City of Phoenix

Minutes

City Council Formal Meeting

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

186366

Monday, July 3, 2023 **10:00 AM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Monday, July 3, 2023 at 10:03 a.m. in the Council Chambers.

Present: 8 - Councilwoman Betty Guardado, Councilwoman Kesha Hodge Washington, Councilwoman Ann O'Brien, Councilwoman Laura Pastor, Councilman Kevin Robinson, Councilwoman Debra Stark, Vice Mayor Yassamin Ansari and Mayor Kate Gallego

Absent: 1 - Councilman Jim Waring

Councilwomen Guardado, Hodge Washington, O'Brien and Stark participated in the meeting virtually.

Mayor Gallego requested a moment of silence in lieu of an invocation.

The Pledge of Allegiance to the Flag was led by Councilman Kevin Robinson.

Mayor Gallego acknowledged the Mandela Fellows who were in attendance and requested Councilman Robinson welcome them.

Councilman Robinson recognized an individual and welcomed the Fellows, noting it was the Mandela Washington Fellows which was a United States Department of State program that began in 2014. He pointed out 25 Fellows from 18 African countries, who were young emerging leaders, were visiting the valley to learn how U.S. government worked. He added the Fellows would be meeting with city staff and thanked the group for joining today's meeting.

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

The City Clerk confirmed copies of the titles of Ordinances G-7135 through G-7141, S-50031 through S-50070, and Resolutions 22138 through 22142 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

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

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.

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

Ahwatukee Foothills Village Planning Committee

Appoint Clifford Mager, filling a vacancy, for a term to expire Nov. 19, 2023, as recommended by Councilman Robinson.

Alhambra Village Planning Committee

Appoint Jesus Mulgado, filling a vacancy, for a term to expire Nov. 19, 2024, as recommended by Councilwoman Guardado.

Central City Village Planning Committee

Appoint Faith Burton, replacing Wayne Rainey, for a partial term to expire Nov. 19, 2023, as recommended by Vice Mayor Ansari.

Citizens Transportation Commission

Appoint Elizabeth Perez-Pawloski, replacing Gail Knight as the Education representative, for a term to expire June 30, 2026, as recommended by

Mayor Gallego.
Appoint David Steinmetz, replacing Phil Pangrazio as the Disability Community representative, for a term to expire June 30, 2026, as recommended by Mayor Gallego.

Deer Valley Village Planning Committee
Appoint Braden Biggs, filling a vacancy, for a term to expire Nov. 19, 2023, as recommended by Councilwoman O'Brien.

Design Review Committee
Appoint Ryan Boyd, replacing Nico Howard as the Planning Commission representative, for a term to expire July 3, 2025, as recommended by the Planning Commission.

Human Services Commission
Reappoint Laura Bulluck, for a second term to expire June 30, 2025, as recommended by Mayor Gallego.
Reappoint Tamala McBath, for a second term to expire June 30, 2025, as recommended by Mayor Gallego.

Library Advisory Board
Appoint Dianne Post, filling a vacancy, for a term to expire July 3, 2026, as recommended by Mayor Gallego.

North Mountain Village Planning Committee
Appoint Shane Gore, filling a vacancy, for a partial term to expire Nov. 19, 2023, as recommended by Councilwoman Stark.

Phoenix Business and Workforce Development Board
Reappoint Daniel Barajas, for a second term to expire June 30, 2026, as recommended by Mayor Gallego.
Reappoint Steven Cramer, for a second term to expire June 30, 2026, as recommended by Mayor Gallego.

Mayor Gallego emphasized Boards and Commissions members helped craft important decisions made at the city and thanked those present to be sworn in for their service.

A motion was made by Vice Mayor Ansari, seconded by

Councilwoman Pastor, that this item be approved as revised. The motion carried by the following voice vote:

Yes: 8 - Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Vice Mayor Ansari and Mayor Gallego

No: 0

Absent: 1 - Councilman Waring

Mayor Gallego administered the oath of office to the following appointees:

Faith Burton - Central City Village Planning Committee;
Elizabeth Perez-Pawloski - Citizens Transportation Commission;
Dianne Post - Library Advisory Board; and
Steven Cramer - Phoenix Business and 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 Pastor, that Items 2-30 be recommended for approval; noting that Items 21-28 and 30 were originally no recommendations and have since been revised, and Item 29 was originally recommended for disapproval due to a Finance Department recommendation of disapproval and has since been revised. The motion carried by the following voice vote:

Yes: 8 - Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Vice Mayor Ansari and Mayor Gallego

No: 0

Absent: 1 - Councilman Waring

2 Liquor License - Salt Tacos Y Tequila

Request for a liquor license. Arizona State License Application 245822.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
2450 W. Happy Valley Road, Ste. 1143
Zoning Classification: C-2 M-R PCD
Council District: 1

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

The 60-day limit for processing this application is July 17, 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:
"We have held several liquor licenses in Arizona and proven to be very responsible operators. We are aware of the responsibility as an owner/operator towards the safety and well being of our customers. All of our staff will go through basic title 4 training."

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

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

Attachments
Liquor License Data - Salt Tacos Y Tequila
Liquor License Map - Salt Tacos Y Tequila

This item was recommended for approval.

3 Liquor License - Stop N Shop Mart

Request for a liquor license. Arizona State License Application 246816.

Summary

Applicant
Jalal Jabaieh, Agent

License Type

Series 10 - Beer and Wine Store

Location
3441 W. Cactus Road
Zoning Classification: C-1
Council District: 1

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 24, 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.

Quick Corner Liquor & Drive Through (Series 9)
1555 E. Baseline Road, Phoenix
Calls for police service: 2
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 hold a certificate for "The Basic Liquor Law Training" This training provided me the opportunity of learning the importance and significance of obtaining a beer and wine license. I am assured to uphold the laws and regulations about beer and wine license. I have never been involved in any criminal activity, no record of getting in trouble with law and authorities. I own liquor store in Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This store will provide a safe and secure place for the neighborhood to buy beer and wine. The location will be convenient for the people in the neighborhood who may not have access to transportation. Adding the long time experience of the owning and running a store while upholding all the laws and regulations, the store will be safe, secure and convenience place for the customers to purchase quality beer and wine."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Stop N Shop Mart
Liquor License Map - Stop N Shop Mart

This item was recommended for approval.

4 Liquor License - The Belair

Request for a liquor license. Arizona State License Application 247180.

Summary

Applicant
Keith Turner, Agent

License Type
Series 12 - Restaurant

Location
2827 E. Bell Road
Zoning Classification: C-2
Council District: 2

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

The 60-day limit for processing this application is July 29, 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:
"Our prior experience and training, in addition to successfully completing Basic and Management Title 4 Liquor training. We have hired former DLLC Detective Keith Turner to assist in our application process and will be working with him for continued succdess."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"There was a previous business in this location which was of the same license type and business model. Our new business will be operated professionally and by the owners, therefor being able to better facilitate the highest quality of service and enforcement of the city and state laws and rules. This will be a full service restaurant."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - The Belair
Liquor License Map - The Belair

This item was recommended for approval.

5 Liquor License - Black Mountain Tavern

Request for a liquor license. Arizona State License Application 246763.

Summary

Applicant
Jared Repinski, Agent

License Type
Series 12 - Restaurant

Location
30855 N. Cave Creek Road, Ste. 138
Zoning Classification: C-2 PCD
Council District: 2

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

The 60-day limit for processing this application is July 23, 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 representing liquor licensed establishments in Arizona for over 15 years.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“Tourism plays an important role in our local economy and liquor licensed establishments (the sale of alcohol) is a very important aspect of tourism. Therefore, if the City of Phoenix continues to lead the State of Arizona by approving quality and diverse businesses (restaurants, bars, microbreweries, distilleries, hotels, resorts, golf courses, special events, convenience / liquor / grocery stores and gas stations) similar to this proposed liquor licensed business, all businesses will prosper.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Black Mountain Tavern
Liquor License Map - Black Mountain Tavern

This item was recommended for approval.

6 Liquor License - Special Event - St. Francis Xavier Roman Catholic Parish Phoenix

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

Summary

Applicant
Anne Pierce

Location
4715 N. Central Ave.
Council District: 4

Function
School Fall Festival

Date(s) - Time(s) / Expected Attendance
Oct. 21, 2023 - 9 a.m. to 3 p.m / 700 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

7 Liquor License - Special Event - St. Francis Xavier Roman Catholic Parish Phoenix

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

Summary

Applicant
Anne Pierce

Location
4715 N. Central Ave.
Council District: 4

Function
School Dinner

Date(s) - Time(s) / Expected Attendance
Feb. 24, 2024 - 6 p.m. to 11 p.m. / 400 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

8 Liquor License - Special Event - Teamsters Local 104

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

Summary

Applicant
Dawn Schumann

Location
1202 W. Encanto Blvd.
Council District: 4

Function
Union Member Picnic

Date(s) - Time(s) / Expected Attendance
Nov. 4, 2023 - 11 a.m. to 5 p.m. / 2,500 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

9 Liquor License - EZ Groceries LLC

Request for a liquor license. Arizona State License Application 10076494.

Summary

Applicant
Meyerlin Herrera, Agent

License Type
Series 10 - Beer and Wine Store

Location
3440 W. Thomas Road, Ste. 2
Zoning Classification: C-2
Council District: 4

This request is for an acquisition of control of an existing liquor license for a convenience store that does not sell gas. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is July 22, 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:
"My 10 years of experience running EZ Groceries, LLC have providing me with the necessary capabilities, reliability and qualifications to hold a liquor license. I possess strong business management skills, a thorought understanding of regulations, a commitment to responsible alclohol service, a focus on customer satisfaction, financial stability, and proven track record of reliability and work ethic. I am confident in my ability to manage and operate a licensed establishment effectively and responsibly."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

10 Liquor License - El Rey de Los Ostiones

Request for a liquor license. Arizona State License Application 010070001320.

Summary

Applicant
Genesis Hernandez, Agent

License Type
Series 10 - Beer and Wine Store

Location
4141 N. 35th Ave., Ste. 1
Zoning Classification: C-2
Council District: 4

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

The 60-day limit for processing this application is July 10, 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 licenses 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 currently hold a liquor license series 10 at our seafood market and have not had any problems or issues. I always make sure all renewals are submitted on time and are always current.”

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.

This item was recommended for approval.

11 Liquor License - El Rey de Los Ostiones

Request for a liquor license. Arizona State License Application 245783.

Summary

Applicant
Genesis Hernandez, Agent

License Type
Series 12 - Restaurant

Location
4141 N. 35th Ave., Ste. 2 and 3
Zoning Classification: C-2
Council District: 4

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

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

El Rey de Los Ostiones (Series 10)
4141 N. 35th Ave., Ste. 1, 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:
"I currently hold a liquor license series 10 at our seafood market and have not had any problems or issues. I always make sure all renewals are submitted on time and are always current."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The community will be better served by the issuance of a liquor license as there will a location where our community can ensure our staff will be safe, responsible and effective."

Staff Recommendation
Staff recommends approval of this application.

Attachments

Liquor License Data - El Rey de Los Ostiones
Liquor License Map - El Rey de Los Ostiones

This item was recommended for approval.

12 Liquor License - Copper & Sage Camelback

Request for a liquor license. Arizona State License Application 246081.

Summary

Applicant
Joseph Lucidi, Agent

License Type
Series 12 - Restaurant

Location
322 E. Camelback Road
Zoning Classification: C-2 WSNSPD
Council District: 4

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor dining and outdoor alcohol consumption. This business has plans to open in October 2023.

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
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:
"I have owned and operated 10 restaurants in the Valley. We currently hold 6 maricopa county liquor licenses. We have no violations, and no incedients at any of our locations."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We LOVE being part of every community we are in. We look forward to adding a great local restaurant where all can come and enjoy. We give back by sponsoring local community events, and do our best to serve the community with a top notch restaurant!"

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 - Copper & Sage Camelback
Liquor License Map - Copper & Sage Camelback

This item was recommended for approval.

13 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 22, 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.

14 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 29, 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.

15 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
Aug. 5, 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.

16 Liquor License - Grab N Go 808

Request for a liquor license. Arizona State License Application 246809.

Summary

Applicant
Vaneet Sapra, Agent

License Type
Series 10 - Beer and Wine Store

Location
5835 N. 27th Ave.

Zoning Classification: C-2
Council District: 5

This request is for a new liquor license for a convenience store that sells 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 25, 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:
"I am a very good operator. I already own (11) gas stations / convenience stores in Arizona. I own and have been operating locations for the past

25 years. I have training and procedures in place with myself and staff for proper use of this license."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "We provide convenience for the consumer with training and operating procedures in place, by our employees. All of our employees are trained to follow the required liquor license polices and procedures."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Grab N Go 808
Liquor License Map - Grab N Go 808

This item was recommended for approval.

17 Liquor License - Taqueria Obregon

Request for a liquor license. Arizona State License Application 246815.

Summary

Applicant
Roberto Ramos, Agent

License Type
Series 12 - Restaurant

Location
3544 W. Glendale Ave., Ste. 1
Zoning Classification: C-2
Council District: 5

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 22, 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 a responsible retailer - Will follow all of the policy procedures for alcohol transactions - Staff training and development. - Will be good to

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: "- Do whats correct for community, and, follow state and city law. - Be a good patron by following standards alcohol secure."

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 Liquor License - Tres Amigos

Request for a liquor license. Arizona State License Application 246600.

Summary

Applicant
Isa Awad, Agent

License Type
Series 10 - Beer and Wine Store

Location
8205 W. Indian School Road
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. This location requires a Use Permit to allow package liquor sales.

The 60-day limit for processing this application is July 22, 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 assured to uphold the laws and regulations about beer and wine license. I have never been involved in any criminal activity, no record of getting in trouble with law and authorities."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This store will provide a safe and secure place for the neighborhood to buy alcohol. The location will be convenient for the people in neighborhood who may not have access to transportation. Adding the long time experience of the working in convenience store while upholding all the laws and regulations, the store will be a safe, secure and

convenience place for the customers to purchase quality beer and wine."

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 - Tres Amigos
Liquor License Map - Tres Amigos

This item was recommended for approval.

19 Liquor License - Special Event - Madison Camelview Parent Teacher Organization Inc. (PTO)

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

Summary

Applicant
Julie Dougherty

Location
5601 N. 16th St.
Council District: 6

Function
Arizona Music Hall of Fame Awards Ceremony

Date(s) - Time(s) / Expected Attendance
July 16, 2023 - 3 p.m. to 8 p.m. / 904 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

20 Liquor License - Modern Market

Request for a liquor license. Arizona State License Application 1207A931.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
4901 E. Ray Road, Ste. 100
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application is July 21, 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
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.

Modern Market (Series 12)
4821 N. Scottsdale Road, Ste. 109, Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Modern Market Farm Fresh Eateries (Series 12)
16203 N. Scottsdale Road, Bldg. 8, Ste. 100, Scottsdale
Calls for police service: N/A - not in Phoenix

Liquor license violations: None

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

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

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

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

21 Liquor License - Smart & Final #720

Request for a liquor license. Arizona State License Application 09073007.

Summary

Applicant
Joseph Cipollini, Agent

License Type
Series 9 - Liquor Store

Location
3434 W. Greenway Road
Zoning Classification: C-1
Council District: 1

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

The 60-day limit for processing this application is Aug. 5, 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 information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

Public Opinion
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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 a 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."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the posting process.

This item was recommended for approval as revised.

22 Liquor License - WWOZ Phoenix Pinnacle Peak LLC

Request for a liquor license. Arizona State License Application 239082.

Summary

Applicant
Amy Nations, Agent

License Type
Series 10 - Beer and Wine Store

Location
1905 W. Pinnacle Peak Road
Zoning Classification: C-2 HGT/WVR DVAO
Council District: 1

This request is for a new liquor license for a beer and wine store for a hotel. 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 Aug. 5, 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
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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 officer of various entities that hold alcohol license across the United States."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The alcohol license is for a corporate lodging building, which will allow for individuals to stay in rooms for various time amounts, depending on work, school, or other life events."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the posting process.

Attachments
Liquor License Data - WWOZ Phoenix Pinnacle Peak LLC
Liquor License Map - WWOZ Phoenix Pinnacle Peak LLC

This item was recommended for approval as revised.

23 Liquor License - Smart & Final #721

Request for a liquor license. Arizona State License Application 09073008.

