City of Phoenix

Minutes

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

186067

City Council Formal Meeting

Wednesday, November 1, 2023 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, Nov. 1, 2023 at 2:40 p.m. in the Council Chambers.

Present: 7 - Councilwoman Kesha Hodge Washington, Councilwoman Laura Pastor, Councilman Kevin Robinson, Councilwoman Debra Stark, Councilman Jim Waring, Vice Mayor Yassamin Ansari and Mayor Kate Gallego

Absent: 2 - Councilwoman Betty Guardado and Councilwoman Ann O'Brien

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

The City Clerk confirmed copies of the titles of Ordinances G-7161, G-7172, G-7176, and G-7181 through G-7189; S-50277 through S-50312; and Resolutions 22165 through 22166 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.

MINUTES OF MEETINGS

1 **For Approval or Correction, the Minutes of the Formal Meeting on Jan. 20, 2021**

Summary

This item transmits the minutes of the Formal Meeting of Jan. 20, 2021, for review, correction and/or approval by the City Council.

The minutes are available for review in the City Clerk Department, 200 W. Washington St., 15th Floor.

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

Yes:	7 -	Councilwoman Hodge Washington, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	2 -	Councilwoman Guardado and Councilwoman O'Brien

BOARDS AND COMMISSIONS

2 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 by Mayor Gallego:

Audit Committee

Appoint Christian Osmena, for a term to expire July 1, 2025.

Phoenix Business and Workforce Development Board

Appoint Jason Schaffner, filling a Business representative vacancy, for a term to expire June 30, 2026.

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

Yes:	7 -	Councilwoman Hodge Washington, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego

No: 0

Absent: 2 - Councilwoman Guardado and Councilwoman O'Brien

Mayor Gallego administered the oath of office to Jason Schaffner, Phoenix Business and Workforce Development Board. She invited him to approach the dais so Council could extend their appreciation.

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

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

A motion was made by Vice Mayor Ansari, seconded by Councilwoman Stark, that Items 3-16 be recommended for approval, noting that Item 16 was originally recommended for disapproval due to a Finance Department recommendation of disapproval and has been revised. The motion carried by the following voice vote:

Yes: 7 - Councilwoman Hodge Washington, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego

No: 0

Absent: 2 - Councilwoman Guardado and Councilwoman O'Brien

3 Liquor License - iSwing Indoor Golf

Request for a liquor license. Arizona State License Application 007070013711.

Summary

Applicant
Joseph Del Rossi, Agent

License Type
Series 7 - Beer and Wine Bar

Location
42101 N. 41st Drive, Ste. 124
Zoning Classification: C-2 PCD
Council District: 1

This request is for an ownership and location transfer of a liquor license for a beer and wine bar. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in November 2023.

The 60-day limit for processing this application is Nov. 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 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 consistently demonstrated to be capable, reliable, and qualified in all areas of my life. Throughout my educational career, I have shown diligence and persistence, earning a Masters degree in Biomedical

Engineering with 4.0 GPA. In industry, I worked my way up through many positions of management and leadership to a global director over R&D labs. In my personal life, I am a faithful and loving husband to my wife and excellent father to my two young children. I am a law abiding citizen that works hard every day for my family."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "We desire to sell beer and wine at iSwing Indoor Golf because we know that it is something people would enjoy, and even maybe expect, at an indoor golf practice & play facility. Our business will operate similarly in nature to outdoor diriving ranges, bowling alleys, and other sports-orientated family fun centers that serve alcohol. Our community in Anthem, AZ lacks and greatly needs new forms of fun and entertainment for families and people of all ages. We only hope to provide people something that will make their experience more enjoyable."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - iSwing Indoor Golf
Liquor License Map - iSwing Indoor Golf

This item was recommended for approval.

4 Liquor License - Special Event - M.U.S.I.C. Foundation of Arizona, Inc.

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

Summary

Applicant
Brad Laughlin

Location
5410 E. High St.
Council District: 2

Function
Concert

Date(s) - Time(s) / Expected Attendance
Nov. 4, 2023 - 11 a.m. to 10 p.m. / 1,500 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

5 Liquor License - Oregano's Pizza Bistro

Request for a liquor license. Arizona State License Application 256336.

