; settlement of claims" to increase the payment ordinance threshold, effective Sept. 1, 2023.

Summary

The amendment to Phoenix City Code, Chapter 2, Article I, Section 2-4(B), will increase the payment ordinance threshold from $8,600 to $32,000. Specifically, as shown in Attachment A, "eight thousand six hundred dollars" will be removed and replaced with "thirty two thousand dollars."

Per Phoenix City Charter, Chapter IV, Section 12, City Council has authority to adjust the payment ordinance threshold every four years to account for changes in the cost of living. City staff evaluated adjustment of the payment ordinance threshold using the Government Consumption Expenditures and Gross Investment (GCE) Index. GCE serves as a cost of living metric well suited for government entities. Applying the GCE average four-year increase rate from 1990 until 2023 supports an increase in the payment ordinance threshold to $32,000.

Concurrence/Previous Council Action

City Council previously amended Phoenix City Code Chapter 2, Article I, Section 2-4 (Ordinance G-3286) on Dec. 6, 1989 and (Ordinance G-4796) on May 10, 2006.

Discussion

City Clerk Denise Archibald read the title of the ordinance.

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

Yes:	9 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	

56 Revocable License with Option to Purchase Real Property Owned by the State of Arizona at 1537 W. Jackson St. (Ordinance S-50021)

Request to authorize the City Manager, or his designee, to enter into a revocable license agreement with an option to purchase real property owned by the State of Arizona at 1537 W. Jackson St. and to execute all agreements necessary in furtherance of this ordinance. Further request authorization for the City Controller to disburse, and for the City Treasurer to accept, all funds related to this item.

Additionally, request the City Council to grant an exception pursuant to Phoenix City Code section 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

section 42-18 as required by the State of Arizona.

Summary

The City will enter into short-term revocable license with an option to purchase real property (“Agreement”) owned by the State of Arizona (“State”) located at 1537 W. Jackson St. The property is zoned A-1 and consists of 4.22 acres, improved with an approximate 12,000 square foot industrial storage facility. The term of the license will not extend beyond Oct. 1, 2023, and the State may revoke the license for any reason with 30 days' written notice.

The purchase price includes consideration for the license fee and fee title to the property via quitclaim deed, not to exceed the market value set forth in the State’s appraisal, to be reviewed and approved by the Finance Department's Real Estate Division. As part of the Agreement, the City will pay a non-refundable deposit of $1,700,000 in addition to the purchase price for the State's cost to relocate operations from this location. The Agreement will include an Intergovernmental Agreement with Arizona Department of Public Safety to provide the City's Police Department primary jurisdiction over the property. The Agreement will contain additional terms and conditions acceptable to the City.

During the license period, the Office of Homeless Solutions will work with the Planning and Development Department on approvals for a use of the property to assist the unsheltered population. The City will move forward with the purchase of the property, to be conveyed by quitclaim deed, if due diligence is deemed satisfactory and the property is approved for the desired use.

The parcels included in this request are identified by Maricopa County Assessor's parcel number and address:
112-07-164 located at 1501 W. Jackson St.
112-07-165 located at 1537 W. Jackson St.
112-07-166A located at 312 S. 15th Ave.

Financial Impact

Funding in the amount not to exceed a total of $5.4 million, plus administrative and closing costs, is available through grant funds in the Human Services Department and the Office of Homeless Solutions

operating budgets.

Concurrence/Previous Council Action
On Oct. 27, 2020, the Strategies to Address Homelessness Plan was approved by the City Council.

Location
Southwest corner of W. Jackson Street and S. 15th Avenue.
Council District: 7

Discussion
Prior to her motion, Councilwoman Stark mentioned her ambivalence about the item.

Mayor Gallego noted that there would be significant public comment.

Tony Harris spoke on his concerns for a lack of housing for the homeless individuals in The Zone and their placement to blacktop lots. He spoke on the displacement caused by the clean up of The Zone which removed them from the area emphasizing the need for housing for individuals to obtain stability. Mr. Harris questioned why the City was not funding more housing for individuals being removed from The Zone.

Elizabeth Veneble spoke in opposition to the plane of relocation for homeless individuals to lots mentioning Maricopa County's similar effort which resulted in loss of life of at least 40 individuals. She spoke on her concerns of ADA violations and accountability for fatalities that occur on the lots where the un-housed individuals were being relocated to. Ms. Veneble emphasized the need for long term supportive housing and urged the Council to oppose the item.

Antonio Williams spoke on the importance of the community uniting to address the homeless and housing crisis. Mr. Williams spoke on his intentions to pursue council or government positions to impact the community and address the homelessness crisis.

Faith Kearns advocate for Funds for Empowerment spoke in support of supportive housing noting that it would be the more preferable option to the relocation to the lots that the City was proposing with the item. Ms.

Kearns stated her concern with the Council's focus on new development adding that affordability was subjective.

Vaughn Winslow stated that he was homeless and was removed from The Zone noting his concerns with the lack of options and the plan to relocate individuals to enclosed spaced particularly those with serious health conditions. Mr. Winslow added that the heat was a danger to the homeless community mentioning a lack of services and history of similar efforts by the County that failed.

Rory Moore spoke in opposition to the item as a former resident of The Zone and spoke on the dangers of the outdoors and heat for homeless individuals.

Christine Locke stated the lot included shade and invited individuals who vote in support of the item to experience similar conditions offered by the shaded lots.

Frank Urban stated that outdoor housing for the homeless community was strongly opposed and spoke on concerns of fatality rates that could result.

Stacey Champion spoke on concerns of lack of public facing information for the plans of the proposed relocation adding the issue with unsheltered deaths that could be exacerbated by outdoor conditions individuals relocated to the lots could be subject to.

Angela Ojile agreed with Stacy's comments regarding lack of public input and spoke on concerns with lack of communication to the surrounding community. Ms. Ojile agreed with the need for designated camping areas for individuals to be comfortable but spoke on concerns of longevity of the proposal and the lack of information.

Mayor Gallego stated that there was public feedback collected. She said asked Deputy City Manager Gina Montes to provide context on the court order.

Deputy City Manager Gina Montes stated that she had publicly affirmed

that indoor shelter and affordable housing are the City's first choice and highest priority for assisting the unsheltered residents. Ms. Montes stated that the proposed structured campground was suggested by the Strategies to Address Homelessness Task Force and added that the proposal presented an opportunity to address the court order that mandated the City address the encampment around the Human Services Campus. Ms. Montes stated that the City was diligently working towards addressing the encampment and provided further detail on the success of the endeavors the City had undergone where about 80 percent of individuals accepted services. Ms. Montes added that the structured campground provided a space for individuals who were not ready to go to indoor shelter and for those who were awaiting placement after the development of additional housing. Ms. Montes mentioned that the City had learned from the County's previous experience and reiterated that the proposal was necessary to comply with the court order and helped individuals who were already in vulnerable situations to be in a safer space.

Director of the Office of Homeless Solutions Rachel Milne reiterated that the Office of Homeless Solutions understood that the solution to homelessness was affordable housing noting that the proposal was a voluntary option and an alternative option for individuals that are not ready for indoor options. Ms. Milne continued adding that the 1537 West Jackson location was attractive to the City because of the amenities on the site including an indoor warehouse space that was cooled where individuals could receive heat respite during the day. Ms Milne continued explaining that the shade provided at the site were steel structures clarifying that it was not tent shade and included that the site had a plethora of space for mobile shower and restroom units as well as on-site services. Ms. Milne clarified that the location was transitional and was not meant to be an involuntary place for people to go and addressed public concerns noting that the City planned to add padding and turf to the concrete underneath the shaded area of the development for individuals pitching tents on the space.

Mayor Gallego asked if the vast majority of resources were being used for indoor housing including long-term solutions, hotels to housing, and short-term facilities alongside a single proposal for outdoor housing for

those who prefer to be outdoors.

Ms. Montes affirmed that the Mayor was correct.

Councilman Waring asked if the facilities being offered by the proposal including the showers and restrooms existed in The Zone.

Ms. Milne stated that The Zone has 13 porta-potties clarifying that the rest of the amenities in the area were on site on the campus.

Councilman Waring stated that the proposed structured campground was an improvement from The Zone and mentioned the voluntary nature of the lots. Councilman Waring mentioned that individuals may choose to not participate in the alternative shelter.

Ms. Montes added that there were individuals in The Zone that were being victimized and mentioned that the proposed structured campgrounds would have security.

Councilman Waring spoke on the positive impact the proposal could have to the existing unsheltered population in The Zone and mentioned that the Council had recently lost the ability to build 600 beds.

Ms. Montes clarified that the week prior the City had to identify an additional site to locate 280 beds.

Councilman Waring voiced his appreciation for staff efforts on addressing homelessness.

Councilwoman Stark asked for confirmation that the City's first priority was indoor housing.

Ms. Montes confirmed and added that staff was working on a number of projects and partnerships citing a site that was previously under consideration, but was deemed unusable due to environmental concerns stating that Ms. Milne could explain further.

Ms. Milne stated that the Office of Homeless Solutions had opened 70

new beds in the year; 50 of which came online that month in addition to the 600 beds the year prior. She added that there would be 50 beds opening in the next week as part of a partnership with Mercy House. Ms. Milne added that the Office of Homeless Solutions was working towards the city-owned shelter despite the setback with the Lower Buckeye site. Ms. Milne described the projects that would repurpose the 280 bed via spring structure and non-congregate modular units she including the partnership with CASS opening the Haven Shelter that would serve 170 seniors ages 55 and over, CBI opening the North Mountain Healing Center to serve 100 individuals, St Vincent de Paul opening Ozanam Manor 2 to serve another 100 individuals , and two family shelters in the stages of development at UMOM and Salvation Army emphasizing that the City had several projects at different stages to serve many different needs.

Councilwoman Stark thanked Ms. Milne and mentioned that non-profit organizations like the House of Refuge were also working to address the issue. Councilwoman Stark mentioned a business that was struggling near proposed site. She spoke on the intention of the proposal and asked for confirmation on the site being temporary as the City continued to build shelter beds.

Ms. Montes confirmed that Councilwoman Stark was correct the proposal was a temporary option lasting approximately 3 years at which point the disposition of the property at that time would need to be determined. Ms. Montes reiterated that the property was not viewed as a permanent option.

Councilwoman Stark emphasized the critical nature of the situation and requested that all City departments, particularly permitting departments such as the Water Services and Streets and Transportation departments, prioritize the project. She underscored the urgent need to expedite the construction of shelter beds.

Mayor Gallego stated that several City departments were bringing an extensive list of project including workforce units, thousands of housing units and vouchers in addition to a hotel to housing project for veterans.

Vice Mayor Ansari expressed her disappointment for the untimely discovery of the methane issues at the 22nd Avenue and Lower Buckeye site. Vice Mayor Ansari agreed with Councilman Waring in his sentiment that the outdoor campground was not ideal but presented a better space for individuals in The Zone. Vice Mayor Ansari noted the weather being 106 degrees Fahrenheit mentioning the weather was predicted to reach 115 degrees Fahrenheit later in the week emphasizing the need to focus on addressing heat related deaths in Phoenix. Vice Mayor Ansari stated that she worked with the Office of Homeless Solutions and the Office of Heat Response and Mitigation for more heat respite in The Zone mentioning a cooling bus bought in the first year of the partnership and the shade structures added the second year. Vice Mayor Ansari added that the opposing court rulings caused the City to consider additional emergency shelter asking Ms. Montes what the Office of Homeless Solutions requested when considering the four-acre site only a few blocks from The Zone.

Ms. Montes explained that the Office of Homeless Solutions requested any properties in the area and throughout the County that the State had available. Ms. Montes also added that the characteristics of the property including the indoor space and shade where people would have respite from the heat and existing fencing reiterating proximity to services were all factors for deciding on the four-acre proposal site. Ms. Montes stated that there were limited sites that had potential emphasizing the proposal sites indoor cooled warehouse that set it apart and allowed the ability to have an alternative space.

Vice Mayor Ansari asked about not expanding services in the downtown area bringing up the neighborhoods involvement in addressing the homelessness crisis and questioned the services that would be offered and what the site would look like. Vice Mayor Ansari mentioned that in previous conversations with community members that did agree to an outdoor space in theory agreed to a space that included greenery and other enhanced features asking if the proposed development had similar characteristics to make the project a more human solution.

Ms. Milne stated that the site was an industrial area reiterating that the site offered a indoor cooled site that other sites did not offer in addition to the

shade provided by the steel structures.

Vice Mayor Ansari emphasized that stipulations be put in place to limit the use of the space to two year max asking for an explanation of how a special permit and stipulations would allow for the limits.

Ms. Montes requested that the Planning and Development Department assist in responding to the question regarding the special permit and clarified that staff would request a three-year permit to provide adequate time for individuals to transition.

Deputy City Manager Alan Stephenson confirmed that to implement the proposed use a special permit would be required and would need to be approved by the Mayor and Council.