Summary

Applicant
Joseph Cipollini, Agent

License Type
Series 9 - Liquor Store

Location

13823 N. Tatum Blvd.
Zoning Classification: C-1
Council District: 2

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

The 60-day limit for processing this application is Aug. 5, 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 information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

Public Opinion
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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 a 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."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the posting process.

This item was recommended for approval as revised.

24 Liquor License - Moon Valley Country Club

Request for a liquor license. Arizona State License Application 06070082.

Summary

Applicant
Ryan Anderson, Agent

License Type
Series 6 - Bar

Location
151 W. Moon Valley Drive
Zoning Classification: R1-10, R1-10 SP
Council District: 3

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

The 60-day limit for processing this application is Aug. 5, 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
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.

Mulligans at Western Skies Golf Club (Series 12)
1245 E. Warner Road, Gilbert
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Western Skies Golf Club (Series 7)
1245 E. Warner Road, Gilbert
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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:
"This is an acquisition of control of an existing successful and licensed F and B business. The same responsible and trained staff will continue to support and work at this business. It will continue to maintain the highest standard of service and follow Title 4 liquor laws, and will continue to be a good neighbor in the community."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the posting process.

This item was recommended for approval as revised.

25 Liquor License - Smart & Final #499

Request for a liquor license. Arizona State License Application 09073009.

Summary

Applicant
Joseph Cipollini, Agent

License Type

Series 9 - Liquor Store

Location
1450 N. 43rd Ave.
Zoning Classification: C-2
Council District: 4

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

The 60-day limit for processing this application is Aug. 5, 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 information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

Public Opinion
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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 a 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.”

Staff Recommendation
Staff makes no recommendation regarding this application pending the

completion of the posting process.

This item was recommended for approval as revised.

26 Liquor License - Smart & Final #491

Request for a liquor license. Arizona State License Application 10075715.

Summary

Applicant
Joseph Cipollini, Agent

License Type
Series 10 - Beer and Wine Store

Location
2742 E. Indian School Road
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application is Aug. 5, 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 information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

Public Opinion
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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 a 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.”

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the posting process.

This item was recommended for approval as revised.

27 Liquor License - Moxy Phoenix Downtown

Request for a liquor license. Arizona State License Application 244699.

Summary

Applicant
Eren Bicakci, Agent

License Type
Series 11 - Hotel/Motel

Location
116 S. Central Ave.
Zoning Classification: DTC-Business Core HP
Council District: 7

This request is for a new liquor license for a hotel. 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 September 2023.

The 60-day limit for processing this application is July 29, 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
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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 managed multiple hotels without any violations or issues last 15 years. My team and I are going to abide all the rules and regulations of the Arizona Liquor Department and act responsibly on day to day operations."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"As a part of Marriott International we strive for excellence for our valuable guest. Their needs are our top priority. We would like to have the opportunity to make sure to serve our guest and meet all their expectations without having the need of leaving the hotel and provide

them smooth, convenient experience while they are visiting Greater Phoenix Area."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the posting process.

Attachments
Liquor License Data - Moxy Phoenix Downtown
Liquor License Map - Moxy Phoenix Downtown

This item was recommended for approval as revised.

28 Liquor License - The Croft Downtown by Wedgewood Weddings

Request for a liquor license. Arizona State License Application 006070007028.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 6 - Bar

Location
22 E. Buchanan St.
Zoning Classification: DTC-Warehouse
Council District: 8

This request is for a location transfer of a liquor license for a bar. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor liquor service.

The 60-day limit for processing this application is Aug. 6, 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
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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:
"Located in the heart of downtown Phoenix, Applicant would like to provide customized food and beverage service for weddings and events in an industrial, chic and sophisticated atmosphere. Applicant would like to offer alcoholic beverages to guests 21 and over as an incident to the meals served."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the posting process. Staff also notes 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 - The Croft Downtown by Wedgewood Weddings
Liquor License Map - The Croft Downtown by Wedgewood Weddings

This item was recommended for approval as revised.

29 Liquor License - La Laguna Mariscos y Mexican Food

Request for a liquor license. Arizona State License Application 246407.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
4130 N. 27th Ave.
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.

The 60-day limit for processing this application is July 18, 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 train all of our employees in responsible liquor service and conduct regular audits to ensure they comply. All employees will go through basic title 4 training with Arizona Liquor Industry Consultants."

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

Staff Recommendation
Staff recommends disapproval of this application based on a Finance Department recommendation for disapproval. The applicant has not demonstrated the capability, qualifications and reliability to hold and control a liquor license. Staff also notes that the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments
Liquor License Data - La Laguna Mariscos y Mexican Food
Liquor License Map - La Laguna Mariscos y Mexican Food

This item was recommended for approval as revised.

30 Off-Track Pari-Mutuel Wagering Permit - American Legion #1

Request for an Off-track Pari-mutuel Wagering Permit for a business that has a Series 14 liquor license.

Summary
State law requires City Council approval before a State Off-track Pari-mutuel Wagering Permit can be issued.

Applicant
David Johnson, Agent for Turf Paradise

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

Public Opinion
Public notice was posted at the proposed location and special notice letters were mailed to residents within a 1/8 mile radius of the proposed location. At the time this agenda was finalized, no protest or support letters has been received, however the 20-day public comment period has not yet concluded.

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the departmental reviews and the posting process.

This item was recommended for approval as revised.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

A motion was made by Vice Mayor Ansari, seconded by Councilwoman Pastor, that Items 31-97 be approved or adopted, except Items 45-46, 58-59,

67-68, 77-78, 80 and 93-97. 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:	0	
Absent:	1 -	Councilman Waring

Items 31-44, Ordinance S-50031 was a request to authorize the City Controller to disburse funds, up to amounts indicated, for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

31 Avolve Software Corporation

For $41,330 in payment authority to purchase annual software maintenance and support service for the Planning and Development Department. An electronic review process software known as ProjectDox will assist Planning and Development staff with work flow capability. ProjectDox Electronic Plan Review Work Flows and eForms are defined by Avolve as “Best-in-Class,” or otherwise designated by Avolve as “standard derivatives” of Best-in-Class work flows and eForms. A standard derivative work flow and/or eForm is considered that which can be reasonably implemented by way of features and functions included in the software and for which additional custom software code development is not required. A large portion of staff in the Planning and Development Department are responsible for the intake, tracking and review process of construction plans. After hard copy plans are submitted, they go through a routing process for review. ProjectDox reduces processing times and is integrated with staff's existing KIVA system. The cost supplied by Avolve Software Corporation for the annual agreement is currently below market value. This purchase will cover the required service through April 2024. Funding is available through the Planning and Development Department budget for Fiscal Year 2023-24.

This item was adopted.

32 Runbeck Election Services Inc.

For $60,0000 in payment authority to purchase outside mailing services for the City Clerk Department. The City Clerk Department will have an election this fall that will be conducted by Maricopa County. Approximately 900,000 notification postcards will need to be processed and mailed to each eligible voter in Phoenix. The City mail-room does not have the equipment nor the USPS software needed to process bulk quantities and special mailings. Funds will be covered through the City Clerk's operational budget Fiscal Year 2023-24.

This item was adopted.

33 Mwewa, David Chushi, dba Southlands Engineering LLC; Construction Supply Holdings LLC, dba White Cap LP; and Western Pneumatic Tools, dba Construction Tool Supply

For $95,000 in payment authority for new contracts, to be entered into on or about June 15, 2023, for a term of five years for concrete walk-behind saw replacement parts and accessories for the Street Transportation Department. The Street Maintenance Division utilizes concrete parts and accessories for walk-behind saws to cut and remove damaged sections of asphalt or concrete Citywide, for the purpose of maintaining the City’s roadways and other assets within the right-of-way. Each contract will have approximately $31,666 in payment authority and capacity.

This item was adopted.

34 Arizona Blue Stake doing business as Arizona 811

For $125,000 in payment authority to continue mandatory pre-excavation notification services for underground utility locating services in Fiscal Year 2023-24 for the Water Services Department (WSD). The contractor works with professional excavators and homeowners throughout Arizona to notify WSD Utility Locating staff of excavations near WSD underground utilities. WSD staff responds to notices by locating infrastructure and marking the street to prevent possible damage to the underground infrastructure. Marking utility lines is critical to preventing fines, serious injuries, costly damages, and service interruptions to utilities. Per state law, Arizona Revised Statutes 40-360.21-32, participation in this program is a legal requirement for all underground facility owners-operations with the right to bury underground facilities in the right-of-way. References Intergovernmental Agreement 144146-0.

This item was adopted.

35 American Water Works Association - Annual Payment Authority

For $25,000 in payment authority for membership renewal for the Water Services Department. The American Water Works Association develops most of the standards and specifications used in the drinking water industry. The membership will allow access to industry standards, as well as current water industry research reports, professional training opportunities, public outreach efforts, access to a network of industry leaders and ongoing updates regarding regulatory issues. The item was recommended for approval by the Transportation, Infrastructure and Planning Subcommittee on April 19, 2023.

This item was adopted.

36 Arizona Municipal Water Users Association - Annual Payment Authority

For $456,000 in payment authority for membership renewal to the Arizona Municipal Water Users Association for the Water Services Department. Participation in the Arizona Municipal Water Users Association provides Water Services staff access to a variety of research and information addressing drinking water, wastewater, water reclamation, watershed quality and storm water issues. The item was recommended for approval by the Transportation, Infrastructure and Planning Subcommittee on April 19, 2023.

This item was adopted.

37 Association of Metropolitan Water Agencies - Annual Payment Authority

For $23,500 in payment authority for the Fiscal Year 2023-24 membership renewal to the Association of Metropolitan Water Agencies for the Water Services Department. The Association of Metropolitan Water Agencies conducts financial surveys across the major utilities in the country, which allows Water Services to benchmark its performance on various issues. The Association also advocates at the federal level for the use of science-based drinking water quality standards. The item was recommended for approval by the Transportation, Infrastructure and Planning Subcommittee on April 19, 2023.

This item was adopted.

38 **National Association of Clean Water Agencies - Annual Payment Authority**

For $64,500 in payment authority for membership renewal for the Water Services Department. The National Association of Clean Water Agencies conducts a financial survey of the wastewater industry that Water Services staff uses to benchmark its operations, provides information used to formulate policy recommendations on Clean Water Act issues, and offers opportunities to collaborate with colleagues around the country to help shape national policy. The item was recommended for approval by the Transportation, Infrastructure and Planning Subcommittee on April 19, 2023.

This item was adopted.

39 **Water Research Foundation - Annual Payment Authority**

For $274,000 in payment authority for membership renewal for the Water Services Department to the Water Research Foundation. The Foundation sponsors research to assist water utilities in providing safe and affordable drinking water. A membership with the organization allows Water Services staff access to the latest research and technical information used to address drinking water, wastewater and water reclamation issues. The item was recommended for approval by the Transportation, Infrastructure and Planning Subcommittee on April 19, 2023.

This item was adopted.

40 **WateReuse Association - Annual Payment Authority**

For $15,200 in payment authority for membership renewal to the WateReuse Association for the Water Services Department. Participation in the WateReuse Association provides Water Services staff access to a variety of research and information addressing drinking water, wastewater, water reclamation, watershed quality and storm water issues. The item was recommended for approval by the Transportation, Infrastructure and Planning Subcommittee on April 19, 2023.

This item was adopted.

41 **Western Urban Water Coalition - Annual Payment Authority**

For $40,000 in payment authority for Fiscal Year 2023-24 membership renewal for the Water Services Department. The Western Urban Water

Coalition is an organization of the western United States' largest urban water utilities. The membership helps secure sound national water policies, programs and regulations impacting the unique challenges facing urban water supplies in the West. The item was recommended for approval by the Transportation, Infrastructure and Planning Subcommittee on April 19, 2023.

This item was adopted.

42 Settlement of Claim(s) Cocreham v. City of Phoenix

To make payment of up to $1,000,000 in settlement of claim(s) in *Cocreham v. City of Phoenix,* CV2021-012234, 20-0936-001, GL, BI, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim involving the Police Department that occurred on Oct. 20, 2020.

This item was adopted.

43 Settlement of Claim(s) Yudell & Hum v. City of Phoenix

To make payment of up to $750,000 in settlement of claim(s) in *Yudell & Hum v. City of Phoenix*, 21-1079-001, GL, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim involving the Water Services Department that occurred on June 1, 2022.

This item was adopted.

44 Settlement of Claim(s) Hernandez v. City of Phoenix

To make payment of up to $50,000 in settlement of claim(s) in *Hernandez v. City of Phoenix,* 2:19-cv-05365-MTL, 19-0344-001, GL, BI, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim involving the Police Department that occurred on Oct. 10, 2019.

This item was adopted.

47 Proposed DVhawk Annexation (Ordinance S-50068)

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 DVhawk 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 Clark Diepholz, 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 area proposed to be annexed.

Location

The proposed annexation area includes Maricopa County Assessor parcel 210-07-025A, located at 17th Avenue and Alameda Road (**Attachment A**). The annexation area is approximately 2.40 acres (0.0037 sq. mi.) and the population estimate is zero individuals.

Council District: 1

This item was adopted.

48 Proposed Newcomb Annexation (Ordinance S-50069)

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 Newcomb 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 Clark Diepholz, 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 area proposed to be annexed.

Location
The proposed annexation area includes Maricopa County Assessor parcel 210-07-006A and 210-07-032A located at 19th Avenue and Alameda Road (**Attachment A**). The annexation area is approximately 4.68 acres (0.0073 sq. mi.) and the population estimate is zero individuals.

Council District: 1

This item was adopted.

49 Acceptance and Dedication of a Deed and Easements for Roadway, Sidewalk and Public Utility Purposes (Ordinance S-50044)

Request for the City Council to accept and dedicate a deed and easements for roadway, sidewalk and public utility purposes; further ordering the ordinance recorded.

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

Deed (a)
Applicant: Britmet Ventures, LLC, its successor and assigns

Purpose: Roadway
Location: 2825 W. Dove Valley Road
File: FN 230031
Council District: 2

Easement (b)
Applicant: RealEstate Capital Investments, LLC, its successor and assigns
Purpose: Public Utility
Location: 2440 W. Morten Ave.
File: FN 230040
Council District: 5

Easement (c)
Applicant: 5544 Thomas Land, LLC, its successor and assigns
Purpose: Sidewalk
Location: 5544 E. Thomas Road
File: FN 230041
Council District: 6

This item was adopted.

50 Acceptance of Easements for Water and Drainage Purposes (Ordinance S-50045)

Request for the City Council to accept easements for water and 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: Ryan Companies US, Inc., through Arizona State Land Lease Numbers 03-110953-99 and 03-122704-99; its successor and assigns
Purpose: Drainage
Location: 2335 and 2415 W. Corporate Center Drive
File: FN 220001
Council District: 1

Easement (b)
Applicant: Britmet Ventures, L.L.C.; its successor and assigns
Purpose: Water
Location: 2825 W. Dove Valley Road
File: FN 230031
Council District: 2

Easement (c)
Applicant: Cold Springs, LLC; its successor and assigns
Purpose: Water
Location: S. 59th and W. Olney avenues
File: FN 230033
Council District: 7

Easement (d)
Applicant: LCG2i Laveen, LLC; its successor and assigns
Purpose: Water
Location: 6262 W. Elliot Road
File: FN 230038
Council District: 7

Easement (e)
Applicant: LCG2i Laveen II, LLC; its successor and assigns
Purpose: Water
Location: 6363 W. Olney Ave.
File: FN 230038
Council District: 7

Easement (f)
Applicant: Prologis, L.P.; its successor and assigns
Purpose: Drainage
Location: S. 11th Street and E. Gibson Lane
File: FN 230037
Council District: 8

Easement (g)
Applicant: South Mountain 25, LLC; its successor and assigns
Purpose: Drainage

Location: 909, 913, 917, 921, 925, 929, 933, 937, 941, 945, 949, 953 and 957 E. Desert Lane
File: FN 230026
Council District: 8

This item was adopted.

51 Dedication of Right-of-Way for Roadway Purposes and Easements for Public Utility and Multi-Use Trail Purposes within City-Owned Property Along the North Side of West Lower Buckeye Road, West of South 91st Avenue (Ordinance S-50046)

Request for the City Council to dedicate right-of-way to public use for roadway purposes and easements to public use for public utility and multi-use trail purposes within City-owned property along the north side of West Lower Buckeye Road, west of South 91st Avenue, for Fire Station 62; further ordering the ordinance recorded.

Summary
The right-of-way and easement dedications are final plat stipulations required by the Planning and Development Department, Project 21-5714, for construction of Fire Station 62. The Fire Department will maintain the multi-use trail.