Summary

Applicant
Steven Dunsire, Agent

License Type
Series 12 - Restaurant

Location
4602 E. Cactus Road
Zoning Classification: RSC PCD
Council District: 3

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

The 60-day limit for processing this application is Nov. 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 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 served as the Director of Operations at the liquor licensed establishment at the above referenced property as well as numerous other locations in both Arizona and Colorado for a substantial amount of time."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This is a previously licensed restaurant that has offered these services since 2011"

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Oregano's Pizza Bistro
Liquor License Map - Oregano's Pizza Bistro

This item was recommended for approval.

6 Liquor License - OHSO Brewery

Request for a liquor license. Arizona State License Application 255843.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
2144 E. Indian School Road
Zoning Classification: C-3
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.

The 60-day limit for processing this application is Nov. 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

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:
"Ohso has several locations throughout the valley. We will continue to abide by Arizona's Title 4 liquor laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This location will be a production brewery and a neighborhood meeting place with food and beverage for one and all. OHSO has an inviting space for families, singles and all ages. It will also be the production brewery for our outside sales locations, including, but not limited to Safeway, Camelback Inn, W Hotel and our sister restaurants and a few more."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - OHSO Brewery
Liquor License Map - OHSO Brewery

This item was recommended for approval.

7 Liquor License - OHSO Brewery

Request for a liquor license. Arizona State License Application 007070022990.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 7 - Beer and Wine Bar

Location
2144 E. Indian School Road
Zoning Classification: C-3
Council District: 4

This request is for an ownership and location transfer of a 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 a beer and wine bar.

The 60-day limit for processing this application is Nov. 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
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:
“Ohso has several locations throughout the valley. We will continue to abide by Arizona's Title 4 liquor laws.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“This location will be a production brewery and a neighborhood meeting place with food and beverage for one and all. OHSO has an inviting space for families, singles and all ages. It will also be the production brewery for our outside sales locations, including, but not limited to Safeway, Camelback Inn, W Hotel and our sister restaurants and a few more.”

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 - OHSO Brewery
Liquor License Map - OHSO Brewery

This item was recommended for approval.

8 Liquor License - Indigo Grocers

Request for a liquor license. Arizona State License Application 252395.

Summary

Applicant
Praveen Muppavarapu, Agent

License Type
Series 10 - Beer and Wine Store

Location
7343 W. Indian School Road

Zoning Classification: C-2
Council District: 5

This request is for a new liquor license for a grocery store. 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 Nov. 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
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 liquor 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 the neighborhood who may not have access to transportation. Adding the long time experience of the owner with 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 alcohol."

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 - Indigo Grocers
Liquor License Map - Indigo Grocers

This item was recommended for approval.

9 Liquor License - Brunch Snob

Request for a liquor license. Arizona State License Application 256689.

Summary

Applicant
Celene Hillsbery, Agent

License Type
Series 12 - Restaurant

Location
5555 N. 7th St., Ste. 108
Zoning Classification: C-2
Council District: 6

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

interim permit.

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

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

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

Brunch Snob (Series 12)
4747 E. Elliott Road #23 & 24, Phoenix
Calls for police service: 86
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 good business owner who is honest and well respected. I have never had any issues with the law and always follow all rules and regulations. I have held a current liquor license Jan 2022 and am in good standing.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“We have a restaurant with good food that takes care of their customers and they will enjoy being able to have an alcoholic beverage with their meals. The can trust us to follow all rules and regulations required to serve alcohol in our establishment.”

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 - Brunch Snob
Liquor License Map - Brunch Snob

This item was recommended for approval.

10 Liquor License - Oregano's Pizza Bistro

Request for a liquor license. Arizona State License Application 256177.

Summary

Applicant
Steven Dunsire, Agent

License Type
Series 12 - Restaurant

Location
1008 E. Camelback Road
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application is Nov. 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
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 served as the Director of Operations at the liquor licensed establishment at the above referenced property as well as numerous other locations in both Arizona and Colorado for substantial amount time."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "This is a previously licensed restaurant that has offered these services since 2001."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Oregano's Pizza Bistro
Liquor License Map - Oregano's Pizza Bistro

This item was recommended for approval.

11 Liquor License - Shinko Sushi House

Request for a liquor license. Arizona State License Application 257155.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 12 - Restaurant

Location
1241 E. Chandler Blvd., Ste. 127
Zoning Classification: C-2 PCD
Council District: 6

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 Nov. 4, 2023.