Vice Mayor Ansari stated that districts seven and eight had taken on far more responsibility addressing and advocating for homelessness and additional housing. Vice Mayor Ansari asked that in the future, communication with the community is improved.

Mr. Stephenson stated that stipulations to transitioning the structured camping spaces and time could be discussed as part of rezoning process.

Vice Mayor Anasari asked for confirmation that if not added during the meeting stipulations could be added through the special permit process.

Mr. Stephenson confirmed Vice Mayor Ansari was correct

Councilwoman O'Brien asked for the reason being given by the 20 percent of individuals who chose not to accept service.

Ms. Milne spoke on the engagement efforts that shut down streets stating that 25 people declined indoor shelter for varying reasons adding that some unsheltered individuals worked for hours to then change their minds about accepting resources.

Councilwoman O'Brien asked what would be the transition plan from The

Zone to the proposed site.

Ms. Milne added that phase one would include the opening of the proposal site as an alternative space for those around the Human Services Campus where they can have access to services and security.

Councilwoman O'Brien asked for clarification on the 100 people reached through the three engagement efforts.

Ms. Milne confirmed that 121 people were engaged and 25 had declined an indoor location.

Councilwoman O'Brien asked how many people are in The Zone.

Ms. Milne estimated that within the immediate area there were roughly 600 people based on a count of tents. Ms. Milne added that the expanded count from Van Buren to Buckeye and 17th Avenue to 19th Avenue was 900 individuals.

Councilwoman O'Brien asked if the expanded count includes the immediate count.

Ms. Milne confirmed Councilwoman O'Brien was correct.

Councilwoman O'Brien asked if only people from The Zone would be allowed in the structured encampment area.

Ms Milne added that the intention is to open specifically for efforts around the campus emphasizing that the project specifically targeted but is open to individuals who arrive in a block of The Zone prior to engagement.

Councilwoman O'Brien asked what service requirements were for the selected operator.

Ms. Milne stated that the department intended to use the qualified vendor list to seek an operator for the location. She stated that the City intended on making the proposed location an inviting place and not as strict as a shelter. Ms. Milne added that there would be rules and client rights and

responsibility that individuals would have to accept. Ms. Milne mentioned that the proposal included onsite services and security to address heat safety and help individuals move on to next indoor locations continuing their path of ending their homelessness.

Councilwoman O'Brien asked how many people could be at the encampment.

Ms. Milne stated that the site was large and could potentially fit 100 twelve-by-twelve spaces noting that there would be a phased approach.

Councilwoman O'Brien restated that there would be an inviting but not strict environment asking if there be a code of conduct.

Ms. Milne confirmed there would be a code of conduct mentioning that the City learned from the experience in the County.

Councilwoman O'Brien asked if staff would be calling police if criminal activity is on site.

Ms. Milne confirmed that criminal activity would lead to request for police response.

Councilwoman O'Brien thanked the Mayor.

Councilwoman Hodge Washington asked what would happen after the lease is signed.

Ms. Montes stated that if Council authorized item to move forward staff would work on finalizing agreements with the State and conduct community meetings and work on a Good Neighbor Agreement to layout the plan of the project and proceed with identifying a service provider.

Councilwoman Hodge Washington asked if the item was intended to engage the community or only if the Council requires the department to do so.

Ms. Montes acknowledged that City was in the middle of a court action

stating that part of the agreement with the plaintiff adding that staff intended to engage the community regardless.

Councilwoman Hodge Washington asked staff to identify all services that would be provided at the proposed facility.

Ms. Milne explained that a shelter provider would typically provide case management and behavioral health services, security,food, access to hygiene for individuals who choose not to go to the indoor shelter emphasizing that participation in the services was completely voluntary.

Councilwoman Hodge Washington asked about the square footage of the warehouse and how many individuals it could accommodate.

Ms. Milne stated it was a 12,000 square foot warehouse. Ms. Milne explained that the warehouse could accommodate well over 100 individuals during the day.

Councilwoman Hodge Washington asked Ms. Milne to repeat the number.

Ms. Milne restated over 100 individuals.

Councilwoman Hodge Washington asked if there were other sites that were considered in districts seven or eight.

Ms. Montes stated that staff was working to identify sites throughout the City and prioritized the area around the campus to provide for the individuals encamped around the campus.

Councilwoman Hodge Washington stated she understood the need for safe outdoor camping spaces for individuals not ready to start indoor services mentioning her concerns with the concentration of services in districts seven and eight. Councilwoman Hodge Washington explained that the proposed site was presented as a lease and not given the transparency needed to ensure that the approach does not burden the surrounding community. Councilwoman Hodge Washington expressed a need to stop considering proximity to services.

Councilwoman Pastor gave a directive that Ms. Montes meet with the community members on a regular basis mentioning the concerns of her constituent with the lack of communication regarding the proposed project. Councilwoman Pastor asked for additional communication regarding the property to the community and asked for clarification on the conditions of a typical shelter and the concept of additional freedom on the structured campground. Councilwoman Pastor asked about data being collected to measure the projects effectiveness in sheltering individuals.

Ms. Montes stated that the City would be tracking outcomes adding that services available on the site would be working to engage individuals present on the site to promote positive exits to shelter treatment and housing. Ms. Montes added that staff was focused on removing the burden from the offices and businesses where individuals are encamped and moving unsheltered individuals to a safer place with services on site.

Ms. Milne reiterated that the goal of the site was to have individuals move to an indoor location noting the emphasis to connect individuals to services they may need. Ms. Milne added that the Office of Homeless Solutions would be starting a Homeless Management Information System on site that collects information on the individuals on site at any given day and where they go when they exit.

Councilwoman Pastor asked about the consequences of violations of code of conduct including a scenario where individuals who are disoriented for medical reasons may be assumed to be disruptive and how complex situations would be handled.

Ms. Milne stated that service providers and security would be on site to address health concerns as well as established consequences for those who do not comply with the code of conduct.

Councilwoman Pastor asked about the outcome of the campground reaching capacity.

Ms. Milne stated that the safe outdoor space had room for several

hundred campsites while the indoor warehouse location could accommodate over 100 individuals.

Councilwoman Pastor asked what was being done to ensure that the proposal site did not have similar environmental concerns to the Lower Buckeye site.

Ms. Montes stated that there would be a phase 1 environmental assessment that will indicate if there are any concerns adding that any indications of environmental issues would lead to further testing to make the city aware prior to purchasing the property.

Councilwoman Pastor asked for confirmation on whether or not the property was being purchased.

Ms. Montes confirmed that the proposal was for a lease and purchase.

Councilwoman Pastor added that the lease had a requirement to purchase the land by October 31, 2023.

Ms. Montes clarified that it was October 1st.

Councilwoman Pastor thanked staff for the clarification.

Councilman Waring asked if illegal drugs would be tolerated at the faciltiy.

Ms. Milne confirmed that illegal drugs would not be allowed as part of the code of conduct.

Councilwoman Hodge Washington if individuals could simply walk up to the facility.

Ms. Milne clarified that individuals would be engaged on a referral basis but could potentially be open to walk-up services.

Councilwoman Hodge Washington asked if there were plans to utilize the open space prior to receiving the special use permit.

Ms. Milne stated that the plan was to get the project going as soon as possible but have the special permit prior to the purchase of the property.

Councilwoman Hodge Washington asked if the special permit was required prior to the use the outdoor space.

Ms. Montes clarified that staff intended to use the outdoor space prior to the special use permit.

Councilwoman Hodge Washington clarified that staff would be planning on using the outdoor space prior to the community input process.

Ms. Montes stated that staff intended on engaging with the community prior to utilizing the space.

Councilwoman Pastor asked Ms. Montes what would be done with the property being purchased following the temporary structured campground.

Ms. Montes stated that there were no long-term plans and staff was focused on the immediate use of the property.

Councilwoman Pastor asked if action will be taken if the item passes or if action to acquire resources and equipment for the site has already begun.

Ms. Montes clarified that the environmental review she mentioned previously had already been ordered that there had not been any additional supplies or equipment ordered for the site.

Councilwoman Pastor asked about a phase two of the environmental review

Ms. Montes stated that any issues would lead to further testing to ensure that the site is safe for inhabitants.

Councilwoman O'Brien asked for clarification on the amount of time an individual could stay in the encampment.

Ms. Milne stated that there was no set time limit on the time an individual would be required to stay at the encampment noting that staff would be working with individuals to move them onto their next step.

Councilwoman O'Brien asked about the Council's concerns on community engagement and the City's lawsuit noting that involvement of the City's law department was crucial in every step of the process. Councilwoman O'Brien also mentioned the need for further discussion of the end goal of the use of the property adding concerns for individuals living in the encampment in perpetuity.

Ms. Milne mentioned the effort to offer housing for the individuals impacted by the shutting down of Maricopa County's outdoor space noting that staff had experience in phasing out similar efforts and ensuring that individuals are connected with the right services.

Councilwoman O'Brien thanked Ms. Milne for her clarification.

Prior to her vote Councilwoman Hodge Washington stated she would support the item understanding the need for housing emphasizing the need to decentralizing the unsheltered population. Councilwoman Hodge Washington also asked that staff not prolong the use of the temporary space to the point of becoming a burden to the surrounding community.

Prior to her vote Vice Mayor Ansari explained that the item did not present a regionalized approach and noted that her vote in opposition to the item came with the goal to work with private sector partners to bring additional support and engage the community and holding the City accountable on keeping the space temporarily.

A motion was made by Councilwoman Stark, seconded by Councilwoman O'Brien, that this item be adopted. The motion carried by the following vote:

Yes: 8 - Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring and Mayor Gallego

No: 1 - Vice Mayor Ansari

57 **Termination of a Refuse Collection Easement Located West of 27th Avenue and North of Colter Street (Ordinance S-49909)**

Request City Council to terminate a refuse collection easement located west of 27th Avenue and north of Colter Street; further ordering the ordinance recorded.

Summary

On Dec. 29, 1966, Donald M. and Mary Patrick granted the City a refuse collection easement conveyed by Maricopa County Recording Instrument 1966-0128738. The refuse collection easement is no longer required as the Public Works Department does not provide service within the easement area. The action to terminate the refuse collection easement will allow for the redevelopment of the area.

Location

West of 27th Avenue and north of Colter Street.
Council District: 5

Discussion

Mayor Gallego introduced the item stating that in 1966 Donald and Mary Patrick granted the City a refuse collection easement that was no longer required because Public Works Department did not provide service in the area.

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

Yes: 9 - Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego

No: 0

78 **Request to Establish the Phoenix Community Court (Ordinance S-50026)**

Request authorization for the City Manager, or his designee, to establish the Phoenix Community through the creation of 11 City positions and the

appropriation of a rapid response funding. Further requests to enter into contracts to provide navigation services throughout the community, within jail facilities, and during court proceedings.

Summary

The Phoenix Municipal Court, in partnership with the City's Prosecutor's Office and Public Defender's Office, currently offers three Specialty Courts. These Specialty Courts are considered problem-solving courts that rely on evidence-based best practices and procedures to provide long-term solutions to offenders through an alternative path to traditional criminal justice systems. The current courts include the Phoenix Veterans Court, Phoenix Behavioral Health Court and the Maricopa County Regional Homeless Court.

The Veterans Court is a problem-solving alternative court that addresses the unique needs of defendants who are veterans of the United States Armed Forces. The goal of Veterans Court is to restore veterans to being successful, contributing members of the community by ensuring that veterans entering the criminal justice system make contact with specific programs to address the root causes of the behavior that resulted in the veteran becoming a defendant in the criminal justice system.

The Behavioral Health Court (BHC) is a problem-solving alternative court setting, for the unique needs of individuals with certain mental illnesses. The many goals of BHC include: reduced recidivism and incarceration of individuals with mental illness through early intervention and increased treatment engagement, collaboration and coordination with criminal justice, mental health, and other community partners.

The Maricopa County Regional Homeless Court (MCRHC) is a regional court that Phoenix participates in, which is designed to resolve outstanding issues, such as addressing fines and other barriers for individuals experiencing homelessness who demonstrate commitment to end their homelessness. This court is focused on individuals who have already been through the judicial system. Creation of the City's Community Court would allow a dedicated court to be created that engages all stakeholders in a more robust specialty court process, which engages with individuals as they enter the Municipal Court process.

Each of the City's Specialty Courts have resulted in positive outcomes for individuals and for the community. However, a continuing and significant challenge for the community is assisting individuals currently experiencing homelessness. This challenge has resulted in unsheltered members of the community often being cited or arrested on minor charges, such as trespassing, and entering into the traditional criminal justice system with limited opportunities to seek services, establish stable housing, or access other resources. In order to better assist with this challenge, staff from the Municipal Court, Prosecutor's Office, Public Defender, and the City's Office of Homeless Solutions recommend establishing a new Specialty Court, the Phoenix Community Court. The Community Court will be based on best practices from other communities, such as the City of Mesa, that have provided an alternative approach outside of the traditional criminal justice systems to better support individuals currently experiencing homelessness.