The dedications along the north side of West Lower Buckeye Road, west of South 91st Avenue, are more fully described in the legal descriptions to be recorded with the ordinance.

Location
Along the north side of West Lower Buckeye Road, west of South 91st Avenue, within Maricopa County Assessor parcel number 101-14-005G.
Council District: 7

This item was adopted.

52 Electronic Invoice Auditing Contract - EXC 23-016 - Request for Award (Ordinance S-50047)

Request to authorize the City Manager, or his designee, to enter into a contract with Mitratech Holding, Inc., to provide ongoing electronic billing system and ancillary services such as data storage, service and maintenance for the Law Department. Further request an exception to the indemnity and assumption of liability of provision Phoenix City Code

42-18. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $192,000.

Summary

This contract will provide a web-based electronic billing and audit system that will assist in auditing invoices from outside law firms. In addition, it will integrate with the ProLaw case management system and Risk Management's STARS system. The outside counsel firms pay a yearly subscription fee to Mitratech in order to submit invoices electronically with the City. This electronic billing system allows the City to pay invoices within 10 days and receive a 2 percent discount on fees from the subscribing firms.

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

Procurement Information

In accordance with Administrative Regulation 3.10, a waiver was requested since the system was customized to be integrated with the Law Department's ProLaw case management solution software and Risk Management's STARS system. It is in the best interest of the City to continue services with Mitratech, as the investment in programming and interface has already been made. It would not be cost effective to change providers which would require all new programming and integration with existing systems.

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 $192,000 for the five-year aggregate term. Funding is available from the Self-Insurance Retention Trust.

This item was adopted.

53 Document Shredding and Destruction Services - Citywide Contract - IFB 23-043 - Request for Award (Ordinance S-50051)

Request to authorize the City Manager, or his designee, to enter into contracts with Valley Shredding, LLC, dba PROShred, and Assured Document Destruction, Inc., to provide document shredding and destruction services Citywide. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $625,000.

Summary

This contract will provide secured document shredding and destruction services on-site and off-site Citywide, to safeguard Personal Identifiable Information (PII).

Procurement Information

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

Three 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:

Selected Bidders
Valley Shredding, LLC, dba PROShred
Assured Document Destruction, Inc.

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 $625,000. Funding is available in various departments' budgets.

This item was adopted.

54 Technology Services for the Regional Wireless Cooperative Network Contract - EXC 23-122 - Request for Award (Ordinance S-50056)

Request to authorize the City Manager, or his designee, to enter into a contract with Motorola Solutions, Inc., to provide technology services for

the Regional Wireless Cooperative network for the Office of Government Relations. Further request an exception to the indemnity and assumption of liability provisions of Phoenix City Code section 42-18. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $891,624.

Summary

This contract will provide technical services in the form of consulting, engineering, and integration to support the Regional Wireless Cooperative's (RWC) ASTRO 25 network mandated connectivity migration from legacy T1 (digital carrier signal) lines to Ethernet capable links. The Motorola System Upgrade Agreement II (SUA II) bi-annual upgrades cannot continue to move forward until the network is fully Ethernet capable. The obsolete T1 lines will not be able to receive the system updates thus halting further upgrades. All 23 members which are made up of cities and other government agencies rely upon the RWC's radio and data communications system to provide region-wide effective radio communication for public safety first responders across the Phoenix Metropolitan and Central Arizona region. Not proceeding with this Ethernet migration could subject the system to degraded service, equipment failures, system outages, and potentially impact public safety.

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, this product being sole source. Since the system architecture and software are proprietary to Motorola, they are the only vendor that can provide the executive cutover services without disruption risks and ensure that the network connectivity is unified with the Master Sites. Pursuing an outside vendor would lead to lack of warranty coverage and no other vendor can provide the 360-degree view of the network.

Contract Term

The contract will begin on or about July 4, 2023, for a five-year term with no options to extend.

Financial Impact

The aggregate contract value will not exceed $891,624 for the five-year aggregate term, of which $477,547 is Phoenix specific and is already budgeted for Fiscal Year 2023-24 across all user departments. The remaining balance has been included in all other RWC member budgets.

This item was adopted.

55 Phoenix.Gov Redesign, Implementation and Ongoing Support Services Contract - RFP 23-025 - Request for Award (Ordinance S-50057)

Request to authorize the City Manager, or his designee, to enter into a contract with J.R. Reingold & Associates, Inc. to provide services related to the redesign and implementation of the Phoenix.Gov website including ongoing support services for the Information Technology Services 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 $3,000,000.

Summary

This contract will provide services related to the modernization and implementation of a new Phoenix.Gov website. The goal is to create a redesigned website that meets the wants and needs of users by providing relevant and timely information in a modern, inclusive manner. The new website will serve as the primary resource for residents, businesses, and tourists, offering a trustworthy, easy-to-navigate, and informative experience. The purchase is necessary to enhance user satisfaction, improve the website's security, integration with other systems, and overall optimization to support the City's audiences effectively.

Procurement Information

A Request for Proposal procurement was processed in accordance with City of Phoenix Administrative Regulation 3.10.

Twelve 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.

Oral Presentations (0-550);
Method of Approach (0-200 points);
Experience and Qualifications (0-150 points); and
Price (0-100 points).

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

J.R. Reingold & Associates, Inc., total score of 808.75 points.

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 $3,000,000.

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

This item was adopted.

56 Landscape Services - Citywide - RFP 22-108 - Amendment (Ordinance S-50060)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 156429 with Legends Landscape Management, Inc. to amend contract to assigned vendor, Top Gun Pressure Washing, LLC dba Tendit Group LLC. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed as the request is to continue using Ordinance S-48679.

Summary
This contract will provide landscaping services for locations across the Phoenix metropolitan service area. On May 1, 2023, Legends assigned its assets, payables, receivables, and contracts to Top Gun Pressure Washing, LLC dba Tendit Group LLC. Approval is requested to amend this contract accordingly and continue receiving landscaping services from Top Gun Pressure Washing, LLC dba Tendit Group LLC.

Contract Term

The contract term remains unchanged, ending on May 31, 2027.

Financial Impact
The aggregate value of the contract will not exceed $17,000,000 and no additional funds are needed.

Concurrence/Previous Council Action
The City Council previously approved this request:
• Landscape Services - Citywide - Contract 156429, Contract 156428, Contract 156404, and Contract 156446 (Ordinance S-48679) on June 1, 2022.

This item was adopted.

57 Automatic Gates - Maintenance and Repair Contract - IFB 23-098 - Request for Award (Ordinance S-50062)

Request to authorize the City Manager, or his designee, to enter into a contract with Phoenix Fence Company to provide automatic gate supplies, maintenance, and repair for citywide 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 $2,500,000.

Summary
This contract will provide repair, maintenance, and supplies for automatic gates for citywide departments. The City of Phoenix depends on gates in its daily operation and security of functions. Based on past usage of the previous contract, the Fire, Parks and Recreation, Phoenix Convention Center, Public Works, and Water Services departments are expected to utilize this contract more frequently.

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

One vendor submitted a bid 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

Phoenix Fence Company

Contract Term
The contract will begin on or about July 15, 2023, for a five-year term with no options to extend.

Financial Impact
The aggregate contract value will not exceed $2,500,000 for the five-year aggregate term. Funding is available in various departments' budgets.

This item was adopted.

60 Fiscal Year 2024 Community Arts Support Grant Allocations (Ordinance S-50059)

Request to authorize the City Manager, or his designee, to execute all necessary agreements between the Phoenix Office of Arts and Culture (POAC) and approved applicants for Fiscal Year (FY) 2023-24 General Support Program and Project Support Program grants in an aggregate amount of $1,450,346, as well as $225,000 for the Rental Support Program. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The annual Community Arts Grants Program invests in nonprofit art and cultural organizations and groups to strengthen the community's access to cultural programming. Applications for the Community Arts Grants Program opened mid-February and were due April 3, 2023. Staff held multiple virtual orientations and met with prospective applicants to discuss questions about eligibility, what makes a competitive application, and the review and approval process. One hundred and thirteen applications were received, 110 were determined eligible for review by panels comprising laypersons, artists, arts professionals, and educators to ensure a thorough and unbiased review, and then scored for funding.

Through the agency's equity strategy, the POAC ensures outreach to all city areas and targets applicants from all disciplines, budget sizes, underrepresented populations, and City Council districts. Every year we see an increase in orientation and meeting participants, applicants, and applicants awarded. There is a ten percent increase in eligible applications from FY 2023 to FY 2024.

The Community Arts Grants Program includes three grant categories:

General Support Grants (GSG) provide core operating support to arts and cultural organizations of all sizes that have a primary mission to create, produce, or provide arts and cultural programming to enhance the quality of lives for Phoenix residents. All GSG applicants are required to have a prior year income of at least $4,000 and complete a full application to be reviewed by a grants panel.

GSG Goals

Support arts and cultural opportunities among residents of all ages through education and outreach programs and opportunities for personal artistic expression and participation.

Encourage broad-based, community-wide participation in arts and cultural activities resulting from diverse programming accessible to all residents.

Sustain a community of organizations that are responsibly governed and managed, financially sound, and assist organizations that have reached a critical stage in artistic or institutional development by encouraging the identification of internal needs critical to the sustainability or growth of the organization.

Project Support Grants (PSG) promote and encourage the breadth of arts and cultural programming in our community by supporting large and small projects throughout the City of Phoenix. The program supports guest artist fees/expenses, production fees, and marketing expenses for arts and culture projects that engage Phoenix residents, including but not limited to art workshops, pop-up performances, and collaborations with artists. All PSG applicants must complete a full application to be reviewed by a grants panel.

PSG Goals

Support arts and cultural projects across the City of Phoenix, especially artistic collaborations with full representation from all persons at the intersection of any age, race, culture, class, religion, sex, national origin, ability, sexual orientation, gender identity, or expression.

Fund projects that support the artistic and cultural work of young people

or projects which introduce youth to arts and culture in the City of Phoenix.

Invest in projects that support and celebrate individual artists impacting the community.

The **Rental Support Program** (RSP), which had been on hiatus due to the COVID-19 pandemic, provides facility rental and security support to those cultural organizations that help revitalize the Phoenix downtown corridor through their presentations at the Herberger Theater Center, the Orpheum Theatre, and Phoenix Symphony Hall. POAC administers RSP in partnership with the Phoenix Convention Center that funds the program. Only organizations that have successfully applied and been awarded a GSG or PSG application may be considered for this program. RSP is unlike other funding, where applicants are to "make the case" for support. An organization's merit is already verified through the annual review process for the GSG and PSG programs.

Fiscal Year 2024 Recommendations and Allocations

The Community Arts Grants Program has a total budget of $1,450,346 from the General Fund and $225,000 from the Phoenix Convention Center, which includes a one-time allocation of $100,000 to offset new security protocols at the Orpheum Theatre and Symphony Hall **(Attachment A)**. Of the $1,450,346, GSG and PSG funding totaling $1,380,346 is allocated for 108 grants to 108 applicants (two out of the 110 applications scored too low by the review panel and not recommended for funding). The remaining $70,000 is allocated for twenty grants of $3,500 each in two subsequent special PSG cycles (Flash Grants) to artists and arts and culture organizations to present programming in under-invested areas in the city to ensure greater equitable geographic distributions of grant funding. The last Flash Grant cycle in FY 2023 yielded 14 grants, funding one project in Council District 1, six in District 3, and seven in Council District 5. Ultimately, FY 2024 General Fund dollars will yield 128 grant awards.

GSG applicants do not make specific funding requests. A review panel reviews like-sized budgeted organizations. Organizations receive award allocations determined by the ranking it receives in the panel. PSG applicants can receive up to $5,000 to fund their proposed project.

POAC will work with the Phoenix Convention Center in the summer on the review and calculations of the RSP funding.

Concurrence/Previous Council Action
The Phoenix Arts and Culture Commission reviewed and approved the FY 2023-24 Community Arts Grants Program allocation recommendations at its meeting on June 13, 2023.

This item was adopted.

61 Artist Contract for Maryvale Grand Canal Crossing Public Art Project (Ordinance S-50041)

Request to authorize the City Manager, or his designee, to enter into a contract with artist Reinaldo Correa Studio, LLC, (IA) for an amount not to exceed $650,000 to design, fabricate and install public art enhancements for the Grand Canal Capital Improvement Project located along the Grand Canal between 47th and 75th avenues in Phoenix. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The Fiscal Year (FY) 2022-27 Public Art Plan includes a project to commission an artist to work with the Street Transportation Department and the community to enhance the design of the Grand Canal, specifically the trail and crossing at 51st Avenue in Maryvale.

On April 24, 2023, a four-person artist selection panel recommended Reinaldo Correa Studio, LLC, after reviewing 110 applicants. Reinaldo Correa Studio, LLC, was recommended based on his experience creating site-specific public art projects and his demonstrated ability to involve the community meaningfully. The panelists also noted the artist's wide variety of project types and his knowledge of permanent and low-maintenance materials.

The selection panel included: Haley Hinds, Arts Specialists, Phoenix Sky Harbor Airport Museum; Michael Denson, Executive Director, West Valley Arts Council; Tiesha Harrison, Visual Artist; and Andrew Daugherty, Vice President, Affiliate Business Operations, Milwaukee Brewers.

Financial Impact

Maryvale Grand Canal Crossing public art project is one of 39 projects in the FY 2022-27 Public Art Plan that the City Council approved on June 15, 2022. The Plan includes $650,000 for this project. The proposed $650,000 budget will cover all costs related to the artwork's design, fabrication, and installation, including the artist's time working with city staff, project consultants, and the local community to produce a complete and buildable design. The percent-for-art funds for this project come from Water Capital Funds.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission reviewed and recommended this item for approval on May 9, 2023, by a vote of 9-0. The Community and Cultural Investment Subcommittee reviewed and approved this item at its June 7, 2023 meeting by a vote of 4-0.

Location

Grand Canal between 47th and 75th avenues
Council District: 5

This item was adopted.

62 Artists' Contracts for Western Canalscape Public Art Project (Ordinance S-50064)

Request to authorize the City Manager, or his designee, to enter into contracts with artists Hector Ortega (AZ) and Ken McCall (ID) for an amount not to exceed $150,000 to purchase and install two artworks as part of the Western Canalscape Public Art Project near South 20th Street. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Fiscal Year (FY) 2022-27 Public Art Plan includes a project to integrate public art into the Western Canalscape Improvement Project from 4th Avenue to 24th Street. The project enhances the pedestrian and bicycle trail, including concrete pathways, safe street crossing facilities, and improved neighborhood access points.

On May 22, 2023, a selection committee identified two finalists from a pool of 48 artworks submitted by 15 artists who had responded to a

City-issued Request for Qualifications. The artworks were selected based on artistic quality, the appropriateness of the artwork for a public setting, the durability of the materials, and the ability of the two artworks to complement each other and enhance the canalscape design.

The selection committee included: Roc Welch, a community member; Cheryle Marine, a Public Art Specialist, Valley Metro; and Paul NjiRaini, Roadway Safety Project Manager, City of Phoenix Street Transportation Department.

Financial Impact

The Western Canalscape Public Art Project is one of 39 projects in the FY 2022-27 Public Art Plan that the City Council approved on June 15, 2022. The Plan includes $315,000 for this project. The proposed $150,000 budget will cover all costs related to the artwork's purchase and delivery, site preparation, and installation coordination. The percent-for-art funds for this project come from Water Capital Funds.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission reviewed and recommended this item for approval on June 13, 2023, by a vote of 8-0-1.

Location

South 20th Street
Council Districts: 7 and 8

This item was adopted.

63 Artwork Donation - Hatcher Urban Businesses (Ordinance S-50043)

Request to authorize the City Manager, or his designee, to receive and install the artwork donation from the Hatcher Urban Businesses (theHUB), which will be located near the intersection of 19th Avenue and Hatcher Road (1811 W. Hatcher Road) in Phoenix. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

In early 2023, Council District 3 contacted the Office of Arts and Culture about a proposed donation for the Sunnyslope neighborhood. Staff met with theHUB representatives, the artist, staff from Council District 3,

Neighborhood Services, and Water Services (the Water Services Department owns the land) to review the quality of the artwork and determine the initial feasibility of installing the artwork at the desired location.

The artist, Mark Carroll (AZ), initially responded to a call to artists to create an artwork that signifies the community of Sunnyslope coming together and creating a sense of place, belonging, and vibrancy. The artwork will be accessioned into the City of Phoenix Municipal Art Collection and maintained by the Office of Arts and Culture.