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

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

Other Active Liquor License Interest in Arizona
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 wife and I have been working in the restaurant industry for several years. We are law abiding Arizona US citizens and have already attended the Basic and Management Liquor Law training to ensure we are in compliance with all State, City and County laws and ordinances. We have begun to create our own company policy to ensure our employees follow our rules which are more strict than State Liquor Laws. We are a restaurant so we will not be serving 50 ounces of beers as the law states. It will be less."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This is a popular sushi restaurant known to the local community. The neighborhood has expressed their desire to have a sushi restaurant at this location to meet the needs of the community. The service of the alcoholic beverages is only to compliment the service of our food. We

are looking forward to building a close relationship with the neighborhood and other local business."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Shinko Sushi House
Liquor License Map - Shinko Sushi House

This item was recommended for approval.

12 Liquor License - Green Light Distributors

Request for a liquor license. Arizona State License Application 252097.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 4 - Wholesaler

Location
431 N. 47th Ave.
Zoning Classification: Industrial Park
Council District: 7

This request is for a new liquor license for a wholesaler. 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 Nov. 4, 2023.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Applicant is committed to upholding the highest standards for alcohol sales and service and is committed to uphold all laws and regulations."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

13 Liquor License - Unfiltered Natural Wine and More

Request for a liquor license. Arizona State License Application 258553.

Summary

Applicant
Corianne Nelson, Agent

License Type
Series 10 - Beer and Wine Store

Location
111 W. Monroe St., Ste. 120
Zoning Classification: DTC-Business Core
Council District: 7

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

The 60-day limit for processing this application is Nov. 13, 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:
"This business is a continuation of the wine store I have worked in for the last three years. In that time, I have learned how to successfully manage and run a retail wine and beer shop, and how best to serve the community through this work. I want this retail location to be a neighborhood resource and gathering place for folks to learn about, discover, and enjoy wine."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The downtown area is undeserved in the area of quality wine and beer.

This store will exist, as it's predecessor has since 2015, as a place where people can learn, discover, and find their new favorite wine in a welcoming environment."

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 - Unfiltered Natural Wine and More
Liquor License Map - Unfiltered Natural Wine and More

This item was recommended for approval.

14 Liquor License - Special Event - St. Agnes Roman Catholic Parish Phoenix

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

Summary

Applicant
Bradley Peterson

Location
1954 N. 24th St.
Council District: 8

Function
Carnival

Date(s) - Time(s) / Expected Attendance
Nov. 10, 2023 - 5 p.m. to 9 p.m. / 100 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

15 Liquor License - Special Event - Saint Sava Serbian Orthodox

Church

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

Summary

Applicant
Alexander Beric

Location
4436 E. McKinley St.
Council District: 8

Function
Banquet Dinner

Date(s) - Time(s) / Expected Attendance
Jan. 13, 2024 - 7 p.m. to 12:30 a.m. / 290 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

16 Liquor License - Club Silverado

Request for a liquor license. Arizona State License Application 06070517.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 6 - Bar

Location
6108 N. 27th Ave.
Zoning Classification: C-2
Council District: 5

This request is for an ownership transfer of a liquor license for a bar. 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 Nov. 7, 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
One letter protesting the issuance of this license has been received and is on file in the Office of the City Clerk. The letter is from the North Glenn Square Neighborhood Association. They are not in support of the liquor license application because the applicant has not reached out to them or the surrounding neighborhood to meet and discuss a good neighbor agreement.

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 practicing physician since 2007. I will be operating the bar on the stipulated days and hours which are outside of the hours which are outside of the hours of my practice. Additionally, I will be attending both Basic and Management Liquor Law so I can guide my staff in following all laws. Furthermore, my company policies will be more strict than State law to prevent over intoxication and sales to underage. It is my desire to establish a bar that is safe and provides entertainment for local residents."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "This is an existing bar however, I will be hiring new staff to comply with State, City and County statues. Employees will be required to attend a certified alcohol training class to be able to identify intoxicated customers on the premises and purchase/consume alcoholic beverages. Lastly, I want to build strong community relationship with local neighborhoods and law enforcement."

Staff Recommendation
Staff recommends disapproval of this application based on a Finance Department recommendation for disapproval.

Attachments
Liquor License Data - Club Silverado
Liquor License Map - Club Silverado

This item was recommended for approval as revised.