The Phoenix Community Court will be a collaborative effort with staff from multiple City departments, including the Municipal Court, Police, City Prosecutor's Office, Public Defender, and Homeless Solutions. **Attachment A** provides a process flow of how the Phoenix Community Court will operate.The proposed Phoenix Community Court process is initiated through identification of individuals that have been cited or booked for criminal behavior. Staff recommend that all violations considered by the Phoenix Municipal Court, except domestic violence offenses and assaults, are eligible for the Community Court process.

Identification

There are two primary ways that an individual would be identified to be entered into the Phoenix Community Court. These include through citation/complaint, at arraignment, or during the booking process and court proceedings in County jail.

One option is through a citation from the Phoenix Police Department or a complaint from the City Prosecutor's Office. Staff recommends that citations proceed through the normal arraignment process. During the arraignment, staff from the City Prosecutor's Office, Public Defender's Office, and Municipal Court will identify individuals eligible to enter into the

Community Court.

A second option for an individual to be entered into Phoenix Community Court is after the individual into jail following a violation and arrest. The Office of Homeless Solutions will have navigators to help assist the individual with navigation of available resources and work with staff from other departments to determine eligibility for Community Court. Ideally, this will occur during the individual's appearance at Jail Court.

Court Interaction and Navigation

Once identified as eligible for Phoenix Community Court, navigators and staff assigned to each case will assist individuals throughout the duration of the remaining process. The Community Court Team include representation from the Municipal Court, Prosecutor's Office, Public Defender and Homeless Solutions. The process includes three primary steps with regular court appearances throughout, to ensure the individual is maintaining progress.

These steps include:

Needs Assessment and Screening - During this step, the Community Court Team meet to discuss the individual. Once approved, the navigator provides the individual with the option for Community Court. If the individual accepts, a customized services plan is then created.

Customized Service Plan - The plan details the required progress for the individual to proceed through the Community Court. An example of a milestone in the service plan could include establishing more stable housing. While progressing through the customized service plan, the individual will have regular court appearances and the Community Court Team will update the service plan based on the program participation.

Resolution - If the individual is able to complete their customized service plan, the individual will graduate from Phoenix Community Court. This graduation will result in either the dismissal of the person's case, a reduced charge, or a suspended sentence. If the individual does not complete their customized service plan, the individual will not graduate from the Phoenix Community Court and will be returned to regular court proceedings.

By initiating the Phoenix Community Court as outlined in this report, the City will be able to assist, empower and provide individuals with the tools and resources necessary to establish stable housing, receive services to assist with addiction, connect with mental health professionals, and reduce the tendency of criminal behavior to become cyclical. The Phoenix Community Court will be centered around a holistic and compassionate approach to provide long-term solutions that will positively impact individuals currently experiencing homelessness, and benefit the entire community.

Recommendation

In order to establish the Phoenix Community Court, staff recommends adding 11 full-time positions across several City departments, hiring 10 contracted navigators, creating the availability of rapid response funding, and purchasing equipment and other administrative needs, for an annual cost of an approximately $2.3 million. **Attachment B** provides a detailed breakdown of the annual and one-time costs associated with the recommendation.

The 11 full-time positions will include the following:
Assistant City Attorney III in the Public Defender's Office
Legal Assistant in the Public Defender's Office
Casework Services Coordinator in the Public Defender's Office
Two Attorney IIIs in the Prosecutor's Office
Court/Legal Clerk I in the Prosecutor's Office
Legal Assistant in the Prosecutor's Office
Administrative Assistant II in the Prosecutor's Office
Two Bailiffs in the Municipal Court
Program Manager in the Office of Homeless Solutions

The 10 contracted staff will include the following:
One lead navigator helping manage the entire navigation team
Two court navigators focused on working with individuals identified in regular court proceedings
Three external navigators engaged throughout the community at the early stages of the Community Court process
Four jail navigators to assist individuals entering through Jail Court

Additionally, the rapid response funding will enable staff to quickly support individuals seeking stable housing, at risk of losing housing, or other related challenges or needs.

Financial Impact

Staff estimates the annual cost of establishing the Phoenix Community Court will be approximately $2.3 million with one-time costs of $45,000 for vehicles and other equipment. Costs will be incorporated into the Fiscal Year (FY) 2023-24 estimate and FY 2024-25 budget during the annual technical review process.

Concurrence/Previous Council Action

On June 14, 2023, the Public Safety and Justice Subcommittee recommended approval by the City Council to establish the Phoenix Community Court.

Discussion

Councilman Waring read the police report for the arrest of an individual being moved out of state land, with clearly posted no trespassing signs,who refused to exit his tent threatening outreach workers resulting in a call to police and crisis information team officers who utilized a small amount of chemical irritant to persuade the individual to exit their tent. Councilman Waring asked if the individual arrested would be eligible for Community Court to which he received misleading information causing concern over the dismissal and release of the individual who threatened City employees. Councilman Waring expressed concerns over the processing of individuals arrested for compromising the safety of employees and constituents alike citing an incident earlier that day at Burton Barr Library. Councilman Waring emphasized that public resources should not be a respite for violence noting that violent behavior should result in punitive measures. Councilman Waring expressed concerns over the inequity of enforcement of community preservation efforts. He highlighted that community members would receive fines for noticeable or an abundance of trash noting that homeless individuals did not experience similar enforcement. Councilman Waring asked staff to respond to his concerns on the City's accountability and enforcement.

Assistant City Manager Lori Bays stated that Community Court was intended to serve individuals who had committed offenses tied to being

unhoused like trespassing and not violent behavior. Ms. Bays continued adding that offenses like shoplifting would be included. She apologized that Councilman Waring had received generalized information when asking about a specific case. Ms. Bays stated that every Community Court case was reviewed by the City Prosecutor's Office adding that City Prosecutor Bob Smith could address questions on how cases are charged. Ms. Bays added that cases deemed appropriate for the Community Court process would be subject to accountability that traditional court process holds as well as additional counseling or addiction services emphasizing that the program was not to relieve defendants of accountability.

Councilman Waring thanked Ms. Bays and expressed his concerns about constituents not wanting homeless individuals in their communities noting that criminal behavior associated with homelessness was increasing and becoming more prevalent in areas of Phoenix that previously did not experience. Councilman Waring emphasized the need to address violent behavior and criminality noting that he would be voting in opposition to the item.

Councilwoman O'Brien addressed Ms. Bays and asked that staff explore changes to court processes that require the procedural release of individuals for misdemeanors to not adversely impact the defendants potential felony charges that may not be in the best interest of public safety.

Ms. Bays stated that she had already started a directive for staff to investigate possible adjustments to the court process.

Councilwoman O'Brien thanked staff for their work on the Community Court noting her excitement for the award-winning court model that lifts people out of homelessness while reducing recidivism and preventing crime. Councilwoman O'Brien added that the court was recognized by elected officials from both parties, the Arizona Supreme Court, and the Phoenix Homeless Task Force stating that the Community Court was an effective way to provide services to individuals in need of assistance emphasizing the programs ability to both lift individuals out of homelessness and enforce laws. Councilwoman O'Brien specified that

the pre-adjudicated court system was designed to provide individuals with tools and resources to get out of homelessness and take control and accountability of their lives and was completely voluntary. Councilwoman O'Brien emphasized that individuals were not getting a pass but would be doing additional work than what would be done through the normal court process stating that citizens deserve a standard quality of living and the opportunity to succeed.

Councilwoman Guardado stated that the establishment of a Community Court had been in the works since the tenure of former City Manager Ed Zuercher after hearing about the success of a similar model in the City of Mesa. Councilwoman Guardado mentioned meetings with the Municipal Court staff and City leadership and law enforcement in Mesa which led to her suggestion of including specialty courts in the City's strategies to address homelessness. Councilwoman Guardado mentioned the 27th Avenue Corridor Community Safety and Crime Prevention Plan which resulted in the creation of a community prosecutor staff position to work with law enforcement and other City departments to provide residents with resources, education, and need-based services and added her support for the item.

Councilwoman Hodge-Washington asked if there were any fees associated with participating with the program.

Ms. Bays confirmed that there were no additional fees outside of what an individual has already incurred as part of the judicial process.

Councilwoman Hodge-Washington thanked Ms. Bays and asked if an individual would have to plead guilty in order to be able to participate in Community Court.

Ms. Bays confirmed that an individual would not be required to plead guilty.

Councilwoman Hodge Washington asked if the Community Court was like a traditional diversion program.

Ms. Bays confirmed that Councilwoman Hodge Washington was correct.

Councilwoman Hodge Washington asked about statistics available to support the success of programs cited like the City's Behavioral and Veteran's courts as well as the Mesa Court.

Ms. Bays stated that since 2019 the Veteran's Court had served 1,557 clients with a success rate of 66 percent of clientele that completed the process. Ms. Bays noted that the Behavioral Health Court collected data differently stating that there were 922 defendants currently participating 81percent of which were successfully participating. Ms. Bays described successful participation as individuals who were compliant with court and program orders.

Councilwoman Hodge Washington asked if defendants could request to be placed into the Community Court System.

Ms. Bays remarked that Councilwoman Hodge Washington's question was a good one stating that the current process was for the City Prosecutor to determine eligibility adding that City Prosecutor Bob Smith would provide additional information.

Mr. Smith confirmed that individuals could request to be part of the Community Court process but would still go through the same review process.

Councilwoman Hodge Washington thanked Mr. Smith for his clarification, noting that the Community Court could help defendants avoid disparities in charging if they are the right candidates.

Mayor Gallego thanked Mr. Smith for his service to the City.

Councilwoman Stark thanked Councilwoman O'Brien for her written editorial and her work on establishing the Community Court in Phoenix.

Mayor Gallego thanked Councilwoman Stark for her statement also commending Councilwoman O'Brien for her significant efforts on the item.

Jeff Spellman with Violence Impact Project Coalition resident of District 5 thanked Councilwoman O'Brien for her leadership on the item and thanked Councilwoman Guardado for her advocacy of the item. Mr. Spellman spoke on the success of the Mesa Community Court and mentioned his involvement with the City Manager's homelessness task force. Mr. Spellman spoke on his concerns of homeless individuals who end up in court, highlighting that they often find themselves trapped in a cycle without receiving lasting solutions. Ms. Spellman encouraged councilmembers to support the item.

Brent Kleinman expressed his support for the Community Court speaking on the opportunity it provides to vulnerable communities to succeed .

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

Yes: 8 - Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Vice Mayor Ansari and Mayor Gallego

No: 1 - Councilman Waring

79 Request to Amend City Code - Chapter 8 Animals - Sections 8-1 and 8-3 (Ordinance G-7131)

Request to amend Phoenix City Code, Chapter 8 Animals, sections 8-1 and 8-3.

Summary

Staff conducted a review of the City's Animal Cruelty Ordinance with input from animal welfare organizations, several city departments, including the Police Department, Prosecutor's Office, Neighborhood Services as well as City Council offices. As a result of this review, staff proposes several updates intended to modernize, strengthen and clarify the ordinance. These proposed updates include the following:
Definitions of "Animal" and "Livestock"
Definition of "Adequate Shelter"
Requirements for restraint of a dog (tethering)

Definitions of "Animal" and "Livestock"

Staff proposes to revise the definition of "animal" to exclude "livestock", which has its own definition. This update will help staff determine the appropriate response to animal cruelty with a more well defined application of the ordinance.

Current language:
"Animal means a mammal, bird, reptile, or amphibian, but excludes rodents…"

Proposed language:
"Animal means a mammal, bird, reptile, or amphibian, but excludes livestock and rodents…"
"Livestock is defined earlier in the ordinance as meat animals, horses, sheep, goats, swine, mules and asses."

Definition of "Adequate Shelter"
Staff proposes to add the definition of "adequate shelter" to ensure animals are under proper care.

Current language:
"Cruel neglect means fail to provide an animal with the necessary food that is appropriate for the species and fit for consumption, water that is suitable for drinking or shelter suitable for weather conditions."

Proposed language:
"Cruel neglect means fail to provide an animal with the necessary food that is appropriate for the species and fit for consumption, water that is suitable for drinking or adequate shelter."

"Adequate shelter means any natural or artificial cover accessible throughout the year. The shelter shall be structurally sound, maintained in good repair to protect the animal from injury, and of sufficient size to permit the animal to enter, stand, turn around and lie down in a natural manner. Shelter must protect the animal from extreme weather conditions, have adequate ventilation and drainage, and shall be maintained in a manner which minimizes the risk of disease, infestations or parasites."

Unlawful Restraint of a Dog

Staff propose to update the portions of the ordinance that consider the restraint of a dog (tethering). The intention of the updates is to better align with recommended best practices and clarify the use of restraints under the other updates detailed in this report.

Current language:

"A restraint means a chain, rope, tether, leash, cable or other device that attaches a dog to a stationary object or trolley system."