If City Council approves the Fiscal Year (FY) 2023-28 Public Art Plan it includes pooled funds to work directly with neighborhood and business associations to enhance parks, business corridors, and other community amenities. This artwork donation could be one of the collaborative projects to utilize these funds.

Financial Impact
Once installed, the Office of Arts and Culture will assume care and control of the donated artwork. Because of the durable material and finish, routine maintenance costs are estimated to be minimal and can be absorbed in the annual Public Art Maintenance Budget.

Concurrence/Previous Council Action
The Phoenix Arts and Culture Commission reviewed and recommended this item for approval on May 9, 2023, by a vote of 9-0. The Community and Cultural Investment Subcommittee reviewed and approved this item at its June 7, 2023, meeting by a vote of 4-0.

Location
1811 W. Hatcher Road
Council District: 3

This item was adopted.

64 Nuestro Pueblo Public Art Deaccession (Ordinance S-50042)

Request to authorize the City Manager, or his designee, of the deaccession of Nuestro Pueblo, a public art project located at Marivue Park (5625 W. Osborn Road) by Arizona artist Ron Gasowski. The

artwork is in disrepair and no longer adheres to the artist's original design intent. The art was completed in 1989 with a budget of $18,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Through the 34 years the artwork has been exposed to the elements, the materials have worn and degraded to the point that the artwork is no longer a suitable representation of the artist's design intent. Additionally, safety is a major concern. The artwork has a greater potential to fall over as the interior structures are exposed to the elements and shows rust. Mr. Gasowski knows the intent to deaccession and dispose of the artwork and agrees with the plan.

Local contractors will be hired to complete this work under the supervision of the Office of Arts and Culture's collections manager. More information about the project can be found here: phoenix.gov/arts/public-art-program/explore-the-collection/nuestropueblo.

Financial Impact

It will cost approximately $5,000 - $6,000 to deaccession and dispose of the artwork. This includes testing ceramic materials for asbestos and the labor to remove and dispose of the material. The Fiscal Year 2023-24 Public Art Maintenance Budget will provide the funding to complete the work.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission reviewed and recommended this item for approval on May 9, 2023, by a vote of 9-0. The Community and Cultural Investment Subcommittee reviewed and approved this item at its June 7, 2023, meeting by a vote of 4-0.

Location

5625 W. Osborn Road
Council District: 4

This item was adopted.

65 Recreational Services Qualified Vendor List Contract - PKS RFQu 23-001 - Request for Award (Ordinance S-50061)

Request to authorize the City Manager, or his designee, to enter into contracts with the offerors to the Request for Qualifications PKS RFQu 23-001 for Recreational Services Qualified Vendor List for the Parks and Recreation Department. Further request to authorize the City Controller to disburse all funds related to this item. There is no financial impact for this action.

Summary

The Parks and Recreation Department provides a multitude of classes, programs and other services to the community. Some of the classes, programs and services include, but are not limited to, art, dance, fitness, language, music, sports and theater instruction.

The Parks and Recreation Department invited qualified offerors to submit a written Statement of Qualifications response for Recreational Services. The purpose was to establish a Qualified Vendors List (QVL) to be used in order to provide entertainers and instructors for recreation events and programs.

Procurement Information

On May 23, 2023, PKS RFQu 23-001 for Recreational Services Instructors was issued. The solicitation was conducted in accordance with City of Phoenix Administrative Regulations 3.10 to add additional instructors to the current QVL. There were 23 offers received on June 13, 2023. Of the 23 offers, 15 were determined to be responsive and responsible to the solicitation requirements. A Notice of Award Recommendation is attached (**Attachment A**).

Contract Term

The contract term for the recommended vendors is July 1, 2023 through June 30, 2025.

Financial Impact

There is no financial impact to the General Fund. Costs for vendor services are paid from fees charged to program participants.

Concurrence/Previous Council Action

Recreational Services Instructors Qualified Vendors List (Ordinance S-46380) on Feb. 19, 2020.

This item was adopted.

66 Building Automation System Services - IFB PCC 22-001 - Request for Award (Ordinance S-50034)

Request to authorize the City Manager, or his designee, to enter into separate contracts with Pueblo Mechanical and Controls, LLC., and Havel division of Shambaugh & Son L.P. to provide building automation system services 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 $4,000,000.

Summary

The contract will provide Building Automation System (BAS) services to the Phoenix Convention Center Department (PCCD). The BAS systems control and monitor various energy-consuming devices such as heating and cooling equipment, smoke control, lighting, access control, and alarm monitoring. PCCD has multiple facilities with aging BAS systems that need to be assessed, engineered, integrated, modified, programmed, and installed on an as-needed basis. Additionally, these contracts will support multiple building automation related capital improvement projects totaling approximate $3.5 million dollars over the contract period. These include a complete HVAC access control replacement for the South Building, Herberger Theater and Symphony Hall, network and software upgrades to the North and West Buildings, and a Convention Center campus wide access control card reader upgrade project.

Procurement Information

An Invitation for Bid PCC 22-001 procurement was processed in accordance with City of Phoenix Administrative Regulation 3.10. Two vendors submitted bids deemed to be responsive to posted specifications and responsible to provide the required goods and services. Following an evaluation based on hourly labor rate and discount percentage off list price, the procurement officer recommends award to the following vendors:

Selected Bidders:

Bidder A: Pueblo Mechanical and Controls L.L.C.

On-Site Labor Rate 24/7	$100.00/HR
On-Site Emergency Response	$135.00/HR

Off-Site Labor Rate 24/7	$100.00/HR
Off-Site Emergency Response	$135.00/HR
Percentage off Schneider Parts	60 Percent
Percentage off non-Schneider Parts	60 Percent

Bidder B: Havel division of Shambaugh & Son L.P.

On-Site Labor Rate 24/7	$110.00/HR
On-Site Emergency Response	$154.00/HR
Off-Site Labor Rate 24/7	$94.00/HR
Off-Site Emergency Response	$132.00/HR
Percentage off Schneider Parts	63.5 Percent
Percentage off non-Schneider Parts	34 Percent

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 value of the contracts will not exceed $4,000,000.

Funding is available in the Phoenix Convention Center Department Operating and/or Capital Improvement Program budgets.

Location

Council Districts: 7 and 8

This item was adopted.

69 Phoenix Sky Harbor International Airport Terminal 4 Baggage Handling System Upgrades - Architectural Services Amendment - AV21000109 (Ordinance S-50048)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 157695 with BNP Associates, Inc. to provide additional Architectural Services that include design and construction administration and inspection services for the Phoenix Sky Harbor International Airport Terminal 4 Baggage Handling System Upgrades project. Further request to authorize execution of amendments to the Agreement, as necessary, within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all

funds related to this item. The additional fee for services included in this amendment will not exceed $5 million.

Summary

The purpose of the project is to modernize components of the Phoenix Sky Harbor International Airport Terminal 4 (T4) Baggage Handling System (BHS). This project is necessary because the BHS utilized by American Airlines and the international airline carriers in Terminal 4 is largely obsolete and operating on controls utilizing technology at end of life at more than 25 years old.

This amendment is necessary for the next phase of this multi-phased project to complete the BHS design package to 30 percent from the original programming and conceptual design for the modernization of T4 BHS - T4 North, T4 International, T4 Recheck, T4 Federal Inspection Station and T4 In-bound 1-7. This amendment will provide additional funds to the Agreement.

BNP Associates, Inc.'s services include, but are not limited to: compliance and peer review of baggage handling system completed by the contractor, including Transportation Security Administration submittals; replacing diverters, upgrading ControlNet to Ethernet/IP, upgrading of reporting servers, rewriting of Programmable Logic Controller code and upgrading/replacing Automatic Tag Readers and Baggage Measuring Arrays equipment; associated structural, electrical, mechanical, technology, and Fire/Life/Safety/Security components; civil work; pre-construction conference and construction coordination meetings; Requests for Information and submittal review/approvals; construction site visits and field reports; certification of progress payments; prepare construction progress reports; review contractor's requests and change orders and other work as required.

Contract Term

The term of the Agreement remains unchanged. Work scope identified and incorporated into the Agreement prior to the end of the term may be agreed to by the parties and work may extend past the termination of the Agreement. No additional changes may be executed after the end of the term.

Financial Impact

The initial Agreement for Architectural Services was approved for an amount not to exceed $1.5 million, including all subconsultant and reimbursable costs. This amendment will increase the Agreement by an additional $5 million, for a new total amount not to exceed $6.5 million, including all subconsultant and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved Architectural Services Agreement 157695 (Ordinance S-49328) on Jan. 25, 2023.

Location

2485 E. Buckeye Road
Council District: 8

This item was adopted.

70 Phoenix Sky Harbor International Airport Terminal 4 Baggage Handling System Upgrades - Construction Manager at Risk Services Amendment - AV21000109 (Ordinance S-50050)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 157694 with The Weitz Company, LLC to provide additional Construction Manager at Risk Preconstruction and Construction Services for the Phoenix Sky Harbor International Airport Terminal 4 Baggage Handling System Upgrades project. Further request to authorize execution of amendments to the Agreement as necessary within the Council-approved expenditure authority as provided below and for the City Controller to disburse all funds related to this item. The additional fee for services included in the amendment will not exceed $8.2 million.

Summary

The purpose of the project is to modernize components of the Phoenix

Sky Harbor International Airport Terminal 4 (T4) Baggage Handling System (BHS). This project is necessary because the BHS utilized by American Airlines and the international airline carriers in Terminal 4 is largely obsolete, and operating on controls utilizing technology at end of life at more than 25 years old.

This amendment is necessary for additional Preconstruction Services and Construction Phase Services for the modernization of T4 BHS - T4 North, T4 International, T4 Recheck, T4 Federal Inspection Station, and T4 In-bound 1-7 are ready to begin. This amendment will provide additional funds to the Agreement.

The Weitz Company, LLC's additional construction services include, but are not limited to: manage, coordinate, and construct the baggage handling system to include structural, electrical, mechanical, technology, lighting, maintenance access, fire/life/safety/security, and civil modifications to the existing terminal building; provide energy modeling for the baggage handling system baseline and final design; provide baggage handling system Transportation Security Administration design and construction coordination; provide a tested, commissioned, and approved baggage handling system; select subcontractors and suppliers and subcontractor coordination; prepare Guaranteed Maximum Price proposals that meet project phasing and the approval of the City; coordinate with various City departments, project stakeholders, existing tenants, utility companies, and other agencies, as applicable; procure materials and equipment; schedule and manage site operations; provide quality controls and lifecycle cost analysis; bond and insure the construction; address all federal, state, and local permitting requirements; prepare and submit Requests for Information, submittals, proposal requests, and change orders for review and approval; conduct construction site visits; submit progress payment requests; prepare construction progress reports; and other work as required.

Contract Term

The term of the Agreement amendment remains unchanged at five years from issuance of the Notice to Proceed. Work scope identified and incorporated into the Agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the

Agreement. No additional changes may be executed after the end of the term.

Financial Impact

The initial agreement for Construction Manager at Risk Services was approved for an amount not to exceed $300,000, including all subcontractor and reimbursable costs.

This amendment will increase the Agreement by an additional $8.2 million, for a new total amount not to exceed $8.5 million, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved:

Architectural Services Agreement 157695 (Ordinance S-49328) on Jan. 25, 2023.

Construction Manager at Risk Services Agreement 157694 (Ordinance S-49323) on Jan. 25, 2023.

Location

2485 E. Buckeye Road
Council District: 8

This item was adopted.

71 Phoenix Sky Harbor International Airport Terminal Area Monitoring System Project - Professional Services - 6663111040 (Ordinance S-50055)

Request to authorize the City Manager, or his designee, to enter into an agreement with Geosyntec Consultants, Inc. to provide Professional Services that include periodic monitoring of air sparge wells, ground water monitoring wells, and soil vapor monitoring wells for the Phoenix Sky Harbor International Airport Terminal Area Monitoring System project.

Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $175,000.

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 purpose of this project is to provide environmental monitoring, site characterization, and periodic air sparge in an area near the Honeywell remediation area and between Terminal 3 and Terminal 4 at Phoenix Sky Harbor International Airport. Geosyntec Consultants, Inc. will implement the sampling program, coordinate professionally with Honeywell, make recommendations to the City, and interpret results in a scientific manner.

Procurement Information

Geosyntec Consultants, Inc. was chosen for this project using a Direct Select process set forth in section 34-103 of the Arizona Revised Statutes. The Direct Select process reduces time to procure professional services as opposed to an advertised selection process, meeting project deadlines, ensuring continuity, and the most efficient use of staff and funding resources.

Contract Term

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

may be executed after the end of the term.

Financial Impact

The agreement value for Geosyntec Consultants, Inc. will not exceed $175,000, including all subconsultant and reimbursable costs.

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

Location

2485 E. Buckeye Road
Council District: 8

This item was adopted.

72 West Air Cargo Reconstruction - Design-Bid-Build Services - AV06000026 FAA (Ordinance S-50053)

Request to authorize the City Manager, or his designee, to accept J. Banicki Construction, Inc. as the lowest-priced, responsive and responsible bidder and to enter into an agreement with J. Banicki Construction, Inc. for Design-Bid-Build Services for the West Air Cargo Reconstruction project. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed $23,999,974.

Summary

The purpose of this project is to deliver the reconstruction of the apron pavement for the West Air Cargo Apron located north and west of the center runway at Phoenix Sky Harbor International Airport (PHX). Additional work will consist of drainage improvements, pavement markings, and utility adjustments, as required. The ramp area is approximately 95,500 square yards of existing asphalt pavement located just west of the existing cargo building, east of the Aviation Facilities and Services building, in the northwest corner of the south airfield. The project will be constructed in an active airfield environment within the current boundaries of the PHX Air Operations Area.

J. Banicki Construction, Inc.'s services include, but are not limited to: reconstruct approximately 95,500 square yards of airfield apron with new concrete pavement, including a vehicle service road along with associated lighting, striping, and site drainage improvements. The work will be constructed within project phasing requirements that minimize impacts to PHX operations.

The selection was made using an Invitation for Bids procurement process set forth in section 34-201 of the Arizona Revised Statutes. Five bids were received on May 23, 2023, and were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and contractor responsiveness that demonstrates compliance with Disadvantaged Business Enterprise (DBE) program requirements.

The Opinion of Probable Cost and the five lowest responsive, responsible bidders are listed below:

Opinion of Probable Cost: $19,278,841.50
J. Banicki Construction, Inc.: $23,999,974
Kiewit Infrastructure West Co.: $25,970,000
Coffman Specialties, Inc.: $26,495,000
Pulice Construction, Inc.: $28,485,054.50
Sundt Construction, Inc.: $31,815,412

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

Contract Term
The term of the agreement is 266 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for J. Banicki Construction, Inc. will not exceed

$23,999,974, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action
The City Council approved Engineering Services Agreement 155435 (Ordinance S-48073) on Nov. 3, 2021.

Location
2485 E. Buckeye Road
Council District: 8

This item was adopted.

73 Deer Valley Airport Blast Pads - Design-Bid-Build Services - AV31000094 (Ordinance S-50058)

Request to authorize the City Manager, or his designee, to accept J. Banicki Construction, Inc. as the lowest-priced, responsive and responsible bidder and to enter into an agreement with J. Banicki Construction, Inc. for Design-Bid-Build Services for the Deer Valley Airport Blast Pads project. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed $1,701,693.70.

Summary
The purpose of this project is to construct four new asphalt blast pads with markings at Phoenix Deer Valley Airport. Work will include demolition and removal of two existing blast pads on Runway 7R/25L and construction of new blast pads at each end of that runway and Runway 7L/25R. Notable details include removal, storage, and relaying of rock mulch, lime treatment of soil, and electrical and lighting work associated with runway lighting.

J. Banicki Construction, Inc.'s services include, but are not limited to: preparing soil for expansion of south runway (7R/25L) blast pads, mill existing asphalt blast pads two inches, and installation of new larger blast pads; excavate, prepare soil, and install new blast pads on north runway (7L/25R); remove and re-install existing hardscape decomposed granite; modify existing electrical systems, as required; utilize barricades, as required; coordinate with Deer Valley Airport Operations; and other miscellaneous contract work.

The selection was made using an Invitation for Bids procurement process set forth in section 34-201 of the Arizona Revised Statutes. Two bids were received on May 31, 2023, and were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and contractor responsiveness in demonstrating responsiveness to Disadvantaged Business Enterprise (DBE) program requirements.