17 Liquor License - Carniceria Y Panaderia La Exclusiva

Request for a liquor license. Arizona State License Application 256242.

Summary

Applicant
Josh Rios, Agent

License Type
Series 10 - Beer and Wine Store

Location

1640 N. 36th St. A#105 A106
Zoning Classification: C-2
Council District: 8

This request is for a new liquor license for a specialty market. 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 Nov. 13, 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 receiving a valid training and Certificate of Completion on Basic and

Management Title 4 courses. I have had other liquor licensed businesses in Phoenix for years in the past, which licenses had a history of compliance with A. R.S. 4-112(G)(2)."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "There is a demand for the purchase of liquor products at this location. Customers always asking for addling liquor products, so they can buy. This is a retail meat market store conveniently located for the customers at a major road intersection. I intend to serve better my customers who live nearby to able them to save time and make all of their purchases in a single location, like my small store."

Staff Recommendation

Staff recommends disapproval of this application based on a Finance Department recommendation for disapproval and 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. The applicant has not demonstrated the capability, qualifications and reliability to hold and control a liquor license.

Attachments

Liquor License Data - Carniceria Y Panaderia La Exclusiva
Liquor License Map - Carniceria Y Panaderia La Exclusiva

A motion was made by Councilwoman Hodge Washington, seconded by Councilwoman Stark, that this item be recommended for disapproval based on the Finance Department's recommendation of disapproval. The motion carried by the following vote:

Yes:	7 -	Councilwoman Hodge Washington, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	2 -	Councilwoman Guardado and Councilwoman O'Brien

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

Mayor Gallego requested a motion on the remaining agenda items. A motion

was made, as appears below.

The following electronic comments were submitted for the record:
- Item 42: 6 in opposition;
- Item 45: 6 in opposition;
- Item 46: 6 in opposition; and
- Item 82: 5 in opposition.

A motion was made by Vice Mayor Ansari, seconded by Councilwoman Stark, that Items 18-82 be approved or adopted, except Items 25, 27, 33, 35-40, 43, 59, 78-79 and 81; continuing Item 70 to the Dec. 6, 2023 City Council Formal Meeting, Item 80 to the Nov. 15, 2023 City Council Formal Meeting, and Item 82 to the Jan. 24, 2024 City Council Formal Meeting; and noting that Items 69, 75, and 76 are withdrawn. The motion carried by the following vote:

Yes:	7 -	Councilwoman Hodge Washington, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	2 -	Councilwoman Guardado and Councilwoman O'Brien

Items 18-24, Ordinance S-50277 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.

18 AZ Wastewater Industries, Inc.

For $150,000 in additional payment authority for Contract 150202 for GfG Multi-Gas Monitors, Repair and Replacement Parts, Accessories, and Services, for the Aviation Department. AZ Wastewater Industries, Inc., will provide the monitors, parts, accessories, and services on an as-needed basis while working in confined spaces to detect hazardous gases.

This item was adopted.

19 **Life Technologies Corporation**

For $67,538 in payment authority to purchase a one-year service agreement for the two Life Technologies 3500xL Genetic Analyzers, and three 7500 Real Time PCR System instruments, utilized by the Forensic DNA Section of the Laboratory Services Bureau. These instruments are proprietary and have been validated for use with laboratory reagents in order to meet national standards. The Forensic DNA Section uses these instruments to conduct DNA analyses on biological evidence. Annual service is required to meet federal standards for DNA casework laboratories. Funding is available in the Police Department budget.

This item was adopted.

20 **Inroads Info, Inc., Gunn Communications, Inc., HDR Engineering, Inc., Your Project Marketing & Outreach, LLC, Riester Sonoran, LLC, and Urias Communications, LLC**

For $100,000 in additional payment authority for Contracts 151322 with Inroads Info, Inc.; 151323 with Gunn Communications, Inc.; 151324 with HDR Engineering, Inc.; 151325 with Riester Sonoran, LLC; 151326 with Urias Communications, LLC; and 151327 with Your Project Marketing & Outreach, LLC, for the development of bilingual (English and Spanish) bicycle and pedestrian safety campaign materials to include public service announcements (PSA), printed materials, and the purchase of media spots on radio and/or social media to increase the reach of the PSA messages for the Street Transportation Department. Previous Council actions include approval of Ordinances S-46184 and S-49026 authorizing the Street Transportation Department to apply for and accept additional funding from the Governor's Office of Highway Safety.