Staff does not recommend a prohibition on all types of “tethering” as it may cause an increase in calls for loose animals, could subject citizens to criminal penalty if their loose animal were to cause harm to others, or cause citizens that have no confinement options to no longer own an animal or have a family pet. In order to address concerns regarding tethering or restraining dogs, staff recommends limiting the types of materials that can be used to remove "chain" from lawful options.

Proposed language:

"A restraint means a rope, tether, leash, cable or device other than a chain that attaches a dog to a stationary object or trolley system."

Current language:

"An owner shall not restrain a dog outside by use of a restraint that unreasonably limits the dog’s movement or during extreme weather conditions.

A restraint unreasonably limits a dog’s movement if the restraint:

Uses a collar that is not properly fitted to the dog;
Is in length shorter than ten feet;
Places the dog in unsafe or unsanitary conditions;
Causes injury to the dog; or
Does not permit the dog access to food, water, shade, dry ground, or shelter."

The proposed language clarifies the types of collars that may not be used for tethering. The proposed language also clarifies that access to

food, water, shade, dry ground and adequate shelter, as defined under the proposed definition, must be provided at all times.

Proposed language:
"An owner shall not restrain a dog outside by use of a choke collar or pinch collar, or a restraint that unreasonably limits the dog's movement or during extreme weather conditions.
A restraint unreasonably limits a dog's movement if the restraint:
Uses a collar that is not properly fitted to the dog;
Is in length shorter than ten feet;
Places the dog in unsafe or unsanitary conditions;
Causes injury to the dog; or
Does not permit the dog access to food, water, shade, dry ground, or adequate shelter at all times."

With these proposed ordinance updates, upcoming educational campaign, and additional focus on hearing participation, staff will work to reduce the number of violations throughout the City of Phoenix, particularly during the hot summer months.

Concurrence/Previous Council Action
On June 14, 2023, the Public Safety and Justice Subcommittee recommended the City Council amend the City's Animal Ordinance.

Discussion
City Clerk Denise Archibald read the title of the ordinance G-7131.

Councilwoman Pastor stated that the ordinance was three years in the making noting that the District 4 office had been working with the Animal Rights group and Phoenix Police to create an equitable and enforceable ordinance that kept dogs safe during extreme heat in Phoenix. Councilwoman Pastor added that enforcement lead with education and thanked MJ Simpson and Don Bentley for their extensive field research for the ordinance.

Don Bentley commended the planned educational campaign and involvement of Neighborhood Services Department (NSD) in reducing animal cruelty stating that sternly worded letters were effective and low-cost way to improve compliance. Mr. Bentley cited an ordinance used

by Glendale, Tucson, and Pima County noting that the proposed improvement came directly from the cited ordinance containing similar requirements concerning food, water, exercise, and veterinary care. Mr. Bentley detailed that the Phoenix educational campaign stated that tethering was not supported as a preferred method of maintaining a dog noting the importance for a tethering ban. Mr. Bentley spoke on his concerns for dog tethering and the potential disregard of letters from the NSD by those that tether dogs and encouraged the Council to continue moving forward on addressing the issue.

MJ Simpson Animal Welfare Advocate spoke her volunteering with the Maricopa County Animal Shelter mentioning stakeholder concerns on overpopulation of dogs and the tethering of dogs citing the ongoing Arizona Humane Society Break the Chain campaign. Ms. Simpson emphasized the need for a tethering ban despite concerns of public safety citing that the complete ban on tethering active in Glendale, Tempe, Pima County, and Tucson had proven successful with no decline in public safety. Ms. Simpson thanked Vice Mayor Ansari, Councilwoman Pastor, Assistant City Manager Lori Bays, and Attorney Ben Benton for their work on the item.

Christy Margherio spoke on behalf of concerned citizens actively working to improve animal welfare within the City. She spoke on concerns for lack of response and enforcement to reports of animal abuse and neglect and stated that she was in support of the item emphasizing that there was strong opposition to an ordinance that legalizes tethering. Ms. Margherio requested that the Council direct staff to add functionality to the PHX311 website to allow the public to report suspected animal abuse and neglect and maintain records of reports and incidents.

Mayor Gallego agreed with the idea to utilize the 311 reporting system to determine new efficiencies to gather appropriate data.

Assistant City Manager Lori Bays commented that the City was already working with a feature to allow the NSD to communicate with individuals who have a received a complaint about an animal ordinance violation.

Mayor Gallego thanked the PHX311 team.

Vice Mayor Ansari expressed her excitement for the item commending the community groups involved like Poverty Pets, AZ Human Society, Incredible Stella, and One Love Pit Bull Foundation. Vice Mayor Ansari thanked the advocacy groups, Ms. Bays, and the Police Department for their collaboration on the item noting her enthusiasm for the new PHX311 option for NSD to receive notice and enforce compliance of the ordinance.

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

Yes:	9 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	

A motion was made by Ansari, seconded by Vice Mayor Stark, that items 84-85 be adopted. The motion carried by the following vote:

Yes:	9 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	

84 American Rescue Plan Act Affordable Housing Gap Financing Program Amendment (Ordinance S-50022)

Request to authorize the City Manager, or his designee, to amend Ordinance S-49895 amending the entity name listed from Morgan and Associates to Acacia Heights III LLC, Trinity Housing Development LLC, Acacia Heights III Manager LLC, Housing for Hope, Inc., Catholic Charities Community Services, or a City-approved nominee; amending the project address from 615 W. Pierson St. to 4747 N. 7th Ave., for the Acacia Heights III affordable housing development project; and to take all actions and execute all documents to complete the loan. Further request to authorize the City Controller to disburse all funds for the life of the contract.

Summary

The American Rescue Plan Act (ARPA) Affordable Housing Gap Financing program will provide the entity with a low-interest loan to subsidize the creation of affordable units serving households at or below 65 percent of the Area Median Income for a minimum period of 20 years. The Acacia Heights III project is located at 4747 N. 7th Ave. and plans to provide a total of 68 affordable units of which 41 will be ARPA funded units.

Financial Impact

This program is funded by ARPA, and there is no impact to the General Fund.

Loan execution is anticipated for Fiscal Year 2023-24.

Concurrence/Previous Council Action

On June 14, 2023, the Phoenix City Council approved the entity under the name Morgan and Associates.

Location

4747 N. 7th Ave.
Council District: 4

Discussion

Mayor Gallego stated that items 84 and 85 were related and would be voted on together.

Councilwoman Pastor thanked the American Rescue Plan Act Housing Gap Program for funding Catholic Charities to add senior housing and increase affordability.

This item was adopted.

85 American Rescue Plan Act Affordable Housing Gap Financing Program Amendment (Ordinance S-50023)

Request to authorize the City Manager, or his designee, to amend Ordinance S-49896 amending the entity name listed as Partners for Housing Solutions to Mesquite Terrace Apartments LLC, Mesquite Terrace Apartments Manager LLC, Trinity Housing Development LLC, H4H Mesquite Terrace LLC, Housing for Hope Inc., Catholic Charities

Community Services, or a City-approved nominee for the Mesquite Terrace Apartments affordable housing development project, and to take all actions and execute all documents to complete the loan. Further request to authorize the City Controller to disburse all funds for the life of the contract.

Summary

The American Rescue Plan Act (ARPA) Affordable Housing Gap Financing program will provide the entity with a low-interest loan to subsidize the creation of affordable units serving households at or below 65 percent of the Area Median Income for a minimum period of 20 years. The Mesquite Terrace Apartment project is located at 5055 N. 19th Ave. and plans to provide a total of 297 affordable units of which 41 will be ARPA funded units.

Financial Impact

This program is funded by ARPA, and there is no impact to the General Fund.

Loan execution is anticipated for Fiscal Year 2023-24.

Concurrence/Previous Council Action

On June 14, 2023, the Phoenix City Council approved the entity under the name Partners for Housing Solutions.

Location

5055 N. 19th Ave.
Council District: 4

Discussion

*Note: refer to Item 84 for discussion related to this item.

88 **Authorization to Enter into Purchase and Sale Agreements with the Isaac School District and Phoenix Community Enhancement, LLC. (Ordinance S-50009)**

Request authorization for the City Manager, or his designee, to allow the City to enter into purchase and sale agreements (Agreements) with the Isaac School District (District) and Phoenix Community Enhancement, LLC (PCE) for the acquisition and immediate resale of approximately 3.4 acres of certain real property located at 3101 W. McDowell Road. This

transaction will help facilitate the development of the Bret Tarver Terrace Affordable Housing Project that will be operated pursuant to the terms of a long-term ground lease between PCE and UMOM Housing 9, LLC (UMOM). Additionally request authorization for the City Manager, or his designee, to enter into any additional agreements necessary to close this transaction. Further request authorization for the City Treasurer to accept, and City Controller to disburse, any funds under the term of the Agreements.

Summary

The City received a request from the Superintendent of the District to participate in the sale of approximately 3.4 acres of surplus real estate (Property). Under Arizona law, the District may only sell or lease school property to the State of Arizona, a county, a city, another school district or a tribal government agency required for a public purpose if the sale or lease of the property will not affect the normal operations of a school within the District. The Property is to be developed to support the Bret Tarver Terrace Affordable Housing Project (Project), which will create 96 affordable housing units of which 87 units will serve households at 60 percent Area Median Income (AMI) and 9 units will serve households at 50 percent AMI. Under the terms of the Agreements, the District shall sell the Property to the City, and upon taking title, the City shall record a Land Use Restriction Agreement (LURA) with the Maricopa County Recorder requiring the use of the Property be restricted to further the public purpose of increasing the supply of affordable housing. The LURA will require affordability for a minimum period of 40 years. Thereafter, the City shall immediately convey the Property to PCE, a special purpose nonprofit and wholly controlled affiliate of the Phoenix Industrial Development Authority (IDA). As required under the terms of the Agreements, PCE shall enter into a long-term ground lease with UMOM to develop the Project. The purchase price for the Property will be the lump sum rental payment under the long-term ground lease paid by UMOM to PCE. The District’s Governing Board authorized the sale of the Property under the structure contemplated herein on June 8, 2023.

Financial Impact

There will be no financial impact to the City. The purchase price paid to the District for the Property shall be the lump sum rental payment under the long-term ground lease paid by UMOM to PCE. In addition, under the

terms of the Agreements, PCE shall pay any and all associated costs incurred by the City in connection with these transactions including, but not limited to, any title, insurance and closing costs.

Location
3101 W. McDowell Road
Council District: 4

Discussion
Councilwoman Pastor made comments on the item noting the addition of affordable housing through partnerships with UMOM, the Isaac School District, and the Phoenix Community Enhancement LLC.

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

Yes:	9 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	

93 Authorization to Amend Emergency Shelter/Heat Related Respite Operator and Supportive Services Qualified Vendor List (Ordinance S-49924)

Request authorization for the City Manager, or his designee, to amend the Request for Qualifications (RFQ) for Emergency Shelter/Heat Related Respite Operator and Supportive Services Qualified Vendor List to add $13.3 million for a new not to exceed amount of $23.3 million. Further request authorization for the City Controller to disburse funds for the life of the Qualified Vendor List (QVL). Funding is available in the Human Services Department operating budget and the Fiscal Year (FY) 2023 Arizona Department of Housing (ADOH) Homelessness Shelter and Services Fund.

Summary
The City of Phoenix Office of Homeless Solutions (OHS) provides support and services for persons experiencing homelessness and is committed to ending homelessness through a comprehensive, regional

approach to housing and services. With the dramatic rise of unsheltered individuals experiencing homelessness during and after the COVID-19 pandemic, OHS is allocating additional resources to serve this population and focus on housing and services for those most vulnerable. Qualified vendors from this procurement could be awarded future contracts for specific projects when opportunities become available. Examples of contracts that could be awarded include city-owned projects in need of temporary emergency shelter/heat related respite operators and/or supportive services to individuals or families experiencing homelessness.

Contract Term
The term of the QVL is from Feb. 1, 2023, through June 30, 2028.

Financial Impact
The total cost of the contracts will not exceed $23.3 million over the life of the QVL. Funding is available in the Human Services Department operating budget and FY 2023 ADOH Homelessness Shelter and Services Fund.

Concurrence/Previous Council Action
On Jan. 25, 2023, the City Council approved the QVL with Ordinance S-49352.

Discussion
Councilwoman O'Brien stated that the questions she had were answered during previous item discussion.

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

Yes:	9 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	

98 Authorization to Amend Contract with the Industrial Development Authority of the City of Phoenix to Provide Case Management and

Housing Navigation Services for Mobile Home Residents (Ordinance S-50013)

Request to authorize the City Manager, or his designee, to amend Contract 157712 with the Industrial Development Authority of the City of Phoenix (IDA) to add an additional $320,000 for a total contract value not to exceed $620,000 over the life of the contract. Further, request to authorize the City Controller to disburse all funds related to this item. There is no impact to the General Fund. Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) and is in the Utility and Rental Assistance program of the strategic plan.