The Opinion of Probable Cost and the lowest responsive, responsible bidders are listed below:

Opinion of Probable Cost: $1,111,429.50
J. Banicki Construction, Inc.: $1,701,693.70

Bidders who were deemed non-responsive are listed below, in alphabetical order:

Desert Services International, Inc.

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

Contract Term
The term of the agreement is 180 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The agreement value for J. Banicki Construction, Inc. will not exceed $1,701,693.70, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved Engineering Services Agreement 155732 (Ordinance S-48243) on Jan. 5, 2022.

Location

702 W. Deer Valley Road
Council District: 1

This item was adopted.

74 Asset Tagging and WAM Data Collection - Professional Services - WS85230047 (Ordinance S-50032)

Request to authorize the City Manager, or his designee, to enter into an agreement with Wilson Engineers, LLC to provide Professional Services that include reviewing vertical asset data and placing inventory tags on assets for the Asset Tagging and WAM Data Collection project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $3 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 related to the development, design and construction of the

project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception 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 purpose of this project is to review vertical asset data and place inventory tags on assets at five water production plants, 389 remote facilities, two wastewater treatment plants, and 29 lift stations located throughout the City.

Wilson Engineers, LLC will be responsible for identifying and recommending the physical asset tags for the project. Asset tags must be compatible with mobile devices and Computerized Maintenance Management Software. Tags must have a sequential unique ID that corresponds to a barcode or QR code.

Procurement Information

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

Selected Firm

Rank 1: Wilson Engineers, LLC

Additional Proposers

Rank 2: Atlas Technical Consultants LLC
Rank 3: McKinstry Essention, LLC
Rank 4: IDAX Data Solutions

Contract Term

The term of the agreement is three years from the issuance of the Notice

to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for Wilson Engineers, LLC will not exceed $3,000,000, including all subconsultant and reimbursable costs.

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

This item was adopted.

75 Lift Station 61 Improvements and Redundant Force Main - Construction Administration and Inspection Services - WS90400086 and WS90501003 (Ordinance S-50035)

Request to authorize the City Manager, or his designee, to enter into an agreement with Wilson Engineers, LLC to provide Engineering Services that include construction administration and inspection services for the Lift Station 61 Improvements and Redundant Force Main project. Further request to authorize execution of amendments to the agreement, as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $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, telecommunication, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception 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 purpose of this project is to provide construction administration and inspection services for two independently designed projects: Lift Station 61 Improvements and a Redundant Force Main. The lift station design includes new pumps, discharge piping configuration, valves, appurtenances, electrical equipment, bio filter, bioxide equipment, and various site repairs. The force main design includes the installation of a 16,050 linear foot dual 18-inch force main from the lift station site to the intersection of Broadway Road and 91st Avenue. The removal and abandonment of the existing 16-inch DIP force main and the removal of the existing 10-inch PVC force main is also included in this project.

Wilson Engineers, LLC's services include, but are not limited to: managing the construction schedule; performing site visits; reviewing shop drawing and test results; interpreting and clarifying contract documents; certifying progress payments; providing substantial and final completion inspections; materials testing, as well as providing the services of an on-site inspector throughout the construction; assisting the City in obtaining permits and approvals for work; compiling all project related documents following the completion of the project; and special services as may be identified for the project.

Procurement Information

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

Selected Firm

Rank 1: Wilson Engineers, LLC

Additional Proposers

Rank 2: Brown and Caldwell, Inc.

Rank 3: Entellus, Inc.
Rank 4: Consor Engineers, LLC
Rank 5: Hazen and Sawyer

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

Financial Impact
The agreement value for Wilson Engineers, LLC will not exceed $2 million, including all subconsultant and reimbursable costs.

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

Location
Lift Station 61 is located at the northeast corner of 107th Avenue and Broadway Road. The force main extends from the lift station to the intersection of Broadway Road and 91st Avenue.
Council District: 7

This item was adopted.

76 Innovation 27 Workforce Training and Education Collaborative - Construction Manager at Risk Preconstruction Services - ED20000008 (Ordinance S-50036)

Request to authorize the City Manager, or his designee, to enter into an agreement with Kitchell Contractors, Inc. of Arizona to provide Construction Manager at Risk Preconstruction Services for the Innovation 27 Workforce Training and Education Collaborative project. Further request to authorize execution of amendments to the agreement, as necessary within the Council-approved expenditure authority as provided

below and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $500,000.

Summary

The purpose of this project is to provide the adaptive reuse construction of a former big-box department store into a workforce and education facility.

Kitchell Contractors, Inc. of Arizona will begin in an agency support role for Construction Manager At Risk Preconstruction Services. Kitchell Contractors, Inc. of Arizona will assume the risk of delivering the project through a Guaranteed Maximum Price agreement.

Kitchell Contractors, Inc. of Arizona's Preconstruction Services include, but are not limited to: detailed cost estimating and knowledge of marketplace conditions; provide project planning and scheduling; provide alternate systems evaluation and constructability studies; advise City on ways to gain efficiencies in project delivery; provide long-lead procurement studies and initiate procurement on long-lead items; assist in the permitting process; participate with the City in a process to set goal for local and Small Business Enterprise (SBE) participation and implement the local and SBE process; protect the owner's sensitivity to quality, safety, and environmental factors; and advise the City on choosing green building materials. A SBE goal will be established for this project upon substantial completion of Preconstruction Services and prior to the start of construction.

Procurement Information

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

Selected Firm

Rank 1: Kitchell Contractors, Inc. of Arizona

Additional Proposers

Rank 2: Okland Construction Company, Inc.
Rank 3: Chasse Building Team, Inc.
Rank 4: Caliente Construction, Inc.
Rank 5: Sun Eagle Corporation

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

Financial Impact
The agreement value for Kitchell Contractors, Inc. of Arizona is not to exceed $500,000, including all subcontractor and reimbursable costs.

Funding is available from American Rescue Plan Act, a federally-funded program. Funds are budgeted in the Community and Economic Development Department Capital Improvement Program. There is no impact to the General Fund. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Location
2526 W. Northern Ave.
Council District: 5

This item was adopted.

79 Request Authorization to Accept Funding and Enter into an Intergovernmental Agreement with the Flood Control District of Maricopa County for the Fiscal Year 2024 Small Project Assistance Program - North 20th Street and Lookout Mountain Flood Hazard Mitigation Project (Ordinance S-50063)

Request to authorize the City Manager, or his designee, to accept funding and enter into an agreement with the Flood Control District of Maricopa County (FCDMC) for Fiscal Year 2024 Small Project

Assistance Program (SPAP) for the North 20th Street and Lookout Mountain Flood Hazard Mitigation Project. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The City's funding of this project will not exceed $250,000.

Summary

The FCDMC SPAP provides an opportunity for cities to cost-share flood hazard mitigation projects through local drainage solutions, emphasizing projects that mitigate historical flooding issues. The program provides cost-share opportunities for project-related design and construction costs. Reimbursements for projects approved under this program must be made no later than June 30, 2025.

In coordination with community members and drainage evaluations, staff submitted an SPAP application to the FCDMC in June 2023 for the North 20th Street and Lookout Mountain Flood Hazard Mitigation Project.

The North 20th Street and Lookout Mountain Flood Hazard Mitigation Project was submitted with the support of a local drainage study conducted by the Floodplain Management Section; the North 20th Street and Lookout Mountain Flood Hazard Mitigation Project is located at North 20th Street east of Lookout Mountain Park. During regular storm events, stormwater impedes vehicular and foot traffic and inundates homes and structures in the area. During a five-year or greater rainfall event, there is the potential to cause structural damage to homes along North 20th Street.

This flooding issue has prompted residents to seek assistance from the City of Phoenix. These flooding complaints were investigated, studied and warranted submission for SPAP mitigation and participation.

Financial Impact

The amount of financial assistance from the FCDMC is limited to 75 percent of the project costs or up to $1 million. The City's cost share, which will not exceed $250,000, will be funded from the Local Drainage Solutions Program in the Street Transportation Department's Capital Improvement Program.

Location
North 20th Street East of Lookout Mountain Park
Council District: 3

This item was adopted.

81 Supply of Pumps, Repair, Parts and Accessories - Amendment (Ordinance S-50033)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreements 150514, 150517, 150520, 150519, 150521, 150518 with James, Cooke & Hobson, Inc., Capital Pump and Equipment, LLC, Hennesy Mechanical Sales, LLC, Keller Electrical Industries, LLC, Gicon Pumps and Equipment, LTD. and Phoenix Pumps, Inc. 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 $6,500,000.

Summary
The purpose of this amendment is to request additional funds to allow the six contracted firms to provide the City with the necessary pumps, parts, accessories and repair services throughout five City departments. The additional funding is required due to significant price increases absorbed over the last two years and will allow the City to obtain the required maintenance and repair of a variety of pumps for the remaining term of the contract.

This agreement is being used by the Water Services, Parks and Recreation, Phoenix Convention Center, Aviation and Public Works departments for the purchase of pumps and parts, as well as the repair, installation and required maintenance of pumps throughout the City.

Contract Term
The agreements' term will remain unchanged, ending on Sept. 30, 2024.

Financial Impact
The initial authorization for Pumps, Parts, Accessories and Repair Services was for an expenditure not-to-exceed $13,685,000.

This amendment will increase the agreement by an additional $6,500,000

for a new total not-to-exceed agreement value of $20,185,000.

Funding for this amendment is available in the Water Services, Parks and Recreation, Phoenix Convention Center, Aviation and Public Works departments' Operating budgets.

This item was adopted.

82 Sanitary Sewer Rehabilitation Program - Construction Administration and Inspection Services - WS90500118 and WS90500299 (Ordinance S-50039)

Request to authorize the City Manager, or his designee, to enter into an agreement with Dibble & Associates Consulting Engineers, Inc. to provide Construction Administration and Inspection Services for the Sanitary Sewer Rehabilitation Program. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $12.5 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 related to the development, design and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception 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 purpose of this project is to rehabilitate small diameter sanitary sewer, manhole rehabilitation or replacement, manhole coatings on Developer projects, and cured-in-place-pipe liner installation on Developer projects. Small diameter sanitary sewer rehabilitation consists of rehabilitating deteriorated or older sanitary sewers in the City of Phoenix wastewater collection system.

Dibble & Associates Consulting Engineers, Inc.'s (Dibble) services include, but are not limited to: managing up to five Job Order Contractors (JOC) for pipe rehabilitation and up to five JOCs for manhole rehabilitation. In addition, it is anticipated there will be various job order agreements for the point repairs and manhole adjustments and low bid contracts for pipe rehabilitation. Dibble will utilize Artificial Intelligence (AI) to assess older infrastructure and will oversee the process and implementation of AI to the program. The consultant must have experience with GIS and Asset Management and is expected to manage data input from staff and contractors.

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

Selected Firm
Rank 1: Dibble & Associates Consulting Engineers, Inc.

Additional Proposers
Rank 2: Stanley Consultants, Inc.

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

Financial Impact
The agreement value for Dibble will not exceed $12.5 million, including all subconsultant and reimbursable costs.

Funding is available in the Water Services Department's Capital

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

This item was adopted.

83 Trane Energy Management Control Systems Services - Amendment (Ordinance S-50054)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 158075 with Trane U.S., Inc., to modify the scope of work to provide services at Water Services Department facilities 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 $247,000.

Summary

The purpose of the amendment is to provide the Water Services Department (WSD) the opportunity to utilize the Trane Energy Management Control Systems Services contract to provide programming, maintenance, and repair of Trane Energy Management Control Systems (EMCS) for existing systems on an as-needed basis. The agreement will allow necessary maintenance and repairs on these systems, which is necessary for proper operation, temperature control, and regulation of energy consumption in the facilities. The agreement will include all labor, materials, equipment, and other incidentals necessary to provide this service.

Contract Term

The contract term remains unchanged, ending on April 30, 2028.

Financial Impact

Upon approval of $247,000 in additional expenditures, the revised aggregate value of the contract will not exceed $2,327,000.

Funds are available in the Water Services Department's budget.

Concurrence/Previous Council Action

The City Council approved Trane Energy Management Control Systems

Services Agreement 158075 (Ordinance S-49551) on April 5, 2023.

This item was adopted.

84 Design and Construction Contract Awards During City Council Summer Recess (Ordinance S-50049)

Request to authorize the City Manager, or his designee, to award up to six contracts in support of critical construction projects during the City Council summer recess. 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.

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 related to the development, design and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception 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 Street Transportation Department has identified the following items as urgent, critical and requiring contract services for projects that have extremely tight deadlines. The procurements are scheduled to complete selection in July 2023, which will not allow contract awards to occur prior to Council's summer recess. The scope, contract services and corresponding cost estimates are as follows:

Item 1: T007310000 - Adams Street Garage Elevator Refurbishment Design-Bid-Build Services. Award to one firm in an amount not to exceed $2.5 million. Funding is available in the Parking Garage Trust Fund.

Item 2: AH20300003 - Edison Impact Hub Abatement and Demolition

Design-Bid-Build Services. Award to one firm in an amount not to exceed $850,000. Funding is available through the American Rescue Plan Act.

Item 3: AH10010002 - US Vets Phase 2 Design-Bid-Build Services. Award one firm in an amount not to exceed $3 million. Funding is available through the American Rescue Plan Act.

Item 4: 4108JOC215 - Transmission Main Repair and Rehabilitation Job Order Contract Services. Award to two firms in an amount not to exceed $5 million each. Funding is available through various Capital Improvement Program or Operating budgets.

Item 5: AV21000112 - Phoenix Sky Harbor International Airport Terminal 4 Infrastructure Passenger Boarding Bridges Engineering Services. Award to one firm in an amount not to exceed $500,000. Funding is available through the Bipartisan Infrastructure Bill Aviation Capital Grants.

Procurement Information

The City Engineer and Street Transportation Department recommend the award of contracts by the City Manager during the summer recess to the firms who provide the best value to the City based on scoring criteria that evaluates the technical capabilities as well as price proposals submitted by the firms in response to the City's requests for qualifications or bids for the projects listed above.

Financial Impact

Capital Improvement Program or Operating budget funding may be utilized. Authorization is requested to execute job order agreements for up to $2 million each. In no event will any job order agreement exceed this limit without Council approval to increase the limit. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

This item was adopted.

85 Final Plat - Hilton Phoenix Resort at the Peak - PLAT 220070 - Southeast Corner of Belmont Avenue and 18th Street

Plat: 220070
Project: 00-501
Name of Plat: Hilton Phoenix Resort at the Peak
Owner: Cref3 Hsp Owner, LLC
Engineer: Michael A. Banta, RLS
Request: A Four-Lot Commercial Plat
Reviewed by Staff: June 8, 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 on the southeast corner of Belmont Avenue and 18th Street
Council District: 6

This item was approved.

86 Abandonment of Right-of-Way - ABND 220039 - 29th Avenue and Colter Street (Resolution 22141)

Abandonment: ABND 220039
Project: 19-22
Applicant: Baird Fullerton, P.E.
Request: To abandon 29th Avenue between Missouri Avenue and Camelback Road and Colter Street between 27th Avenue and its terminus west of 29th Avenue.
Date of Decision/Hearing: Nov. 10, 2022

Location

29th Avenue and Colter Street
Council District: 5

Financial Impact

A consideration fee was also collected as part of this right-of-way abandonment in the amount of $460,000.

This item was adopted.

87 Abandonment of Right-of-Way - ABND 200541 - Van Buren Street

and 24th Place (Resolution 22140)

Abandonment: ABND 200541
Project: 20-2825
Applicant: MO 25 LLC
Request: To abandon 25th Street right-of-way, bounded by Van Buren Street/Monroe Street and 2501 E. Van Buren St., 2445 E. Van Buren St. and 2446 E. Monroe St.
Date of Decision/Hearing: Sept. 24, 2020

Location
Van Buren Street and 24th Place
Council District: 8

Financial Impact
A consideration fee was also collected as part of this abandonment in the amount of $50,700.

This item was adopted.

88 **Abandonment of Easement - ABND 220064 - Central Avenue and Pierce Street (Resolution 22142)**

Abandonment: ABND 220064
Project: 22-3017
Applicant: Downtown Phoenix Resi Owner, LLC, c/o Clayco, Inc.
Request: To abandon the eight-foot public utility easement along south property of Assessor Parcel Number 111-43-151.
Date of Decision/Hearing: Feb. 3, 2023

Location
Central Avenue and Pierce Street
Council District: 8

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.