This item was adopted.

21 **Arizona Public Service Company dba APS**

For $35,000 in payment authority to APS for invoice AR0480007986, for relocation of streetlights on the Oak Street Bike and Pedestrian Improvements Project ST87600121-1, for the Street Transportation Department.

This item was adopted.

22 **Settlement of Claim(s) NWI Grunow Memorial Medical v. City of Phoenix**

To make payment of up to $38,356.75 in settlement of claim(s) in *NWI Grunow Memorial Medical v. City of Phoenix,* 22-1067-001 AU, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim involving the Public Works Department that occurred on Dec. 13, 2022.

This item was adopted.

23 Settlement of Claim(s) Mr Bult's Inc v. City of Phoenix

To make payment of up to $91,700 in settlement of claim(s) in *Mr Bult's Inc v. City of Phoenix*, 22-0939-001 GL, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim involving the Public Works Department that occurred on Nov. 15, 2022.

This item was adopted.

24 Settlement of Claim(s) Palm Silage Arizona LLC v. City of Phoenix

To make payment of $100,000 in settlement of claim(s) in *Palm Silage Arizona LLC v. City of Phoenix*, CV2022-011172, 19-0852-001, GL, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim involving the Public Works Department that occurred on Dec. 19, 2019.

This item was adopted.

26 Reappointment of Phoenix Municipal Court Judges

This item requests to reappoint the following individuals as judges of the Phoenix Municipal Court, if recommended by the Public Safety and Justice Subcommittee: Francisca Cota to a term expiring on Dec. 20, 2027; Cynthia Gonzales to a term expiring on Dec. 20, 2027; James Hernandez to a term expiring on Dec. 20, 2027; and Walter Jackson to a term expiring on Nov. 23, 2027.

Summary

On Oct. 19, 2023, the Judicial Selection Advisory Board recommended Judges Francisca Cota, Cynthia Gonzales, James Hernandez, and Walter Jackson, to be considered for reappointment by the Public Safety and Justice Subcommittee.

On Nov. 1, 2023, the Public Safety and Justice Subcommittee will consider recommending Francisca Cota, Cynthia Gonzales, James Hernandez, and Walter Jackson, to be reappointed as a judge of the

Phoenix Municipal Court. If recommended by the Public Safety and Justice Subcommittee, the approval of Francisca Cota, Cynthia Gonzales, James Hernandez, and Walter Jackson's reappointment by the full City Council will be held during the Formal Meeting on Nov. 1, 2023.

This item was approved.

28 Proposed 35th Avenue and Carter Road Annexation (Ordinance S-50312)

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

Summary

The annexation was requested by Pew & Lake, PLC, Reese Anderson and Jon Gillespie 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 Dec. 7, 2022, to allow the City Council to gather community comment regarding the annexation proposal. Notification of the public hearing was published in the Arizona Business Gazette newspaper, and posted in at least three conspicuous places in the territory proposed to be annexed. Also, notice by first-class mail was sent to each property owner in the area proposed to be annexed.

Location

The proposed annexation area includes Maricopa County Assessor parcel 105-89-013L, located at 35th Avenue and Carter Road (**Attachment A**). The annexation area is approximately 4.93 acres (0.0077 sq. mi.) and the population estimate is zero individuals.

Council District: 7

This item was adopted.

29 Acceptance and Dedication of Easements for Sidewalk and Public Utility Purposes (Ordinance S-50307)

Request for the City Council to accept and dedicate easements for 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.

Easement (a)
Applicant: Atlas BL Dunlap, LLC, its successor and assigns
Purpose: Sidewalk
Location: 701 W. Dunlap Ave.
File: FN 230080
Council District: 3

Easement (b)
Applicant: 29th Avenue Holdings, LLC, its successor and assigns
Purpose: Public Utility
Location: 2211 E. Angela Drive
File: FN 230076
Council District: 3

This item was adopted.

30 Integrated Pest Control, Wildlife Relocation, and Bird/Bat Management Contract - IFB 24-0017 - Request for Award (Ordinance S-50288)

Request to authorize the City Manager, or his designee, to enter into contracts with City Wide Pest Control; Kaigan, LLC, dba Pestmaster; and Southwest Avian Solutions, LLC, to provide various pest control treatment and management, wildlife relocation and bird management, for the Citywide departments. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts

will not exceed $1,605,746.