Summary

The Human Services Department entered into Contract 157712 with the IDA for housing navigation and financial assistance services for displaced mobile home park residents up to $300,000 to include holistic case management as a priority. Services may also include access to physical health care, behavioral health care, nutrition assistance, cash assistance, workforce development, and assistance with emergency rental/utility and housing voucher applications. This contract amendment will allow for continued services to residents of Las Casitas and Weldon Court Mobile Home Parks and will include assistance to individuals currently or formerly residing at Periwinkle Mobile Home Park, located at 2728 W. Colter Street.

Contract Term

The term of the contract began on or about Nov. 16, 2022, and ends on June 30, 2024.

Financial Impact

The total contract value will not exceed $620,000 over the life of the contract. Funding is available through the City's allocation of ARPA funding. There is no impact to the General Fund.

Concurrence/Previous Council Action

On Nov. 16, 2022, the City Council approved the contract with Ordinance S-49188.

On March 22, 2023, the City Council approved to reallocate $2.5 million in ARPA funding to provide additional navigation services for the

residents of the three mobile home parks.

Discussion

Councilwoman Guardado thanked Chief Executive Officer Juan Salgado and Phoenix IDA for their work in supporting mobile home residents. Councilwoman Guardado commended the work of the Human Services Department, Community Legal Services Team, and Trellis who helped to ensure residents being displaced from the Periwinkle mobile Home Park did not end up unsheltered.

During her vote Councilwoman Pastor mentioned that the work with Phoenix IDA also included Las Casitas and Weldon Court Mobile Home Park residents.

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

Yes:	9 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	

111 Fee Increase for Use of Phoenix Tennis Center (Ordinance S-50007)

This report requests the City Council increase court and light fees at the Phoenix Tennis Center. There will be no financial impact to the City as a result of this item.

Summary

The Phoenix Tennis Center (PTC) is located at 6330 N. 21st Ave. within Washington Park. The PTC is the largest public tennis complex in the Phoenix metropolitan area. Amenities at the PTC include 25 tennis courts, a hitting wall, pro-shop, clubhouse and restroom facilities.

In September 2019, Ragland Tennis Services, LLC (RTS) was awarded the concessionaire contract of the PTC for an initial five-year term with two five-year renewal options. RTS has installed a new online reservation system, scoring equipment and umpire chairs; and upgraded and painted the hitting wall. Additionally, RTS offers discounted or free services and

equipment for low-income youth, employs members from the local community, offers wheelchair tennis instruction and play, and has an outreach program to local area schools. RTS has hosted tournaments for local and regional colleges and universities, high schools, and paraprofessional tennis clubs and organizations.

Per the existing contract, RTS has the right to renegotiate any provisions of the agreement, including court fees and light fees at select intervals during the agreement. The current fees were approved nine years ago by the Parks and Recreation Board and the Phoenix City Council in 2014. The current fees are as follows:

Per Person Court Fee
$4.00 Adults per 1.5 hours
$2.00 Juniors per 1.5 hours
$5.00 Light fee added per court for any usage 6 p.m. or later

Due to current inflation rates, increases in minimum wage and rising utility costs, the PTC experienced a 36.3 percent increase in operating expenses between 2019 and 2023.

Staff recommends City Council approve increased fees for the Phoenix Tennis Center to be $6 per adult per 90 minutes and $6 per court for lighting per 90 minutes. Further recommend City Council approve no change to the current juniors fees of $2 per junior per 90 minutes. The fee increase will allow the Phoenix Tennis Center to continue to provide affordable tennis options for the community in alignment with other municipal tennis centers while also providing a quality tennis facility.

Concurrence/Previous Council Action
This item was recommended for approval by the Parks and Recreation Board on April 27, 2023.
This item was recommended for approval by the Community and Cultural Investment Subcommittee on June 7, 2023.

Location
6330 N. 21st Ave.
Council District: 5

Discussion

Veronica Ragland spoke on the partnership between Ragland Tennis Services (RTS) and the Phoenix Tennis Center (PTC) noting concerns with operating at a deficit specifying that the expenses to income ratio over the life of the contract was 17.5 percent to 3.2 percent. Ms. Ragland mentioned presentations to the Parks and Recreation Board and Community and Cultural Investment Subcommittee who understood RTS's committment to excellence, contract compliance, and uncharacteristic transparency. Ms Ragland asked that the Council approve the increase of the 90-minutes court and light fees from four dollars to six dollars emphasizing that RTS could not afford to operate PTC at the existing fee.

During his vote Councilman Waring explained that he traditionally votes against fee increases.

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

Yes: 8 - Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Vice Mayor Ansari and Mayor Gallego

No: 1 - Councilman Waring

155 Temporary Traffic Signal Trailers Contract - RFA 24-FSD-009 - Request for Award (Ordinance S-49928)

Request to authorize the City Manager, or his designee, to enter into a contract with OMJC Signal, Inc. to purchase temporary traffic signal trailers. Further request to authorize the City Controller to disburse all funds related to this item. The contract value will not exceed $1,200,000.

Summary

When large mast arm traffic signal poles are damaged, knocked down due to accidents or inclement weather, or inoperable, the Street Transportation Department uses 25-foot portable temporary traffic signal trailers. These trailers have adequate mast arm length to be positioned appropriately over the roadway for visibility to vehicles and pedestrian traffic. The purchase of temporary traffic signal sets on trailers will allow

staff to create on-demand intersections. On-demand traffic intersection needs would include signaling needs during monsoon events or during special events requiring additional traffic signals for improved traffic flow.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Sole Source. OMJC Signal, Inc. is the only local provider that can provide these specialized 25-foot mast arm trailers with signals.

Contract Term

The contract will begin on or about Sept. 1, 2023, for a five-year term with no options to extend.

Financial Impact

The contract value will not exceed $1,200,000 for the five-year term. Funding is available in the Street Transportation Department's budget.

Discussion

Mayor Gallego noted that the item was pulled for consent for comment noting that individual who signed up to speak was not present adding that speakers comments could be taken during Citizen Comment.

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

Yes:	9 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	

166 Amend Street Planning and Design Guidelines Manual (Ordinance S-49991)

Request City Council approval of amendments to the Street Planning and Design Guidelines Manual (SPDGM).

Summary

The Street Transportation Department has amended its current SPDGM

which was last updated Dec. 1, 2009 (**Attachment A**). This update references appropriate State and Federal guidelines, aligns recent City adopted policies and plans, and incorporates many visual graphics and exhibits to increase ease of use. This plan provides design guidelines for public and private sector developments.

Concurrence/Previous Council Action

Ordinance S-44639, approved June 6, 2018, procured the professional services contract for the updated SPDGM.

The SPDGM was recently reviewed and approved by the Development Advisory Board (DAB), Technical Subcommittee Dec. 20, 2022, with Formal DAB approval Feb. 13, 2023.

The Transportation, Infrastructure and Planning Subcommittee recommended approval of this item by a vote of 4-0 on May 17, 2023.

Discussion

Derek Tomich spoke on concerns for the speed limit increase producing an unsafe increase in risk of crashes and fatalities noting that the development design included design speeds faster than posted speed limits. Mr. Tomich added that the City should consider adding public transportation to the neighborhood surrounding the proposed development.

Nicole Rodriguez spoke in opposition to the item adding concerns with the lack of involvement of the Vision Zero Advisory Committee reiterating concerns about design speeds. Ms. Rodriguez added concerns with lack of clarity and transparency of the amendment asking Council to review the amendment thoroughly and vote to deny.

Councilwoman Pastor asked what changes to design speed were made to the manual and their relation to the Vision Zero Advisory Committee.

Streets Department Director Kini Knudson stated that the updated to the design manual began before the adoption of the Vision Zero Road Safety Action Plan by the City Council noting that the manual had not been updated since 2009. Mr. Knudson stated that there were no major changes to design speed apart from increase of clarity and ease of use for consultants. Mr. Knudson stated that in 2009 the manual was never brought to Council adding that the reason to bring the manual to Council

presently was to make requirements on development that come in to ensure that streets are built to the current standards and plans.

Councilwoman Pastor asked for confirmation on changes to speed and clarified that the Vision Zero was unable to review the plan as a result of the timeline of approval .

Mr. Knudson confirmed that Councilwoman Pastor was correct and added that the manual did contain updated to active transportation including improved bike lanes and facilities.

Councilwoman Pastor asked about the changes to design speeds and the industry practices used to make the changes.

Mr. Knudson stated that there were no changes made to design speeds as part of the manual explaining that accommodation for emergency vehicles to go 10 miles an hour over the speed limit was not a change to design speeds.

Councilwoman Pastor asked why the manual was not presented to the Vision Zero Community Advisory Committee for feedback.

Mr. Knudson explained that the manual had been actively worked and was presented to the Development Advisory Board in February and to the Transportation, Infrastructure, and Planning (TIP) Subcommittee in May who approved the manual to be brought to Council. Mr. Knudson added that the Vision Zero Community Advisory Committee had a meeting in April and the week prior to the Formal meeting clarifying that because of TIP Subcommittee's approval the item was not added to the Vision Zero Community Advisory Committee agenda prior to being presented to Council.

Councilwoman Pastor emphasized the importance of including the Vision Zero Advisory Committee asking Mr. Knudson when the next opportunity for amendments to the manual would be possible.

Mr. Knudson stated that amendments could be made to the manual as the City decides changes need to be made.

Councilwoman Pastor asked if there would be any difference in the amendments to the manual if she made a motion to continue to allow the Vision Zero Advisory Committee to provide community feedback.

Mr. Knudson stated that depending on actions or changes made by the Vision Zero Advisory Committee the item could be delayed given that any changes made would need to go back to the TIP Subcommittee for approval to come back to Council.

Councilwoman Pastor asked how comments from the Vision Zero Advisory Committee would be processed.

Mr. Knudson stated that there were two other committees within the Vision Zero Advisory Committee noting that any decisions made by the committee had the potential to be taken to Council but it was not guaranteed and would be subject to approval.

Councilwoman Stark stated that the manual was a fluid document suggesting that the Streets and Transportation Department work with the Vision Zero Advisory Committee over the summer and if any amendments are made they can be brought to Council at that time.

Councilwoman Pastor asked if moving forward with Councilwoman Stark's suggestion would require a motion to continue the item.

Mayor Gallego stated that Chair of the Vision Zero Advisory Committee should be asked if they would like to hear the item.

Councilwoman Stark stated that the amendment was vetted through various boards and should be voted on and can be worked on and brought back to Council during the summer noting that she would like to continue with voting and approving the item.

Councilwoman Pastor requested that staff go back to the Vision Zero Advisory Board to provide recommendations.

Mayor Gallego clarified the motion and added that the Vision Zero

Advisory Committee Chair would be given the option to review the manual.

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

Yes: 8 - Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Vice Mayor Ansari and Mayor Gallego

No: 1 - Councilman Waring

176 Public Hearing - Proposed Water Service Revenue Increase

Request to hold a public hearing to receive comments on proposed amendment to Section 37-63 of the Phoenix City Code, to provide for an increase in revenues for water service by modifying water rates and decreasing the base allowance of water included with service. This hearing is held in accordance with Arizona Revised Statute 9-511.01.

Summary

Phoenix water rates remain among the most affordable in major cities throughout the Southwest. The proposed increases apply to the volume charges assessed on the water that is used above the modified base allowance amount included in the fixed monthly service charge. As a result of the increase, approximately 17,000 or 4.3 percent of current residential customers, whose usage is under the allowance, will be impacted if they made no changes in their current water usage. The impact of the proposed rate modification to the average single-family home is estimated to be approximately $17 over the three-year period starting on March 2023. If customers reduced their monthly usage by conserving water, and do not exceed the new allowance amounts, the customers would not see any increase in their water charges.

Public Outreach

Information detailing the proposed decrease in the base allowance of water included with basic water service to 800 cubic feet in the summer months and 500 cubic feet in the non-summer months, from the current level of 1000 cubic feet in the summer months and 600 cubic feet in the non-summer months, and the proposed water revenue increase of 26

percent over a three-year period of calendar years 2023, 2024 and 2025 is available to the public in the City Clerk Department of the City of Phoenix located at 200 W. Washington St., 15th Floor. Information is also available on the City of Phoenix website: https://www.phoenix.gov/waterrates.

During the months of March, April, May and June information on the proposed rate increase and changes to the base allowance, was mailed to all water account holders through the City Services bill and PHX at your Service (PAYS). A total of 35 community outreach meetings were held to present information and obtain feedback, and numerous media interviews and social media posts occurred (**Attachment A**). The Citizens' Water and Wastewater Rate Advisory Committee recommended the proposed revenue increase, citing that it would generate the revenue required to maintain a reliable and cost-effective water services, and invest in the future of the City of Phoenix. The rate revenues proposed will offset financial pressure imposed by substantial increases in costs to supplies and materials due to inflation and maintain an adequate fund balance to retain a AAA bond rating. (**Attachment B**).