89 Amend City Code - Official Supplementary Zoning Map 1243 (Ordinance G-7137)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1243. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-17-06 and the entitlements are fully vested.

Summary

To rezone a parcel along the Southern Avenue right-of-way between 27th Avenue and approximately the 37th Avenue alignment and along the 35th Avenue right-of-way between Southern Avenue and the Alta Vista Road alignment.
Application No.: Z-17-06
Zoning: S-1
Owner: City of Phoenix
Acreage: 14.26

Location

Along the Southern Avenue right-of-way between 27th Avenue and approximately the 37th Avenue alignment and along the 35th Avenue right-of-way between Southern Avenue and the Alta Vista Road alignment.
Address: N/A
Council District: 7

This item was adopted.

90 Amend City Code - Official Supplementary Zoning Map 1244 (Ordinance G-7138)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1244. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-9-07 and the entitlements are fully vested.

Summary

To rezone a parcel along 27th Avenue right-of-way between Broadway Road and Southern Avenue.
Application No.: Z-9-07
Zoning: S-1
Owner: City of Phoenix
Acreage: 9.73

Location

Along 27th Avenue right-of-way between Broadway Road and Southern Avenue.
Address: N/A
Council District: 7

This item was adopted.

91 Amend City Code - Ordinance Adoption - Rezoning Application Z-11-23-6 - Approximately 1,070 Feet West of the Southwest Corner of 55th Street and Van Buren Street (Ordinance G-7135)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-11-23-6 and rezone the site from C-3 (General Commercial) and A-1 (Light Industrial District) to R-5 (Multifamily Residence District) to allow multifamily residential.

Summary

Current Zoning: C-3 (4.08 acres) and A-1 (1.61 acres)
Proposed Zoning: R-5
Acreage: 5.69 acres
Proposal: Multifamily residential

Owner: Clear Sky Capital Van Buren LP, et al.
Applicant/Representative: Wendy Riddell, Berry Riddell, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard this case on May 2, 2023, and recommended approval, per the staff recommendation, by a vote of 17-0.
PC Action: The Planning Commission heard this case on June 1, 2023, and recommended approval, per the Camelback East Village Planning

Committee recommendation, with a deleted stipulation, by a vote of 8-0.

Location
Approximately 1,070 feet west of the southwest corner of 55th Street and Van Buren Street
Council District: 6
Parcel Address: 5301, 5303, 5305, 5309, 5315 and 5327 E. Van Buren St.

This item was adopted.

92 Amend City Code - Ordinance Adoption - Rezoning Application Z-8-23-8 - Southeast Corner of 32nd Street and Roosevelt Street (Ordinance G-7136)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-8-23-8 and rezone the site from C-1 (Neighborhood Retail) to WU Code T5:2 GW (Walkable Urban Code, Transect T5:2 District, Transit Gateway Character Area) to allow a tobacco oriented retailer.

Summary
Current Zoning: C-1
Proposed Zoning: WU Code T5:2 GW
Acreage: 0.53 acres
Proposal: Tobacco Oriented Retailer

Owner: Jose Armijo and Virginia Provencio
Applicant: Ayzen Al JaJou
Representative: Kathleen Shaffer, May, Potenza, Baran & Gillespie, P.C.

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 a vote of 8-0.

Location
Southeast corner of 32nd Street and Roosevelt Street

Council District: 8
Parcel Address: 3143 E. Roosevelt St.

This item was adopted.

45 Public Hearing on Adoption of Property Tax Levy for 2023-24 Fiscal Year

As required by State statute, request the City Council hold a public hearing prior to the adoption of a property tax levy for the City of Phoenix for 2023-24.

Concurrence/Previous Council Action
The proposed 2023-24 property tax levy reflects actions taken by the Council on the budget at the May 16, 2023 Policy meeting, at the May 31, 2023 Formal meeting to adopt the tentative 2023-24 budget, and at the June 14, 2023 Formal meeting to adopt the final 2023-24 budget. At the June 14, 2023 Formal meeting, a public hearing on the proposed primary property tax levy was held in accordance with statutory truth-in-taxation requirements.

Discussion
Mayor Gallego declared the public hearing open. Noting no one was present to speak, she declared the public hearing closed.

She noted this represented a small decrease in the property tax rate for Phoenix.

The hearing was held.

46 Adoption of Property Tax Levy for 2023-24 Fiscal Year (Ordinance S-50038)

An ordinance levying separate amounts to be raised for primary and secondary property tax levies upon each one hundred dollars ($100.00) of the assessed valuation of the property subject to taxation within the City of Phoenix for the fiscal year ending June 30, 2024.

Summary
The ordinance (**Attachment A**) provides for a primary property tax rate resulting in a levy of $209,025,792 (a General Fund revenue source) equating to a rate of $1.2851 per $100 of assessed valuation, including $0.08 for maintenance of parks and playgrounds and $0.2851 for the operation and maintenance of libraries; and an estimated secondary property tax levy of $132,416,075 (used only for debt service) equating

to a rate of $0.8141 per $100 of assessed valuation. The total rate of $2.0992 is lower than the total 2022-23 rate of $2.1130.

Concurrence/Previous Council Action

The proposed 2023-24 property tax levy reflects actions taken by the Council on the budget at the May 16, 2023 Policy meeting, at the May 31, 2023 Formal meeting to adopt the tentative 2023-24 budget, and at the June 14, 2023 Formal meeting to adopt the final 2023-24 budget. At the June 14, 2023 Formal meeting, a public hearing on the proposed primary property tax levy was held in accordance with statutory truth-in-taxation requirements.

A motion was made by Vice Mayor Ansari, seconded by Councilwoman Pastor, 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:	0	
Absent:	1 -	Councilman Waring

58 Tohono O'odham Nation Gaming Grants (Ordinance S-50070)

Request to authorize the City Manager, or his designee, to accept, and as awarded, to enter into related agreements for up to $77,100 in new funding from the Tohono O'odham Nation under the 2022 funding cycle. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, funds as directed by the Tohono O'odham Nation in connection with these grants.

Summary

These monies would be applied, as directed by the Tohono O'odham Nation towards the following:

Non-Profit Applications
Arizona Centers for Comprehensive Education and Life Skills (ACCEL): $10,000 for an adaptive learning program.
Furnishing Dignity: $7,500 for a home furnishing program.
one.n.ten: $10,500 for a youth center.

Veterans Medical Leadership Council (VMLC) Charities: $20,000 for the Returning Warrior program.
Waste Not: $5,000 for the Feeding Children and Youth in Maricopa County program.
Planned Parenthood: $24,100 for a health care center.

The gaming compact entered into by the State of Arizona and various tribes calls for 12 percent of gaming revenue to be contributed to cities, towns, and counties for government services that benefit the general public including public safety, mitigation of impacts, and promotion of commerce and economic development. The Tohono O'odham Nation will notify the City, by grant-in-aid agreement, of the Tribal Council's decision, if it desires to convey to the City or local nonprofits a portion of its annual 12 percent local revenue-sharing contribution.

Financial Impact

There is no budgetary impact to the City and no general funds are required. Entities that receive gaming grants are responsible for the management of those funds.

Discussion

A motion was made and seconded to approve this item.

Mayor Gallego stated the tribal nations gaming compact included funding for work in the community, noting Phoenix was the pass-through for money which was sometimes for city projects as well as non-profit work. She pointed out the city would be funding a variety of projects, such as support for One N Ten and women's health care with Planned Parenthood.

Prior to her vote, Councilwoman Pastor said she was voting yes as she understood the impact of the Tohono O'odham Nation's gaming grants on the community with services. She remarked council members had been working with Planned Parenthood on a health care center in the south Phoenix area. She expressed the One N Ten part was also important to her.

A motion was made by Vice Mayor Ansari, seconded by Councilwoman Pastor, 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: 1 - Councilwoman O'Brien

Absent: 1 - Councilman Waring

59 **Fiscal Year 2023-28 Public Art Plan (Ordinance S-50040)**

Request approval of the Phoenix Office of Arts and Culture's Fiscal Year (FY) 2023-28 Public Art Plan.

Summary

The Phoenix Office of Arts and Culture (POAC) was established in 1985 to champion and sustain the City's arts and culture community, making Phoenix a great place to live, work, and visit. POAC manages the City's public art program, which is funded through the percent-for-art ordinance that City Council adopted in December 1986. The ordinance requires one percent of Capital Improvement Program funds to be invested in enhancing the design and experience of public infrastructure, buildings, and spaces through public art.

The percent-for-art ordinance requires POAC, upon the recommendation of the Phoenix Arts and Culture Commission, to submit an annual Five-Year Public Art Plan before each new fiscal year. The Plan is developed by POAC staff in consultation with City departments, City Council offices, and community groups. Public art projects must be sited at or near capital improvement projects.

The $19,903,205 Plan includes 42 public art projects funded over the next five years **(Attachment A)**. This total includes 30 continuing and 12 new projects. The public art projects within the Plan are prioritized based on opportunities to integrate artwork into individual Capital Improvement Program projects and their potential impact on the neighborhood and the broader arts community. Under these parameters, the Plan focuses on the equitable distribution of funds, as allowable by the percent-for-art ordinance, and the diversification of the public art collection through broadening the types of project opportunities and continued outreach to new artists and arts organizations.

Other Information

The proposed 2023 Five-Year Public Art Plan included a total of $19,903,205. This is $4,030,982 higher than the previous year's plan. Of the 42 projects outlined in the Plan, eight address major retrofits or refurbishments, six support broader citywide initiatives like heat mitigation, and three are a component of long-ranged planning efforts like Rio Reimagined.

Additionally, public involvement is critical to the success of public art projects. Neighborhood organizations, village planning committees, schools, and City departments are included as important participants throughout the public art process. POAC develops each project with the community in mind and works to provide ample opportunities for feedback and collaboration.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission reviewed and approved the FY 2023-28 Public Art Plan at its May 9, 2023 meeting by a vote of 9-0. The item was reviewed and approved by the Community and Cultural Investment Subcommittee at their June 7, 2023 meeting by a vote of 4-0.

Discussion

A motion was made and seconded to approve this item.

Vice Mayor Ansari thanked Office of Arts and Culture staff for their thoughtful public art plan, especially several District 7 key projects such as the Tres Rios Wetlands, Rio Reimagined and improvements to El Reposo Park. She remarked this plan also included funding for the new Laveen Heritage Park and 3-D art work along the Western Canalscape. She expressed public art was an important part of a thriving city, noting District 7 residents would appreciate the art work in this plan.

Mayor Gallego congratulated Councilwoman Guardado as her district did well in one of the competitive areas for grants and won many of them. Mayor Gallego mentioned Phoenix was the largest city without an HIV or AIDS memorial and hoped to see it in a future public art plan.

Prior to her vote, Councilwoman Guardado said she was excited to vote yes.

A motion was made by Vice Mayor Ansari, seconded by Councilwoman Pastor, 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: 0

Absent: 1 - Councilman Waring

67 **Approval to Enter into Agreements with Various School Districts for Funding of School Resource Officers (Ordinance S-50052)**

Request to authorize the City Manager, or his designee, to allow the Police Department to enter into Intergovernmental Agreements with various school districts at the school district's request for placement of School Resource Officers (SROs). These agreements are for the 2023-2024 school year. Further request authorization for the City Treasurer to accept and for the City Controller to disburse all funds related to this item. Cost to the City is the 25 percent match for the SRO salary and fringe benefits.

Summary

At the request of school districts, the Police Department enters into Intergovernmental Agreements with various school districts to assist with the cost of SROs deployed in schools. Funding for these 64 SROs is provided through partnerships with the Arizona Department of Education and individual school districts. Through this partnership, school district funds reimburse the City for 75 percent of the SRO's salary, while the remaining 25 percent is paid by the City.

The 2022-2023 school year included agreements for SRO services at 71 schools for a total deployment of 64 SROs. The 2023-2024 school year will include agreements for SRO services at 71 schools for a total deployment of 64 SROs.

2023-2024 SRO School Districts:
Cartwright Elementary District
Cave Creek Unified District

Deer Valley Unified District
Empower College Prep
Glendale Union High School District
Horizon Community Learning Center
Kaizen Education Foundation
Kyrene Elementary District
Laveen Elementary District
Murphy Elementary District
Paradise Valley Unified District
Premier Charter High School
Scottsdale Unified
Tempe Union High School District
Tolleson Union High School District
Washington Elementary School District
Wilson Elementary District

Contract Term
The terms of these agreements are for one year with varying start and end dates to coincide with each school's 2023-2024 school year.

Financial Impact
Cost to the City is the 25 percent match for the SRO salary and fringe benefits.

Discussion
A motion was made and seconded to approve this item.

Mayor Gallego announced there were two items regarding School Resource Officers (SROs), noting the first item was for existing SROs and the second item was for future SROs.

Anne Ender, a board member of the North Central Phoenix Homeowners Association, stated she had met with the Phoenix Union and Madison School districts and encouraged Council to approve both items. She mentioned public safety was important to her, noting on Sept. 9, 2022 Central High School was on full lockdown due to a fight on campus and a possible shooter. She stressed that incident also locked down Brophy College Preparatory, Xavier College Preparatory and St. Francis Elementary School as well as Sunnyslope High School which was five

miles away. She expressed a percentage of her property taxes went to Madison School and Phoenix Union High School districts, noting the public should have more pull than the board. She said the city's support in having SROs at school districts would make a difference.

Councilwoman O'Brien asked if this item was for school districts that currently had SROs to continue having SROs.

Assistant City Manager Lori Bays affirmed that was correct, noting this item was the renewal of contracts with existing school districts.

A motion was made by Vice Mayor Ansari, seconded by Councilwoman Pastor, 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: 0

Absent: 1 - Councilman Waring

68 Approval to Enter into Agreements with Various School Districts for Potential Future School Resource Officers (Ordinance S-50065)

Request to authorize the City Manager, or his designee, to allow the Police Department to enter into Intergovernmental Agreements with various school districts at the school district's request for the potential placement of School Resource Officers (SROs) should SRO resources become available in the future. These agreements are for the 2023-2024 school year. Further request authorization for the City Treasurer to accept and for the City Controller to disburse all funds related to this item.

Summary

At the request of school districts, the Police Department enters into Intergovernmental Agreements with various school districts to assist with the cost of SROs deployed in schools. Funding for SROs is provided through partnerships with the Arizona Department of Education (ADE) and individual school districts. Through this partnership, school district funds reimburse the City for 75 percent of the SRO's salary, while the remaining 25 percent is paid by the City.

The 2022-2023 school year included agreements for SRO services at 71 schools for a total deployment of 64 SROs. The 2023-2024 school year will include agreements for SRO services at 71 schools for a total deployment of 64 SROs. However, there are not additional SROs available to fill the additional requests that have been received from other school districts at this time.

Additional requests for SROs, which are not able to be filled at this time, have been received by the following nine school districts:

Daisy Education Corporation dba Sonoran Science Academy
EAGLE College Prep Schools
Friendly House, Inc.
Legacy Traditional School
Madison Highland Prep
Phoenix Union School District
Sage Academy, Inc.
Victory Collegiate Academy Corporation
Western School of Science and Technology, Inc.

There are also several school districts that have received funding from the ADE to support SRO placements but have not submitted a formal request to the Police Department, including the following seven school districts:

ASU Preparatory Academy
Franklin Phonetic Primary School, Inc.
Isaac Elementary District
Skyline Schools, Inc.
Southwest Leadership Academy
Synergy Public School, Inc.
Tolleson Elementary School

This request will allow the City to enter into conditional agreements with the school districts that have already made a formal request and the districts above that may submit a request in the future. In these conditional future resource agreements, the City and the additional

school districts must agree that, at this time, the Police Department does not have officers available to fulfill the additional SRO positions, nor is there a timeline of when SROs may become available.

These agreements will allow the City and the additional school districts to move forward in the future if SROs become available. If additional SROs become available, the Police Department may make a placement, which may be in a single- or multi-school model. Additional terms may also be agreed upon regarding school district and officer responsibilities, interactions between officers and students and/or staff members as well as other terms relevant to the relationship between the school district and the department.

The Police Department is also exploring options for innovative ways to potentially provide school safety resources to schools with limited availability of sworn officers. This may include a multi-school or regional model, the integration of civilian staff members or other innovations to meet the growing need. These options will be discussed with Council members and education partners at a future date.

Contract Term
The terms of these agreements are for one year with varying start and end dates to coincide with each school's 2023-2024 school year.

Financial Impact
If SROs become available, the cost to the City is the 25 percent match for the SRO salary and fringe benefits.

Discussion
A motion was made and seconded to approve this item.

Councilwoman O'Brien said she was happy more schools were requesting School Resource Officers (SROs), noting for some schools this would be their first positive interaction with law enforcement. She emphasized the Police Department was down approximately 560 police officers which meant every school would not get an SRO. She recalled the previously approved item was for continuing SROs in schools, but she wanted an explanation of where an SRO was related to officer ranks.

Executive Assistant Police Chief Sean Connolly stated the School Resource Program fell within the Patrol Division and SROs were assigned to schools within precinct boundaries under the leadership of the precinct commander, noting there were 61 SROs staffed throughout the city. He explained the reason for the boundaries was the connectivity between the schools and precinct commanders as well as the patrol officers.

Councilwoman O'Brien questioned if this was conditional approval of SROs.

Assistant City Manager Lori Bays answered staff was requesting Council approval to enter into conditional intergovernmental agreements (IGAs) with each potential district to assess whether the city could provide additional SROs in schools as well as explore innovative models to meet the future demand.

Councilwoman O'Brien asked how many officers were needed to fulfill the new requests.

Ms. Bays replied three additional officers were needed to fill the existing four SRO slots, plus an additional 46 officers to fill the new requests on a one-to-one basis. She added some of the requests were asking for something different from the one-to-one model.

Councilwoman O'Brien inquired how this would impact patrol units.

Mr. Connolly responded 46 officers was equivalent to four 10-officer squads which would be a significant resource allocation, noting it would require the department to look at where to pull officers in order to place them in the Patrol Division for the SRO program.

Councilwoman O'Brien expressed she wanted an officer at every school that requested it and creative solutions were needed to make that happen. She wished to amend the motion to direct staff to explore an IGA opportunity with neighboring cities and towns to help the city fulfill the SRO requests in some of the schools. She said she also wanted staff to start creating a civilian position for SRO, either retired officers or people

coming out of the military who had some of the training, to fill these SRO positions. She mentioned Councilman Robinson could provide additional information based on phone calls he made.

Councilman Robinson stated police staff recently met with him and explained what resources the department had available, noting the department did not want to go backwards. He remarked one option was officers who were retiring could go into the reserve program and be pulled as an SRO. He said he also spoke with Matt Giordano, Executive Director of AZPOST, about specialty police officers, such as military personnel, which could be a way of fulfilling school requests for SROs. Councilman Robinson pointed out that would be a discussion between the Police Department and AZPOST. He recalled testimony from the previous item and agreed dialogue was needed with the schools to determine if SROs on a one-to-one basis was necessary. He urged staff explore all options so that school children were not vulnerable.

Councilwoman Pastor expressed she did not want resources taken away from net squads or community action officers as the city looked for additional SROs. She indicated this was a complex issue with a lot of dialogue about school safety; however, shootings were not prevented but an SRO on campus would have immediate impact based on mandatory reporting. She stressed a conversation was needed to figure out how to balance this in the school system along with the security piece. She agreed the civilian option would help in getting the additional 46 officers.

Mayor Gallego said everyone in the city should be safe, but schools were a priority and wanted the allocation of additional resources to be data driven, such as calls for service to determine the greatest need. She asked if there were additional things to make SRO a more attractive position, for example waiving the teaching requirements for the first year.

Mr. Connolly replied the SRO teaching aspect in a school environment had the most impact on children's lives. He conveyed the best incentive to attract more officers to be an SRO was assurance of support from the city, community and district. He remarked there were almost 80 different career paths within the Police Department so career development and exploration was important to align people with their passion. He

mentioned officers shadowed each other on the job as well as the selection process of recruitment within the department which could include the school to attach additional value. He added the reserve bureau was an untapped resource as well as the other recommendations presented today.

Mayor Gallego stated the schools requesting SROs were concentrated in certain police precincts and inquired if other precincts could assist with the requests.

Mr. Connolly responded when the department mapped all of the requests staff noticed an increase in the South Mountain, Maryvale-Estrella Mountain, southern parts of the Cactus Park and the southern-western sections of the Mountain View precincts. He indicated further discussion was needed to determine resource allocation through a centralized approach to get service to the most important parts of the community.

Mayor Gallego remarked she had seen a change in focus on precincts and the importance of keeping children and school faculty safe. She asked if someone had to be a United States citizen to be a Phoenix police officer.

Mr. Connolly affirmed yes.

Mayor Gallego stated individuals living in Phoenix through the Deferred Action for Childhood Arrivals (DACA) program were interested in serving in both the police department and military. She questioned if they could serve as SROs in a modified way within the program.

Mr. Connolly answered staff was open to explore those discussions and look at a modern opportunity to diversify its workforce, but it involved other complexities outside the department.

Mayor Gallego emphasized the city had to be creative to accomplish multiple goals, noting most positions were open to DACA recipients who excelled in their service. She said this could be one way to solve the staffing issue by giving them this opportunity. She recalled stories from several years ago about SROs and how they impacted the lives of

children.

Vice Mayor Ansari said she supported this item as SROs were an important piece of safety, but she did not want to set an expectation that SROs were responsible for keeping schools safe from shootings. She called on the state legislature and federal government to solve school safety issues with gun control reform.

Councilwoman Stark thanked Councilwoman O'Brien, Councilman Robinson and Mayor Gallego for looking at ways to serve the schools that want SROs. She asked what kind of training civilians would need and how would they rely on an officer for assistance when needed.

Mr. Connolly replied staff had been looking at innovative ways to do things, such as a partnership with AZPOST, and a policy would need to be drawn up to delineate what that training looked like since it would be a new option. He emphasized all parties should come together to build something modern and professional, noting carrying a firearm on campus required training and due diligence. He added an SRO was not the only component of safety at a school, though officers would manage a threat to protect children.

Councilwoman Stark stated she supported the amendment as it was a great way to think outside the box to solve a problem.

Councilwoman Guardado expressed she understood the need for SROs as her children's schools were in lockdown this year. She said she supported SROs as well as Vice Mayor Ansari's comments about including the state in this discussion. Councilwoman Guardado stressed she did not want to take shortcuts on training or vetting to meet this need, so if the direction was to research options and return to Council she supported the amendment. She questioned if staff was looking at options or something the city was implementing.

Ms. Bays explained the majority of funding for the SRO positions, specifically 75 percent, comes from the Arizona Department of Education (ADE). She conveyed staff would need to discuss this with ADE and the school districts about whether the use of that funding for a

civilian or specialty police officer model was acceptable. She emphasized the school districts depended on that funding for the SRO positions so it would need further exploration.

Councilwoman Guardado asked what the cost or resources were for this amendment.

City Manager Jeffrey Barton reiterated 75 percent of the SRO cost was funded by ADE through the schools, noting the remaining 25 percent was covered by the city. He specified existing resources were already part of the current budget per the cost of an officer, but 75 percent of that cost was picked up by the school. He indicated a different type of position would require a budget addition to the Police Department, noting there was no more budget capacity in that department. He said he supported the amendment, but he did not know the additional cost as it depended on the number of positions being added and whether ADE would cover 75 percent of the cost.

Councilwoman Guardado questioned if it was possible, based on distance, to do pairings for the new schools requesting SROs while this was being explored.

Ms. Bays affirmed yes, noting that was something the city was exploring. She explained districts that had existing SROs and were requesting schools be added would have the option of pairing up schools with existing SROs. She remarked schools sharing SROs within their district was a viable model but there were logistics to work out, though that model already existed in small numbers in other school districts. She pointed out the mapping of existing SROs and requesting schools would help identify those opportunities in the future.

Councilwoman Guardado said she supported the original motion and hoped to find a solution that worked with the city's budget and kept children safe.

Mayor Gallego remarked she saw value in letting staff move forward as soon as possible on IGAs with other departments if officers were available to serve as SROs, particularly in districts with shared

jurisdictions.

Councilwoman O'Brien stated her amendment was requesting staff come back with solutions for creating civilian positions or reserve program; however, she wanted to enter into IGAs as soon as possible with surrounding agencies to provide SROs to schools that requested them. She asked how working with another jurisdiction impacted the city's budget.

Mr. Barton replied it depended on the structure of the IGA, noting if Phoenix was just a pass-through there could be no impact to the city but there would be an exchange of liability from an insurance perspective. He added if that jurisdiction staffed on overtime or straight time it could impact their pension unfunded liability which the city might have to pay a portion of those costs. He reiterated it depended on how the IGA was structured with individual cities and towns assuming they had capacity to enter into these agreements.

Councilwoman O'Brien wanted to know the history of why school districts paid 75 percent of the cost and the city paid 25 percent.

Mr. Barton responded he would get back to Council on that answer, but during his time working with the Police Department from a budgetary perspective, he said it was the way the grant was structured, noting some grants were not 100 percent and with compensation increases a residual amount was allocated to it.

City Attorney Julie Kriegh advised if the city entered into an IGA with other cities and towns that would have to come back to Council for approval.

Mayor Gallego remarked she also wanted to include tribal departments if they were willing to participate.

Councilwoman Pastor said she understood the payment for SROs came from many resources, noting the first step was a school district applied for a grant through ADE which paid a portion of the cost along with the school district and the city. She conveyed when a school district received

the grant from ADE they were required to pay a portion of the cost for an SRO. She asked if ADE required an SRO to be a police officer and not a civilian.

Ms. Bays replied that was correct and explained the grant currently required funding to pay for an officer and not a civilian, noting staff would need to explore whether that change could happen.

Councilwoman Pastor said she wanted to know if the next step with this amendment was having a discussion with ADE about looking at civilians to be SROs due to the shortage of officers.

Ms. Bays affirmed that was correct.

Councilwoman Pastor continued once that happened staff would return to Council with an agreement between the city and ADE as well as other cities wanting to do it.

Mr. Barton added AZPOST would be included in the discussion because if guns were on campus they would oversee that situation.

Councilwoman Pastor expression she was excited that different agencies would come together collectively to solve this problem. She said a bigger dialogue needed to happen within the community about how to keep schools safe, especially gun prevention on campus. She remarked she originally asked about the funding to show where it originated.

Mayor Gallego stated a change in legislation was needed along with ADE working with the city on certain portions of the program.

Councilman Robinson mentioned the concept of the 75/25 split was to allow police departments control of their employees assigned to the schools. He said he supported the amendment so staff could explore other options, such as adding interested reserve officers to the SRO program since they were already certified. He conveyed he included specialty officers in his earlier comments as they were limited certification police officers and wanted staff to talk to AZPOST to see if that was a viable option. He stressed cost was also a discussion point, but it was

going to take time to discuss these options with other entities to determine if these options were possible.

Mayor Gallego stated the amended motion had not yet been accepted and asked if Vice Mayor Ansari accepted the amendment as the original motion maker.

Vice Mayor Ansari responded yes and clarified the amendment included IGAs with neighboring jurisdictions and directing staff to explore other solutions that would come back to Council.

Mayor Gallego asked Councilwoman Pastor if she accepted the amendment as the seconder to the original motion.

Councilwoman Pastor affirmed yes.

Councilwoman Guardado expressed she was supportive of staff vetting these ideas with public safety and education partners, but was not supportive of taking action on IGAs until staff provided guidance on the cost and input was received from the partners.

Mayor Gallego recalled another source of funding for SROs was from the Obama administration through the Department of Justice, noting this program was funded many different ways in the past.

Prior to her vote, Councilwoman Guardado wanted confirmation the amendment was just exploring options and that nothing was being implemented.

Mayor Gallego responded yes, noting the only option that could be implemented was reserve officers as the department already had that authority.

A motion was made by Vice Mayor Ansari, seconded by Councilwoman Pastor, that this item be adopted as amended to enter into intergovernmental agreements with neighboring cities and towns to help fill school resource officer requests and have staff come back to Council after exploring solutions for filling school resource officer positions, such as creating civilian positions. 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: 0

Absent: 1 - Councilman Waring

77 **Innovation 27 Workforce Training and Education Collaborative - Architectural Services - ED20000008 (Ordinance S-50037)**

Request to authorize the City Manager, or his designee, to enter into an agreement with M. Arthur Gensler Jr. & Associates, Inc. to provide Architectural Services that include assessment, design, and possible construction administration and inspection services for the Innovation 27 Workforce Training and Education Collaborative project. Further request to authorize execution of amendments to the agreement, as necessary within the Council-approved expenditure authority as provided below and for the City Controller to disburse all funds related to this item. The fee for services is not to exceed $4 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 related to the development, design and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception 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 purpose of this project is to provide the adaptive reuse construction of a former big-box department store into a workforce and education facility.

M. Arthur Gensler Jr. & Associates, Inc.'s services include, but are not limited to: update site analysis; concept design development; code and zoning compliance; construction documents, details and specifications; possible construction administration and inspection; and other work for a complete project.

Procurement Information

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

Selected Firm

Rank 1: M. Arthur Gensler Jr. & Associates, Inc.

Additional Proposers

Rank 2: Holly Street Studio, LLC
Rank 3: Multistudio, Inc.
Rank 4: Marlene Imirzian & Associates, LLC
Rank 5: GLHN Architects & Engineers, Inc.
Rank 6: LAST Architects LLC

Contract Term

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

Financial Impact

The agreement value for M. Arthur Gensler Jr. & Associates, Inc. will not exceed $4 million, including all subconsultant and reimbursable costs.

Funding is available from American Rescue Plan Act, a federally-funded program. Funds are budgeted in the Community and Economic Development Department Capital Improvement Program. There is no

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

Public Outreach
Public outreach will be provided as directed by the City.

Location
2526 W. Northern Ave.
Council District: 5

Discussion
A motion was made and seconded to approve this item.

Councilwoman Guardado congratulated the Gensler team and thanked staff for bringing this item forward. She brought a community plan forward for the old Kmart building, noting the Gensler team was on board with the project from the beginning. She conveyed the Gensler team worked on a feasibility study that transitioned this neighborhood idea into a professional plan. She mentioned their initial work secured partnerships with Arizona State University, West-MEC and Maricopa County Community College District. She expressed she was excited to continue working on this project with the Gensler team and watching people come into the building to get an education or find a new career. She reiterated her support for this item and thanked her colleagues who supported this project.

Mayor Gallego also congratulated Gensler as well as Kitchell who was previously approved as a construction partner on this project. She thanked the Biden administration for their partnership related to American Rescue Plan Act funding, along with the education partners. She said she hoped this workforce training center helped people obtain higher paying jobs.

Prior to her vote, Councilwoman Pastor congratulated Councilwoman Guardado as she had been working hard on this project.

A motion was made by Councilwoman Guardado, seconded by

Councilwoman Pastor, 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: 0

Absent: 1 - Councilman Waring

Discussion

A motion was made and seconded to approve Items 78 and 80.

Councilwoman O'Brien conveyed both items related to roads being constructed in District 1 and thanked three senators, one former senator and two representatives for their work on this much needed item in her district.

A motion was made by Vice Mayor Ansari, seconded by Councilwoman Pastor, that Items 78 and 80 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: 0

Absent: 1 - Councilman Waring

78 Intergovernmental Agreement with the Arizona Department of Transportation for Legislative Appropriations Transportation Funding for Roadway Improvements on 43rd Avenue Between Dove Valley Road and State Route 74/Carefree Highway (Ordinance S-50066)

Request authorization for the City Manager, or his designee, to execute an Intergovernmental Agreement (IGA) with the Arizona Department of Transportation (ADOT) to accept and disburse Legislative Appropriations Transportation funding for roadway improvements to 43rd Avenue between Dove Valley Road and State Route 74/Carefree Highway. 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. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

Laws 2023,1st Regular Session, Chapter 135 (Senate Bill 1722) Section 10 appropriated funding from the State general fund for highway projects. ADOT will issue a warrant in the amount of $6,500,000 appropriated to the City of Phoenix to extend 43rd Avenue between Dove Valley Road and State Route 74/Carefree Highway. This project is a vital major arterial roadway connection which supports the growing traffic demand associated with the expanding Taiwan Semiconductor Manufacturing Corporation (TSMC) site, a multi-billion-dollar economic generator. This project also supports the regional commitment to improve access to the future TSMC site.

Contract Term

The IGA will expire upon completion of the project and once all IGA-related payments are made.

Financial Impact

The current total project cost is estimated at $10.5 million. The State earmark appropriated to the City will cover $6.5 million of the total project cost. The City's participation is estimated at $4 million. Funding is available in the Street Transportation Department's Capital Improvement Program.