Concurrence/Previous Council Action

On April 18, 2023, the City Council heard the Notice of Intention to consider an increase in water rates and/or rate components and set a public hearing date to consider the proposed increase.

On Jan. 26, 2023, the Citizens' Water/Wastewater Rate Advisory Committee recommended:

Water rate revenue increases of 6.5 percent effective October 2023, 6.5 percent effective March 2024, and 13 percent effective March 2025.

Decrease the allowance to 800 cubic feet in the summer months and 500 cubic feet in the non-summer months from the current level of 1000 cubic feet in the summer months and 600 cubic feet in the non-summer months.

On Feb. 15, 2023, the Transportation, Infrastructure, and Innovation Subcommittee:

Heard information on the proposed rate revenue increase that included updates on the financial plans and inflationary pressures.

Discussion

Mayor Gallego stated that staff would be giving a presentation for items 176 through 181 which are related to the proposed water and wastewater service rate, revenue increases, and the storm water excise tax introducing City Manager Jeff Barton for comment.

Mr. Barton welcomed the team to the table stating that they would be introducing themselves. Mr. Barton cited his financial stewardship throughout his career when explaining that the water and wastewater system encompassed 500 square miles, an area larger than cities with similar population size. Mr. Barton stated that the aging system required investment to provide safe water supply to residents and businesses noting that in the last 15 years with the Great Recession and the COVID-19 pandemic investments had been impaired thanking the Council for their willingness to discuss. Mr. Barton thanked staff for their diligent work on the item introducing Deputy City Manager Ginger Spencer for further information.

Ms. Spencer stated that increases were due to inflationary pressures and unfunded mandates that were out of staff control. Ms. Spencer continued stating, that where staff was able to provide monetary savings for residents, increase efficiencies, and applied for Federal and State grants, they had done so while maintaining a Triple-A bond rating. Ms. Spencer added that staff conducted community outreach as directed by Council noting that money was added to aid residents who qualify for the City's Project Assist Program. Ms. Spencer explained that the rates discussed would reflect the cost of running the water utility to ensure access to safe reliable drinking water for residents and customers noting that staff would monitor revenues and expenditures each year committing to return to Council on an annual basis for review of the fee forecast. Ms. Spencer noted that if costs were to decrease significantly there could be a discussion on the lowering of rates for consumers. Ms. Spencer thanked the Council for their leadership and consideration on the item, Mr. Barton and City staff in the Finance Office of Environmental and Human Services Department as well as residents who provided feedback for the item introducing Water Services Director Troy Hayes for further comment.

Mr. Hayes stated that staff introduced to Council the proposed water and

wastewater revenue increase, water allowance, and proposed changes to storm water excise tax on April 18th, 2023. Mr. Hayes continued adding that changes to the allowance levels and proposed revenue adjustments were unanimously recommended by the Water and Wastewater Rate Advisory Committee on January 26, 2023. Mr. Hayes explained that the request was for a 6.5 percent increase in October of 2023 for the water and wastewater revenue and a 6.5 percent increase in March of 2024 followed up with a 13 percent increase for water and a 7 percent increase for wastewater in 2025 additionally changing the allowance levels from six units in the non-summer months to five units and from 10 units in the summer months to eight units. Mr. Hayes stated that adopting the proposed revenue and allowance changes would allow the department to provide reliable cost-effective water and wastewater service by adequately funding the operating needs and responsibly continuing the capital improvement program while maintaining a Triple-A bond rating adding that the rate structure stuck a balance between affordability and water conservation. Mr. Hayes explained that the cost of treating water and wastewater has significantly increased specifying that there was a dramatic increase of chemical costs,electricity, raw water, and personnel costs. Mr. Hayes stated that increases can allow the City to retain and recruit highly skilled staff. Mr. Hayes showed charts explaining that future rates for Phoenix were in the mid-range of the water and wastewater rates as compared to other providers current rates. Mr. Hayes mentioned that water conservation initiatives would be implemented in the summer of 2023. Mr. Hayes went over the update of outreach stating Phoenix Water Department developed a comprehensive communication strategy aimed at reaching all customers both in English and Spanish to educate on the proposed changes to the water and wastewater revenue and storm water taxes. Mr. Hayes continued adding that a a new webpage offered a complete explanation of the proposal, a rate estimator tool, online comment form, a frequently asked questions section, and a link to the new comprehensive webpage dedicated to financial assistance resources. He continued adding that staff explained the proposal and answered questions from the community at 30 public meetings noting that video recordings of select meetings was available online. Mr. Hayes detailed the outreach methods utilized by the Water Services Department, which included grocery TV, regular mail, monthly bills, and the City's website and social media, to disseminate information on the

proposed changes. He mentioned that more than 6,000 unique page views were recorded by the Water Department's digital outreach program between March 15, 2023, and May 16, 2023. Mr. Hayes stated that the average time spent on the site indicated that viewers were taking the time to understand the proposed changes. Mr. Hayes mentioned that the Water Services Department broadened their outreach through the use of Twitter, Next Door, Instagram, and Facebook to engage the public and welcome feedback on the proposed changes emphasizing the department's multi-channel approach to engaging consumers. Mr. Hayes indicated that the 1,400 comments received from the community showed that the residents were generally understanding of the need for the increase mentioning an incentive to conserve water and concerns of affordability for residents with fixed incomes. Mr. Hayes continued addressing concerns with heat island issues reiterating that the maximum impact of the allowance change is one unit in the non-summer months and two units in the summer months and the City Manager's Office was working to further investigate solutions. He added that the department is continuously pursuing grants and funding that made financial business sense. Mr. Hayes stated that the income eligibility from 150 to 200 percent of the federal poverty level was increased as part of a program administered by the Human Services Department to help those in need including that the Water Services Department was also proposing an increase of funding levels from $7000,000 to $1 million a year to accommodate any need in the community introducing Tricia Baluff to discuss Stormwater Excise Tax.

Ms. Baluff stated that she represented the multi-departmental stormwater group and explained that the stormwater excise tax being proposed for and increase was s result of the City's permit requirements. Ms. Bailiff stated that the stormwater excise tax supported the compliance with the Municipal Separate Storm Sewer System (MS4) permit that allows the City to discharge untreated storm water collected in the City's storm drain system into protected surface waters such as the Salt River. She added that the permit was required by the Federal Clean Water Act and issues by the Arizona Department of Environmental Quality due to the potential for pollutants carried by stormwater. Ms. Baluff stated that the City's last MS4 permit became active on July 1, 2021 noting that several expanded requirements resulted in a proposal for an increase in stormwater excise

taxes to support compliance. She explained that the tax structure was primarily based on meter size, with the current rate at 70 cents for single-family residences, increasing according to meter size. Ms. Baluff added that the proposed increase was 25 cents per month for single-family homes and properties with five-eighths and three-quarter inch meters, for a total of 95 cents per month. She mentioned the table being presented included the proposed increases based on the different meter sizes. Ms. Baluff stated that staff focused on identifying the most cost-effective method to efficiently comply with the permit through the use of existing expertise to save costs and keep staffing needs and the increase of the stormwater excise tax minimal. She explained that the multi-department stormwater group joined the Water Services Department's outreach to address requests for clarification on the use of funds and to respond to various community concerns, connecting residents with the appropriate department for their question. She noted that Deputy City Manager Alan Stephenson would be closing the presentation.

Mr. Stephenson stated that staff had undertaken significant outreach, and with the leadership of the Council, fostered public dialogue to comply with government mandates through efficient planning and management of the City's shared resources. He asked for the Council's support on the following items and noted that staff would be available for questions.

Mayor Gallego thanked staff including the Water Rate Advisory commissioners who challenged the City to discuss the details of the item. Mayor Gallego stated that items 176 and 177 were public hearings on the proposed waste and wastewater service rate increases noting that there would be a separate item related to the stormwater excise tax.

Mayor Gallego declared the public hearings for items 176 and 177 open.

Former chairman of the Water and Wastewater Rate Advisory Committee, Claude Mattox spoke in support of the rate increase proposal. He mentioned his experience with a small rural water business experiencing similar challenges as Phoenix and were pursuing their own rate increases. Mr. Mattox reiterated the point that the increase of costs of chemicals, electricity, raw water, and staff required an increase of the

water and wastewater rates. He stated that Phoenix had been a leader in providing quality water to residents requesting that the Council vote in support of the item.

Martin Shultz provided a brief history on water policy mentioning the Groundwater Management Act of 1980 that was used in modern development proposals. He expressed his support for the proposal noting the need for a rate increase to accommodate the population growth and increase of costs.

Richard Rea spoke on his 60 years of experience with water issues mentioning his time with the City's Water and Wastewater Rate Advisory Board Committee commending staff for their extensive work on the proposal. Mr. Rea mentioned that the City was in charge of 110 billion gallons of water and 62 billion gallons of waste emphasizing the need the City had to address the inflation asking that Council vote in support of the item.

Water and Wastewater Rate Advisory Committee member Joe Widoff mentioned his experience as a member of the public attending a meeting and being asked for feedback. He noted his surprise, expressing that he was unaware the public was allowed to provide input. He stated that the job of the committee was to support the Water Services Department and provide safe, affordable, and sustainable water and wastewater services. He detailed that providing safe drinking water required infrastructure, process, and materials, emphasizing and the proposed rate would allow the City to fund the debt services related to maintaining and enhancing the infrastructure. Mr. Widoff mentioned the committee's focus on affordability and equitable access to water and added that the proposed water allowances encouraged conservation. He also noted the importance of converting the Cave Creek Water Reclamation Facility into a purification facility stating that he was in support of the item.

Merissa Hamilton spoke on concerns of Phoenix residents of water shortages and cost of water. She added that inflation was a common concern amongst residents suggesting a reduction of the penalty fees for water over-consumption with the proposed allotments. Ms. Hamilton stated that residents did not have access to a notification system to

inform them of unusually high water use adding that residents often discovered leaks after receiving extreme water bills. She mentioned that the City had entered into an agreement with the Federal Government to reduce water consumption by 30 percent in exchange for increased funding, asking how the funds would be utilized. Ms. Hamilton continued by asking how water costs were allocated to supplies, expressing concerns of transparency, and requesting clarification on the water supply sourced from the Colorado River and other sources as well as the conservation fees that residents would pay. She encouraged that the Council address the concerns she mentioned prior to making a vote on the item.

Jeff Caldwell spoke about concerns regarding the City's inability to invest in the water and wastewater services during the COVID-19 pandemic. He added that residents were worried that single-family homes would be paying an inequitable amount compared to businesses due to the increase questioning the city's use of COVID-19 related funds.

Karen Losciavo expressed her support of the item commending the Water Services Department's work on the proposal to increase the rates and promote water conservation during a drought.

Cynthia Graber expressed concerns about the City's use of funds related to the water and wastewater services and the issue of customers paying surcharges for consumption. She noted that 4 percent of water users in Phoenix needed help with their water bill in 2022 emphasizing that low-income and senior residents would suffer as a result of the rate increase. Ms. Graber thanked the Council and the Water Services Department for their work on the item encouraging Council to vote to continue the item and discuss a different solution.

Mayor Gallego declared the public hearings for items 176 and 177 closed.

The hearing was held.

177 Public Hearing - Proposed Wastewater Service Revenue Increase

Request to hold a public hearing to receive comments on proposed amendment to Sections 28-39 and 28-92 of the Phoenix City Code to

provide for a change in the rates for wastewater services. This hearing is held in accordance with Arizona Revised Statute 9-511.01.

Summary

Phoenix wastewater rates remain among the most affordable in major cities throughout the Southwest. The impact of the proposed rate modification to the average single-family home is estimated to be approximately $6 over the three-year period starting on March 2023.

Public Outreach

Information detailing the proposed water revenue increase of 20 percent over a three-year period of calendar years 2023, 2024, and 2025, is available to the public in the City Clerk Department at the City of Phoenix, located at 200 W. Washington St., 15th Floor. Information is also available on the City of Phoenix website: https://www.phoenix.gov/waterrates.

During the months of March, April, May and June 2023, information on the proposed rate increase was mailed to all water account holders through the City Services bill, and PHX at your Service (PAYS). A total of 35 community outreach meetings were held to present information and obtain feedback, and numerous media interviews and social media posts occurred (**Attachment A**). The Citizens' Water and Wastewater Rate Advisory Committee recommended the proposed revenue increase, citing that it would generate the revenue required to maintain reliable and cost-effective water services, and invest in the future of the City of Phoenix. The rate revenues proposed will offset financial pressure imposed by substantial increases in costs to supplies and materials due to inflation and maintain an adequate fund balance to retain a AAA bond rating. (**Attachment B**).

Concurrence/Previous Council Action

On April 18, 2023, the City Council heard the Notice of Intention to consider an increase in wastewater rates and set a public hearing date to consider the proposed increase.

On Jan. 26, 2023, the Citizens' Water/Wastewater Rate Advisory Committee recommended:
Wastewater rate revenue increases of 6.5 percent effective October

2023, 6.5 percent effective March 2024, and 7 percent effective March 2025.

On Feb. 15, 2023, the Transportation, Infrastructure, and Innovation Subcommittee:

Heard information on the proposed rate revenue increase that included updates on the financial plans, inflationary pressures, and advanced water purification.

*Refer to Item 176 for discussion related to this item.

The hearing was held.

178 Amend City Code - Proposed Water Service Revenue Increase (Ordinance G-7128)

Request the City Council amend Section 37-63 of the Phoenix City Code to adjust water service rates and rate components to increase rate revenue by 26 percent over the next two fiscal years.

Summary

The Finance Department, in conjunction with the Water Services Department, develops a Financial Plan, as necessary, to generate revenue required to invest in the future of the City of Phoenix by offsetting financial pressure imposed by substantial increases in costs to supplies and materials due to inflation and maintain an adequate fund balance to retain a AAA bond rating. To support these needs, changes are proposed to the water rates and rate components to be implemented October 2023, March 2024, and March 2025. The rate and rate component proposals are estimated to produce: $45.5 million in additional revenue in Fiscal Year (FY) 2023-24, $111.9 million in additional revenue in FY 2024-25, and $163.1 million in additional revenue in FY 2025-26.

The proposed water rate changes for Oct. 2023 will be applied to the low, medium, and high seasonal volume charges. Beginning October 2023, the water allowance will be reduced to 800 cubic feet (8 units) in the summer months and 500 cubic feet (5 units) in the non-summer months from the current level of 1000 cubic feet (10 units) in the summer months and 600 cubic feet (6 units) in the non-summer months. On average, customer bills for water will increase 6.5 percent. Depending on the actual water consumption and month in which the consumption

occurs, some customers may pay more or less than this average.

The proposed water rate changes for March 2024 also will be applied to the low, medium, and high seasonal volume charges. On average, customer bills for water will increase 6.5 percent. Depending on the actual water consumption and the month in which the consumption occurs, some customers may pay more or less than this average.

The proposed water rate changes for March 2025 also will be applied to the low, medium, and high seasonal volume charges. On average, customer bills for water will increase 13 percent. Depending on the actual water consumption and the month in which the consumption occurs, some customers may pay more or less than this average.

An independent rate consultant has reviewed and evaluated the Water Financial Plan and determined that the financial plan information supports rate adjustments that are reasonable and consistent with rating agency standards **(Attachment A)**.

Concurrence/Previous Council Action
On April 18, 2023, the City Council adopted the Notice of Intention (NOI) to consider an increase in water rates and/or rate components:
Council approved NOI and set public hearing date for June 28, 2023.

On Feb. 15, 2023, the Transportation, Infrastructure, and Innovation Subcommittee:
Heard information on the proposed revenue increase that included updates on the financial plans, inflationary pressures, and advanced water purification.

On Jan. 26, 2023, the Citizens' Water/Wastewater Rate Advisory Committee recommended:
Water rate increases of 6.5 percent effective October 2023, 6.5 percent effective March 2024, and 13 percent effective March 2025; and
Decreasing the allowance to 800 cubic feet (8 units) in the summer months and 500 cubic feet (5 units) in the non-summer months from the current level of 1000 cubic feet (10 units) in the summer months and 600 cubic feet (6 units) in the non-summer months.

Public Outreach

In accordance with Arizona Revised Statute 9-511.01, the City Council will conduct a public hearing on June 28, 2023, to receive comments on the proposed increase in water rates. Additional information regarding public outreach efforts is detailed in the Council Report for the public hearing agenda item. Following the hearing, Council can act upon the proposed amendments to Section 37-63 of the Phoenix City Code to adjust the rates for wastewater service.

Information detailing the proposed water rate revenue increase is available to the public in the City Clerk Department of the City of Phoenix located at 200 W. Washington St., 15th Floor. Additional information can be found on the City of Phoenix website: phoenix.gov/public-notice-tax-and-fee-changes.

Discussion

City Clerk Denise Archibald read the title of the ordinance G-7128 related to Item 178.

Mayor Gallego thanked staff for their work on the items and the public for their patience and perseverance to testify. Mayor Gallego stated that the rate increase was due to rising costs mentioning several initiatives to address the drought.

Councilwoman Guardado expressed her disappointment that past leadership from 2013 to 2018 did not address water and wastewater rate increases appropriately. She mentioned that four of the years between 2013 and 2018, there were no water or wastewater rate increase. Councilwoman Guardado expressed her concerns about the impact on residents and noted her goal to find ways for the City of Phoenix to be less reliant on the multinational chemical companies that provide supplies through negotiating better service agreements. She mentioned concerns raised by the City's Audit Department report regarding Veolia Water Technologies' operation of the Lake Pleasant Water Treatment Plant. Councilwoman Guardado stated that she would support the item in exchange that the City Manager bring the Lake Pleasant Water Treatment plan under City operations, increase assistance funding to $1 million to help low-income residents, and auditing chemical and service contracts

related to the water system with a plan to reduce costs. She also requested that the Water Services Department apply for all eligible federal grants available under the Bipartisan Infrastructure Bill to improve the City's water system and give the City the ability to evaluate cost inflation and potential efficiencies on an annual basis to determine ways to provide savings to rate payers and reduce future increases.

City Manager Jeffrey Barton thanked Councilwoman Guardado for her requests emphasizing the need to discuss water and wastewater rates on an annual basis stating that annual review would be the process moving forward.

During her vote, Councilwoman Hodge Washington expressed that the overarching goal of clean, safe, and drinkable water required the rate increase to address the potential consequences of not providing adequate maintenance to the water and wastewater system. Councilwoman Hodge Washington mentioned her focus on understanding the resources available for residents affected. She commended the Water Department and city staff for their commitment to return to city council with efforts to get the best reliable water for residents.

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

Yes:	7 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Vice Mayor Ansari and Mayor Gallego
No:	2 -	Councilwoman O'Brien and Councilman Waring

179 Amend City Code - Proposed Wastewater Service Revenue Increase (Ordinance G-7129)

Request the City Council amend Sections 28-39 and 28-92 of the Phoenix City Code to adjust rates for wastewater service to increase rate revenue by 20 percent over the next two fiscal years.

Summary

The Finance Department, in conjunction with the Water Services Department, develops a Financial Plan, as necessary to generate

revenue required to invest in the future of the City of Phoenix by offsetting financial pressure imposed by substantial increases in costs to supplies and materials due to inflation and maintain an adequate fund balance to retain a AAA bond rating. To support these needs, changes are proposed to the wastewater rates to be implemented October 2023, March 2024 and March 2025. These changes are estimated to produce $16 million in additional revenue in Fiscal Year (FY) 2023-24, $33.3 million in additional revenue in FY 2024-25, and $45 million in additional revenue in FY 2025-26.

The proposed wastewater rate changes for October 2023 will be applied to the volume and environmental charges. On average, customer bills for wastewater will increase 6.5 percent. Depending upon the actual amount of water consumption, some customers may pay more or less than this average.

The proposed wastewater rate changes for March 2024 will be applied to the volume and environmental charges. On average, customer bills for wastewater will increase 6.5 percent. Depending upon the actual amount of water consumption, some customers may pay more or less than this average.

The proposed wastewater rate changes for March 2025 will be applied to the volume and environmental charges. On average, customer bills for wastewater will increase 7 percent. Depending upon the actual amount of water consumption, some customers may pay more or less than this average.

An independent rate consultant has reviewed and evaluated the Water Financial Plan and determined that the financial plan information supports rate adjustments that are reasonable and consistent with rating agency standards (**Attachment A**).

Concurrence/Previous Council Action
On April 18, 2023, the City Council adopted the Notice of Intention (NOI) to consider an increase in wastewater rates and/or rate components and set a public hearing date to consider the proposed increase:
Council approved NOI and set public hearing date for June 28, 2023.

On Feb. 15, 2023, the Transportation, Infrastructure, and Innovation Subcommittee:

Heard information on the proposed revenue increase that included updates on the financial plans, inflationary pressures, and advanced water purification.

On Jan. 26, 2023, the Citizens' Water/Wastewater Rate Advisory Committee recommended:

Wastewater rate increases of 6.5 percent effective October 2023, 6.5 percent effective March 2024, and 7 percent effective March 2025.

Public Outreach

In accordance with Arizona Revised Statute 9-511.01, the City Council will conduct a public hearing on June 28, 2023, to receive comments on the proposed increase in water rates. Additional information regarding public outreach efforts is detailed in the Council Report for the public hearing agenda item. Following the hearing, Council may act upon the proposed amendments to Sections 28-39 and 28-92 of the Phoenix City Code to adjust the rates for wastewater service.

Information detailing the proposed wastewater rate revenue increase is available to the public in the City Clerk Department of the City of Phoenix located at 200 W. Washington St., 15th Floor. Additional information can be found on the City of Phoenix website: phoenix.gov/public-notice-tax-and-free-changes.

Discussion

City Clerk Denise Archibald read the title of ordinance G-7129 related to Item 179.

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

Yes:	7 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Vice Mayor Ansari and Mayor Gallego
No:	2 -	Councilwoman O'Brien and Councilman Waring

180 Amend Phoenix City Code Section 37-65(B) to Authorize an

Increase in the Assessment of the Stormwater Excise Tax (Ordinance G-7127)

Request the City Council amend Section 37-65(B) of the Phoenix City Code to adjust the Stormwater Excise Tax (SET) to increase revenue for the Stormwater Management Program, effective Oct. 1, 2023.

Summary

The City of Phoenix operates a Municipal Separate Storm Sewer System (MS4) via a permit issued under the Federal Clean Water Act from the Arizona Department of Environmental Quality (ADEQ). Compliance with the City's MS4 permit requires a multi-departmental effort to manage citywide stormwater quality via the City's Stormwater Management Program (Program).

Generally, the MS4 permit authorizes discharges from the City's stormwater infrastructure into protected surface waters. The City's stormwater infrastructure includes catch basins, storm drains and outfalls that collect and convey stormwater from streets and other public and private surfaces to retention/detention basins and surface water channels throughout the City. ADEQ issued the City a new MS4 permit that became effective July 1, 2021. This new permit requires the expansion of some existing Program elements and the addition of new Program elements.

New and expanded elements of the Program include: a new stormwater postconstruction control program, a retrofit feasibility study, expanded public outreach requirements, expanded inspection requirements, and expanded reporting and mapping requirements. Non-compliance by the City with the MS4 permit would result in notices of violation and fines from ADEQ and the U.S. Environmental Protection Agency. Other cities across the country who have failed to comply with their stormwater permit are operating under a consent decree, a significantly more stringent and inflexible process.

The Program is funded by a stormwater excise tax (SET) that is assessed on city services bills in accordance with Phoenix City Code Section 37-65(B). The current SET is not sufficient to cover the costs of the new and expanded permit requirements. An increase in the SET is

needed to fund the new requirements and for the City to maintain compliance with the MS4 permit.

Staff evaluated multiple implementation methods for new Program requirements for compliance and the approach that adds minimal staff for private and public sector compliance requirements and keeps costs as low as practicable was selected. The proposed increase reflects that approach.

The SET was originally approved by City Council during Fiscal Year 1993-94 to defray costs associated with the City's MS4 permit (then issued by the U.S. Environmental Protection Agency). Collection of the SET began in October 1993 and was set up as a graduated rate based on account water meter size. Since SET implementation, there have only been two increases (1997 and 2010) to accommodate expanded requirements of the City's prior MS4 permits. The current SET is $0.70 per single family residential meter.

City staff are requesting an increase in the typical single-family residential water meter rate from $0.70 to $0.95 per month. In accordance with the SET structure, the proposed increase is scaled at a graduated rate by meter size using the equivalent dwelling unit methodology.

City staff researched stormwater fees from similar cities that operate under a MS4 permits. No precise equivalent for MS4 permit requirements and stormwater fee approach was found. Of the most similar cities (either in terms of permit requirements or stormwater fee approach), stormwater fees ranged from $3.75 per month to $18.06 per month, except for Tucson, which charges $0.13 per month specifically to fund green stormwater infrastructure projects. Of the cities investigated, the closest equivalents to Phoenix for activities using the fee are San Jose, Calif., San Antonio, Texas, and Oklahoma City, Okla. These cities have monthly residential stormwater fees ranging from $3.75 to $14.95 per month. City of Scottsdale, Ariz. has a flat stormwater fee of $6.10 for all customers.

The City of Phoenix monthly charges currently assessed to water users and the requested changes are shown below.

A. All single-family residential accounts
Current Monthly Charge: $0.70
New Monthly Charge: $0.95

B. All other water accounts based on water meter size as follows:

Meter Size	Current Monthly Charge	New Monthly Charge
5/8” or 3/4”	$0.70	$0.95
1”	$1.46	$1.99
1.5”	$3.50	$4.77
2”	$4.85	$6.61
3”	$12.80	$17.44
4”	$19.75	$26.91
6” and Larger	$30.00	$40.88

The new SET rate would provide funding for the new and expanded programs and practices required by the City's MS4 permit, supplying a total of approximately $2 million in additional revenue annually. A summary of the permit requirements and needed resources are included in the attached SET Report (**Attachment B**).