Location

43rd Avenue between Dove Valley Road and State Route 74/Carefree Highway
Council District: 1

This item was adopted.

80 Authorization to Accept and Disburse Legislative Appropriations Transportation Funding for Roadway Improvements on Happy Valley Road, 67th to 35th Avenues (Ordinance S-50067)

Request authorization for the City Manager, or his designee, to accept and disburse Legislative Appropriations Transportation funding for roadway improvements on Happy Valley Road between 67th and 35th

avenues. 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. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

Laws 2023, 1st Regular Session, Chapter 135 (Senate Bill 1722) Section 10 appropriated $12.5 million from the State general fund for highway projects. The City, in coordination with the Maricopa Association of Governments (MAG) and the Arizona Department of Transportation (ADOT), is planning a regional roadway improvement project along Happy Valley Road between 67th and 35th avenues. The City will use the appropriated $12.5 million towards the construction phase of the regional project on Happy Valley Road. The funding will close the gap based on the local match requirement which is 30 percent of the total project cost. The current total project cost is $27,304,829.

Concurrence/Previous Council Action

The City Council approved:

A Project Agreement with MAG for the pre-design and environmental phases associated with this project (Ordinance S-46149) on Nov. 6, 2019;

A Project Agreement with MAG for the design phase of this project (Ordinance S-48019) on Oct. 27, 2021; and

An Advance Construct Agreement with MAG and ADOT for the construction phase of this project (Ordinance S-49470) on March 1, 2023.

Financial Impact

Traditionally, the MAG Arterial Life Cycle Program can contribute up to 70 percent of the total project cost and requires member agencies to participate with 30 percent of the total project cost. The current total project cost (design, right-of-way acquisition and construction) is estimated at $27,304,829. Using this estimate, the region could contribute up to $19,113,830. Up until recently, the project was only partially funded with regional dollars at $6.595 million. With the additional State earmark of $12.5 million, the total regional participation is now $19.095 million. The City's participation is now estimated at $8.2 million.

Funding is available in the Street Transportation Department's Capital Improvement Program.

Location
Happy Valley Road, 67th to 35th avenues
Council District: 1

This item was adopted.

93 Public Hearing and Resolution Adoption - General Plan Amendment GPA-EST-1-23-7 - Southwest Corner of 51st Avenue and Broadway Road (Resolution 22139)

Request to hold a public hearing on a General Plan Amendment for the following item to consider adopting the Planning Commission's recommendation and the related resolution if approved. Request to amend the General Plan Land Use Map designation on 26.08 acres from Residential 10 to 15 dwelling units per acre to Mixed Use (Industrial / Commerce/Business Park). This item is a companion case to Z-13-23-7 and must be heard first, followed by Z-13-23-7.

Summary
Application: GPA-EST-1-23-7
Current Designation: Residential 10 to 15 dwelling units per acre
Proposed Plan Designation: Mixed Use (Industrial / Commerce/Business Park)
Acreage: 26.08 acres
Proposal: Minor General Plan Amendment to allow commerce park and industrial uses

Owner: FPE51, LLC
Applicant: Fisher Sand and Gravel
Representative: Adam Baugh; Withey Morris Baugh, PLC

Staff Recommendation: Approval.
VPC Action: The Estrella Village Planning Committee was scheduled to hear this case on May 16, 2023, for recommendation; however, there was no quorum.
PC Action: The Planning Commission heard the case on June 1, 2023, and recommended approval, per the staff recommendation, by a vote of 8-0.

Location

Southwest corner of 51st Avenue and Broadway Road
Council District: 7
Parcel Address: 5175 W. Broadway Road

Discussion

Prior to hearing the Planning and Zoning items, Mayor Gallego conveyed if all items were approved 462 units of housing would be added. She stated Items 93 and 94 were related cases and would be heard together. She declared the public hearing open. Noting no one was present to speak on either item, she declared the public hearing closed on Items 93 and 94.

The hearing was held. A motion was made by Vice Mayor Ansari, seconded by Councilwoman Pastor, that this item be approved per the Planning Commission recommendation with adoption of the related resolution. 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:	0	
Absent:	1 -	Councilman Waring

94 Public Hearing and Ordinance Adoption - Rezoning Application Z-13-23-7 - Southwest Corner of 51st Avenue and Broadway Road (Ordinance G-7141)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-13-23-7 and rezone the site from S-1 (Ranch or Farm Residence) and R-2 (Multifamily Residence District) to CP/GCP (Commerce Park District, General Commerce Park Option) and A-1 (Light Industrial District) to allow office, fabrication and vehicle maintenance. This is a companion case and should be heard following GPA-EST-1-23-7.

Summary

Current Zoning: S-1 (25.97 acres) and R-2 (0.11 acres)
Proposed Zoning: CP/GCP (8.03 acres) and A-1 (18.05 acres)

Acreage: 26.08 acres
Proposed Use: Office, fabrication and vehicle maintenance

Owner: FPE51, LLC
Applicant: Fisher Sand and Gravel
Representative: Adam Baugh, Withey Morris Baugh, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Estrella Village Planning Committee was scheduled to hear this case on May 16, 2023, for recommendation; however, there was no quorum.
PC Action: The Planning Commission heard this case on June 1, 2023, and recommend approval, per the staff recommendation, by a vote of 8-0.

Location
Southwest corner of 51st Avenue and Broadway Road
Council District: 7
Parcel Address: 5175 W. Broadway Road

NOTE: Refer to Item 93 for discussion on this item.

The hearing was held. A motion was made by Vice Mayor Ansari, seconded by Councilwoman Pastor, that this item be approved per the Planning Commission recommendation with adoption of the related ordinance. 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:	0	
Absent:	1 -	Councilman Waring

95 Public Hearing and Ordinance Adoption - Rezoning Application Z-15-23-3 - Approximately 400 Feet North of the Northeast Corner of 12th Street and Roberts Road (Ordinance G-7139)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-15-23-3 and rezone the site from S-1

(Ranch or Farm Residence) to R1-8 (Single-Family Residence District) to allow single-family residential.

Summary

Current Zoning: S-1
Proposed Zoning: R1-8
Acreage: 0.47 acres
Proposal: Single-family residential

Owner: 13839 North 12th St, LLC
Applicant: Taylor Fracasse Architecture, Inc.
Representative: Brian Fracasse

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The North Mountain Village Planning Committee heard this case on May 17, 2023, and recommended approval, per the staff recommendation with direction, by a vote of 10-2-1.
PC Action: The Planning Commission heard this case on June 1, 2023, and recommended approval, per the staff recommendation, by a vote of 6-2.
The Planning Commission recommendation was appealed by a community member on June 8, 2023.

Location

Approximately 400 feet north of the northeast corner of 12th Street and Roberts Road
Council District: 3
Parcel Address: 13831, 13837 and 13839 N. 12th St.

Discussion

Mayor Gallego declared the public hearing open.

Monta Redd, the appellant, stated her property sided the applicant who wants to rezone their property to R1-8, noting her property was zoned S-1 which was the current zoning of the applicant's property. She conveyed the S-1 zoning in this area was subdivided years ago into smaller lots, but the open spaces between homes remained. She indicated residents within a 600-foot radius were to be notified of a rezoning request, but the neighborhood discovered at the Village Planning Committee meeting

they were not properly notified. She claimed the applicant submitted two notarized affidavits of evidence that two notices were sent out and a neighborhood meeting was held. She continued the first notification was mailed on March 22 and the second notification was sent on April 23, 2023, and insisted she did not receive either notice. She said she submitted two public records requests, noting the documents she received did not include neighborhood notification letters or notarized affidavits. She remarked she canvassed the area and none of the property owners on the mailing list received a notification letter. She pointed out Village Planning Committee members were concerned about the lack of neighborhood outreach and suggested the applicant sent another notification letter as well as hold a meeting. She acknowledged a letter was sent out, but not to property owners within the 600-foot radius.

Ms. Redd stated she attended the Planning Commission meeting and none of questions she asked were answered, but the applicant specified they would not have information until the civil engineer reviewed the property. She expressed concern the applicant was not going to construct a fence at the back of the property which sided her property. She alleged any filled retention basin or berm placed on the applicant's property would flood her property. She said the applicant was not complying with R1-8 zoning ordinances which require 70-foot lot width and side setbacks that were unattainable with the applicant's proposed building plans. She remarked the city planned to establish the applicant's property as a two-lot subdivision located in the middle of an already established neighborhood. She expressed another concern about deletion of a stipulation regarding a ten-foot setback from her property that was required by the Village Planning Committee and Planning Commission. She added the large square footage of the applicant's proposed houses does not fit with R1-8 zoning setbacks.

Ms. Redd asserted the city was in violation as lots should not be reduced below ordinance requirements or be further reduced if lots were already less than the allowed minimum. She mentioned she provided pictures of her street in previous meetings that showed existing flooding issues, noting recent alterations to properties in the immediate area would also have a negative impact. She recalled a lawsuit from an adjacent neighborhood that had flooding issues due to development which was

just resolved by putting in a berm and retention basin that pushed their flooding problem onto her street. She conveyed the applicant proposed to develop two houses on a lot meant for one home with lot coverage of 38 percent as well as building over a natural waterway which would add another factor to flooding issues. She stated the landowner needed to utilize their property in a reasonable manner and prevent harm on adjoining properties and suggested the lot be rezoned to R1-10 with one large single-family home which would be compatible with the neighborhood. She expressed the applicant's lack of notification and not complying with zoning ordinances showed this rezoning request was not appropriate.

Councilwoman Stark requested staff address the notification issue and clarify zoning and development standards.

Planning and Development Director Joshua Bednarek confirmed documentation on file showed the applicant met the notification requirements. He advised when the site was ready for development it would require adherence to zoning ordinance standards, such as setbacks and lot coverage, as part of a site review process to obtain building permit, noting a variance was required it the site deviated from those standards.

Councilwoman Stark inquired if staff looked at issues like flooding during site review.

Mr. Bednarek responded yes, as part of site plan and building review staff would perform grading and drainage analysis to ensure off-site flows were retained on-site.

Councilwoman Stark wanted confirmation that additional steps were needed if this zoning request was approved.

Mr. Bednarek replied that was correct, noting staff was willing to connect with residents to walk them through the various steps required before a building permit was issued for this site.

Councilwoman Stark requested staff do that and suggested the applicant

follow-up with staff as well as the appellant.

Mayor Gallego noted the applicant was present to speak, if necessary. She declared the public hearing closed.

The hearing was held. A motion was made by Councilwoman Stark, seconded by Councilwoman Pastor, that this item be approved per the Planning Commission recommendation with adoption of the related ordinance. 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: 0

Absent: 1 - Councilman Waring

96 **Public Hearing and Resolution Adoption - General Plan Amendment GPA-RV-1-22-1 - Northeast Corner of I-17 and Circle Mountain Road (Resolution 22138)**

Request to hold a public hearing on a General Plan Amendment for the following item to consider the Planning Commission's recommendation and the related resolution if approved. Request to amend the General Plan Land Use Map designation on 114.58 acres from Residential 3.5 to 5 dwelling units per acre and Commercial to Residential 5 to 10 dwelling units per acre, Residential 10 to 15 dwelling units per acre, Residential 15+ dwelling units per acre, and to remove the Infrastructure Phasing Overlay. This is a companion case to Z-8-22-1 and should be heard first, followed by Z-8-22-1.

Summary

Application: GPA-RV-1-22-1
Current Designation: Residential 3.5 to 5 dwelling units per acre (68.93 acres) and Commercial (45.65 acres)
Proposed Designation: Residential 5 to 10 dwelling units per acre (64.52 acres), Residential 10 to 15 dwelling units per acre (31.07 acres), Residential 15+ dwelling units per acre (18.99 acres), and Remove Infrastructure Phasing Overlay (114.58 acres)
Acreage: 114.58
Proposal: Minor General Plan Amendment to allow single-family and

multifamily and an update to the Infrastructure Limit Line

Owner: Circle Mountain Holdings, LLC
Applicant/Representative: Adam Baugh, Withey Morris Baugh, PLC

Staff Recommendation: Approval, as amended to remove the request for modifications to the Infrastructure Phasing Overlay.
VPC Action: The Rio Vista Village Planning Committee heard this case on May 9, 2023, and recommended approval, per the staff recommendation, by a vote of 4-2.
PC Action: The Planning Commission heard this case on June 1, 2023, and recommended approval, per the Rio Vista Village Planning Committee recommendation, by a vote of 8-0.

Location
Northeast corner of I-17 and Circle Mountain Road
Council District: 1
Parcel Addresses: 44301, 44333, 44421, 44825 and 45111 N. Black Canyon Highway; and 3900 W. Circle Mountain Road

Discussion
Mayor Gallego stated Items 96 and 97 were related cases and would be heard together. She declared the public hearing open. Noting no one was present to speak on either item, she declared the public hearing closed on these items.

The hearing was held. A motion was made by Councilwoman O'Brien, seconded by Councilwoman Pastor, that this item be approved per the Planning Commission recommendation with adoption of the related resolution. 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:	0	
Absent:	1 -	Councilman Waring

97 Public Hearing and Ordinance Adoption - Rezoning Application Z-8-22-1 - Northeast Corner of I-17 and Circle Mountain Road and

the Southeast Corner of I-17 and Jenny Lin Road (Ordinance G-7140)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-8-22-1 and rezone the site from C-2 (Intermediate Commercial), C-3 (General Commercial), S-1 (Ranch or Farm Residence), County RU-43 (One Acre Per Dwelling Unit) (Pending Annexation), and Pending S-1 (Ranch or Farm Residence) to R-2 (Multifamily Residence District), R-3 (Multifamily Residence District), and R-3A (Multifamily Residence District) to allow single-family and multifamily residential. This is a companion case and must be heard following GPA-RV-1-22-1.

Summary

Current Zoning: C-2 (44.29 acres), C-3 (11.96 acres), S-1 (9.06 acres), County RU-43 (8.03 acres), Pending S-1 (5.95 acres)
Proposed Zoning: R-2 (29.14 acres), R-3 (31.78 acres), R-3A (18.37 acres)
Acreage: 79.29 acres
Proposal: Single-family and multifamily residential

Owner: Circle Mountain Holdings, LLC
Applicant/Representative: Adam Baugh, Withey Morris Baugh, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Rio Vista Village Planning Committee heard this case on May 9, 2023, and recommended approval, per the staff recommendation, with additional stipulations, by a vote of 5-1.
PC Action: The Planning Commission heard this case on June 1, 2023, and recommended approval, per the staff memo dated June 1, 2023, with an additional stipulation, by a vote of 8-0.

Location

Northeast corner of I-17 and Circle Mountain Road and the southeast corner of I-17 and Jenny Lin Road
Council District: 1
Parcel Address: 44301, 44333, 44421, 44825 and 45111 N. Black Canyon Highway; and 3900 W. Circle Mountain Road

Discussion

The hearing for this item was held concurrently with Item 96.

A motion was made and seconded to approve this item.

Councilwoman O'Brien recognized Circle Mountain Holdings, LLC who would be putting in $10 million of infrastructure to move water and sewer under the I-17 freeway to help with future development on the east side of the freeway.

Mayor Gallego mentioned an issue with this case was traffic on the frontage road, noting she served on a regional transportation body and wanted to address that issue.

The hearing was held. A motion was made by Councilwoman O'Brien, seconded by Vice Mayor Ansari, that this item be approved per the June 23, 2023 memo from the Planning and Development Director with adoption of the related ordinance. 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:	0	
Absent:	1 -	Councilman Waring

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

000 CITIZEN COMMENTS

City Attorney Julie Kriegh 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.

Barbara Turner, a member of the Neighborhood Assistance Corporation of America (NACA), remarked they assisted low- to moderate-income individuals

purchase an affordable home in the Phoenix metro area. She mentioned she contacted and sent information to the council members, and requested Council sell parcels to these individuals so they could build a home. She explained they were modeling their program from an existing one in Newark, New Jersey, where individuals could purchase a parcel for $1 and the corporation helped build the home. She stated the corporation was looking at factory-built homes ranging from $110,000 up to $200,000. She remarked their homeownership program required no money down, no closing costs, no private mortgage insurance and credit scores were not a factor. She added the individual did not have to be a first-time homebuyer and there was no minimum or maximum income. She stated the organization had been in business for 38 years and had 45 offices throughout the United States.

Mayor Gallego thanked Ms. Turner for bringing this important topic forward.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 11:33 a.m.

MAYOR

ATTEST:

CITY CLERK

SM

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 3rd day of July, 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