Concurrence/Previous Council Action
The City Council last approved an increase to the SET on April 6, 2010, (Ordinance G-5491) in connection with the prior MS4 permit requirements.

On Feb.15, 2023, the Transportation, Infrastructure and Planning Subcommittee heard information on the proposed SET increase, and on April 18, 2023, information on the proposed SET increase was heard at the City Council Policy Session.

Public Outreach
The Office of Environmental Programs, along with the Water Services, Planning and Development, and Street Transportation departments, conducted public outreach in conjunction with the Water Services Department's water and wastewater rates outreach efforts in the months of March through June 2023.

See **Attachment A** for detailed outreach information.

Discussion

City Clerk Denise Archibald read the title of ordinance G-7127 related to Item 180.

Mayor Gallego declared the public hearing open.

Merissa Hamilton reiterated that families in Phoenix were concerned on affordability and commended Councilwoman Hodge Washington on her comments related to the water and wastewater rate increase. She recommended a message service to notify residents of leaks to be able to respond and address conservation concerns.

Jeff Caldwell expressed concerns over the City covering the cost of the rate increase for the 1.5 million households in Phoenix.

Mayor Gallego asked Mr. Caldwell to explain what the Deep Dtate was and how it had infiltrated the Water Services Department, citing an email she received that requested the public to oppose the item alongside items related to the Arizona Public Service (APS).

Mr. Caldwell clarified that the email pertained to actions taken by APS to implement water meters expressing concerns on reduction of liberties of residents.

Mayor Gallego thanked Mr. Caldwell for his testimony and stated that smart meters would allow additional outreach like notification of leaks noting that advances technology would also be essential to COVID monitoring in the sewer system. Mayor Gallego declared the public hearing closed.

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

Yes:	7 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Vice Mayor Ansari and Mayor Gallego
No:	2 -	Councilwoman O'Brien and Councilman Waring

181 Authorize Expenditures and New Positions Funded by the Stormwater Excise Tax Increase for MS4 Permit Compliance (Ordinance S-49965)

Request to authorize the City Manager, or his designee, to add seven new positions to the multi-departmental Stormwater Management Program and to expend funds related to the City's new MS4 permit and associated Stormwater Excise Tax (SET) increase. No General Fund dollars are requested to support this request; funding will be provided by the proposed increase to the SET.

Summary

The City of Phoenix operates a Municipal Separate Storm Sewer System (MS4) via a permit issued under the federal Clean Water Act from the Arizona Department of Environmental Quality (ADEQ). Compliance with the City's MS4 permit requires a multi-departmental effort to manage citywide stormwater quality via the City's Stormwater Management Program (Program).

Generally, the MS4 permit authorizes discharges from the City's stormwater infrastructure into protected surface waters. The City's stormwater infrastructure includes catch basins, storm drains and outfalls that collect and convey stormwater from streets and other public and private surfaces to retention/detention basins and surface water channels throughout the City. ADEQ issued the City a new MS4 permit that became effective July 1, 2021. This new permit requires the expansion of some existing Program elements and the addition of new Program elements.

New and expanded elements of the Program include: a new stormwater post construction control program, a retrofit feasibility study, expanded public outreach requirements, expanded inspection requirements, and expanded reporting and mapping requirements. Non-compliance by the City with the MS4 permit would result in notices of violation and fines from ADEQ and the Environmental Protection Agency. Other cities across the country who have failed to comply with their stormwater permit are operating under a consent decree, a significantly more stringent and inflexible process.

This is the second part of a joint request to increase the stormwater excise tax (23-1540) and obtain approval to expend the funds for MS4 permit compliance activities and resources and add new staff positions to support compliance as funding permits.

Staff evaluated multiple implementation methods for new Program elements and ultimately selected the approach that adds minimal staff for compliance requirements. The proposed SET increase and number of new staff positions reflects that approach. The positions would be phased in over the course of three years to meet permit compliance needs.

See **Attachment A** for details on the new positions being requested and the attached Stormwater Excise Tax Increase Report (**Attachment B**) for more detail on other program elements to be funded by the SET increase.

Concurrence/Previous Council Action
The City Council last approved an increase to the SET on April 6, 2010, (Ordinance G-5491) in connection with the prior MS4 permit requirements.

On Feb. 15, 2023, the Transportation, Infrastructure and Planning Subcommittee heard information on the proposed SET increase and on April 18, 2023, information on the proposed SET increase was heard at the Council Policy Session. The proposed SET increase is in front of Council for decision at this June 28, 2023, Formal Council Meeting.

Financial Impact
The estimated cost for the new staff positions for the remainder of Fiscal Year 2023-24 is estimated to be $280,826 and full year costs for Fiscal Year 2024-25 are estimated to be $837,817. Average annual costs of the new and expanded activities covered by the SET increase is $1,960,547. No General Funds are requested to support these staffing and Stormwater Management Program requirements. The SET increase would provide the funding.

*Refer to Item 180 for discussion related to this item.

A motion was made by Vice Mayor Ansari, seconded by

Councilwoman Stark, that this item be adopted. The motion carried by the following vote:

Yes: 7 - Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Vice Mayor Ansari and Mayor Gallego

No: 2 - Councilwoman O'Brien and Councilman Waring

194 **Public Hearing - Amend City Code and Ordinance Adoption - Rezoning Application Z-SP-12-22-8 - Approximately 260 Feet North of the Northeast Corner of 24th Street and University Drive (Ordinance G-7132)**

Request to hold a public hearing on the request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-12-22-8 and rezone the site from A-2 RSIOD (Industrial District, Rio Salado Interim Overlay District) to A-2 SP RSIOD (Industrial District, Special Permit, Rio Salado Interim Overlay District) to allow a homeless shelter.

Summary

Current Zoning: A-2 RSIOD
Proposed Zoning: A-2 SP RSIOD
Acreage: 3.77 acres
Proposal: Homeless shelter

Owner: South 24th, LLC
Applicant: Dan Hines, Community Bridges, Inc.
Representative: Wendy Riddell, Berry Riddell, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Central City Village Planning Committee was scheduled to hear this case on May 8, 2023, for recommendation; however, there was no quorum.
PC Action: The Planning Commission heard this case on June 1, 2023, and recommended approval, per the staff recommendation, by an 8-0 vote.
The Planning Commission recommendation was appealed on June 8, 2023.

Location

Approximately 260 feet north of the northeast corner of 24th Street and University Drive
Council District: 8
Parcel Address: 2425 S. 24th St.

Discussion

Mayor Gallego stated that there was no staff report needed for the item. Mayor Gallego declared the public hearing open.

Noting that there were no members of the public present to speak Mayor Gallego declared the public hearing closed.

During her vote Councilwoman Hodge Washington highlighted the outcome of the item, emphasizing the significant impact of community engagement, especially in the formulation of the Good Neighbor Agreement.

The hearing was held. A motion was made by Councilwoman Hodge Washington, seconded by Councilwoman Stark, that this item be adopted per the Planning Commission recommendation with adoption of related Ordinance. The motion carried by the following vote:

Yes:	9 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	

195 Public Hearing - Amend City Code - Ordinance Adoption - Offsite Manufactured Home Developments - Z-TA-2-23-Y (Ordinance G-7133)

Request to hold a public hearing on a proposed text amendment Z-TA-2-23-Y and to request City Council approval per the Planning Commission recommendation which amends Chapter 2 (Rules of Construction and Definitions) and Chapter 6 (Zoning Districts) of the Phoenix Zoning Ordinance regarding offsite manufactured home developments.

Summary

Application: Z-TA-2-23-Y

Proposal: Amend Chapter 2, Section 202 (Definitions) to add definitions for offsite manufactured home, offsite manufactured home developments, and revise modular home and park model, amend Chapter 6, Section 608.F (Residence Districts) to add offsite manufactured home developments subject to a use permit and Section 647.A.2.k (Special Permit Uses) to delete mobile home developments.

Applicant: City of Phoenix, Planning Commission
Representative: City of Phoenix, Planning and Development

Staff Recommendation: Approval of Z-TA-2-23-Y as shown in Exhibit A of the staff report (**Attachment B**).
VPC Action: The request was heard by nine Village Planning Committees (VPCs). Eight VPCs recommended approval, per the staff recommendation; one VPC recommended approval, per the staff recommendation, with a modification that the Special Permit requirement remain; and six VPCs did not have quorum, as reflected in **Attachments C and D**.
PC Action: The Planning Commission heard this case on June 1, 2023, and recommended approval, per the staff recommendation, by a vote of 8-0.

Discussion

Mayor Gallego stated that Items 195 and 196 were related and would have one public hearing but two separate votes.

Mayor Gallego declared the public hearing for Items 195 and 196 open.

Noting that there were no members of the public present to testify, Mayor Gallego declared the public hearings for Items 195 and 196 closed.

The hearing was held. A motion was made by Vice Mayor Ansari, seconded by Councilwoman Stark, that this item be adopted per the Planning Commission recommendation with adoption of related Ordinance. The motion carried by the following vote:

Yes: 9 - Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego

No: 0

196 **Public Hearing - Amend City Code - Ordinance Adoption - Expansion of Nonconforming Mobile Home Developments - Z-TA-3-23-Y (Ordinance G-7134)**

Request to hold a public hearing on a proposed text amendment Z-TA-3-23-Y and to request City Council approval per the Planning Commission recommendation which amends Chapter 9 (Nonconformities) of the Phoenix Zoning Ordinance regarding expansion of nonconforming mobile home developments.

Summary

Application: Z-TA-3-23-Y
Proposal: Amend Chapter 9, Section 902 (Expansion of Nonconforming Use) of the Phoenix Zoning Ordinance to allow existing mobile home developments to increase the number of units by 50 percent with administrative review and approval by the Zoning Administrator.

Applicant: City of Phoenix, Planning Commission
Representative: City of Phoenix, Planning and Development

Staff Recommendation: Approval of Z-TA-3-23-Y as shown in Exhibit A of the staff report (**Attachment B**).
VPC Action: Eight Village Planning Committees (VPCs) considered the request. Four VPCs recommended approval, per the staff recommendation; one VPC recommended approval, per the staff recommendation, with direction to require site improvements for improved safety such as lighting, signage, walls and landscaping; one VPC recommended approval, per the staff recommendation with a modification to add a use permit requirement; one VPC recommended approval, per the staff recommendation with a modification to add a notification requirement for administrative review and to strengthen the provisions related to the review; two VPCs recommended denial; and six VPCs did not have a quorum, as reflected in **Attachments C and D**.
PC Action: The Planning Commission heard this case on June 1, 2023, and recommended approval, per the staff recommendation, by a vote of 7-1.

*Refer to Item 195 for discussion related to this item.

The hearing was held. A motion was made by Vice Mayor Ansari, seconded by Councilwoman Stark, that this item be adopted per the Planning Commission recommendation with adoption of related Ordinance. The motion carried by the following vote:

Yes:	9 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

000 CITIZEN COMMENTS

City Attorney Julie Kreigh 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. She 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.

Beatrice Johnson spoke on concerns of victim rights violations and stated that she would be submitting the alleged documented violations to the City Prosecutor's Office, City Attorney's Office and the City Council. She detailed the review of her family member's case mentioning concerns with case handling and lack of information provided by the City Prosecutor's Office.

Sheri Dale spoke on concerns for victim right violations and the handling of cases by the City Prosecutor's Office.

Dave Peterson spoke on concerns with the Desert Sky Mall and the surrounding Circle K's in relation to challenges with unhoused individuals and surrounding businesses. He asked that Council provide directives to support businesses in addressing the concerns surrounding homelessness.

Merissa Hamilton spoke on concerns for procurement emphasizing the need to ensure that child labor or forced or indentured involuntarily labor is utilized by City programs.

Elsa Gebreyohanes called for the City of Phoenix to re-open a criminal case and conduct additional investigation.

Stacey Champion spoke on concerns of the safety of streets for pedestrians and cyclists. She spoke on concerns with lack of monthly meetings with the community noting that recommendations provided by the Community Advisory Committee does not always make it to Council. Ms. Champion also spoke on concerns of unsheltered fatality rates as a result of unsafe streets.

Michael Norton spoke on concerns with the lack of action on the Rogers Ranch lot that was intended to be a park asking Council to activate the Rogers Ranch Park.

Organizer at Black Lives Matter Phoenix Metro, Mimi Araya spoke on criminal case involving Phoenix Police Officers expressing concern for the officers involved continued employment urging the City Council to investigate the case.

Refilwe Gqajela, an organizer with Anti-Police Terror Project addressed the Council asking the Council to call for the justice for individuals who experience victim rights violations.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 7:09 p.m.

MAYOR

ATTEST:

CITY CLERK

SLR

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 28th day of June, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 16th day of October, 2024.

CITY CLERK