Summary

These contracts will provide various pest control treatments to prevent, destroy, repel, or mitigate pests, and to relocate wildlife and birds. The services will be requested throughout the City in various locations. City departments will utilize a combination of methods to keep pests at an acceptable level for the health of staff and citizens. The requested services are critical to citywide facility operations.

Procurement Information

An Invitation for Bid procurement was processed in accordance with 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
City Wide Pest Control
Kaigan, LLC, dba Pestmaster
Southwest Avian Solutions, LLC

Contract Term

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

Financial Impact

The aggregate contracts value will not exceed $1,605,746. Funding is available in various department budgets.

This item was adopted.

31 Automated External Defibrillators (Lease) - 12-JLH-011 - Amendment (Ordinance S-50289)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 148176 with Cintas Corporation to extend the contract term and add additional expenditures. Further request to authorize the City Controller to disburse all funds related to this item. The

additional expenditures will not exceed $600,000.

Summary

This contract will provide Automated External Defibrillators (AED) that are used to treat sudden cardiac arrest by sending an electric shock to the heart to restore normal rhythm. An assessment of the Citywide inventory of AEDs was completed by Cintas, and in consultation with the Fire Department, the City determined the placement and location of the AEDs Citywide to ensure the availability of devices to assist in life safety efforts.

The contract covers the leasing of equipment, installation, online compliance tool, monthly inspections, medical direction, replacement of pads and batteries, and a training component. The contract will be managed and implemented by the Public Works Department. Extending the contract will allow the City to maintain its inventory of AEDs while ensuring that the current inventory is up to date and functioning properly.

Contract Term

Upon approval the contract will be extended through Nov. 8, 2024, with an option to extend through Nov. 8, 2025.

Financial Impact

Upon approval of $600,000 in additional funds, the revised aggregate value of the contract will not exceed $2,239,380. Funds are available in the Aviation, Phoenix Convention Center, Water Services and Public Works department budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

• Automated External Defibrillators (Lease) Contract 148176 (Ordinance S-44691) on June 6, 2018;

• Automated External Defibrillators (Lease) Contract 148176 (Ordinance S-45102) on Nov. 7, 2018.

This item was adopted.

32 Interface Technical Training - ADSPO18-210228 - Amendment (Ordinance S-50290)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 149569 with Interface Technical Training, to

extend the contract term and add additional funding. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $332,500.

Summary

This contract will provide continual technical training and staff development for critical competencies and skill sets, in a variety of formats based on group or individual training needs for the Water Services, Phoenix Municipal Court, Fire, Information Technology Services, Aviation, and Public Works departments.

Contract Term

Upon approval the contract will be extended through Feb. 28, 2025, with an option to extend though Feb. 28, 2026.

Financial Impact

Upon approval of $332,500 in additional funds, the revised aggregate value of the contract will not exceed $592,500. Funds are available in various department budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

• Interface Technical Training Contract 149569 (Ordinance S-45440) on March 20, 2019.

This item was adopted.

34 Armed, Unarmed, and Event Security Guard Contracts - RFQu 23-117 - Request for Award (Ordinance S-50302)

Request to authorize the City Manager, or his designee, to establish a qualified vendor list and enter into contracts to provide armed, unarmed, and event security guard services for Citywide departments. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $14 million.

Summary

The contracts will provide armed, unarmed, and event security guard services for departments Citywide. Security guard services are utilized by various departments for securing public and private property, monitoring City facilities, patrolling City parks, providing fire watch services, securing City-sponsored events, and more. The contracts will be available to all

departments, with heavy usage from the Parks and Recreation, Fire, Public Works, and Police departments. These contracts will help ensure the safety and protection of City personnel, infrastructure, and properties.

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

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

Experience
Qualifications
Capacity

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

Superior Protection Services, Inc.
Surveillance Security, Inc.
Universal Protection Service, LP, dba Allied Universal Security Services
Windom Security Strategies Today, LLC

Contract Term
The contracts will begin on or about Dec. 1, 2023, for a five-year term.

Financial Impact
The aggregate contract value will not exceed $14 million. Funding is available in the various department budgets.

This item was adopted.

41 Request to Amend Ordinance S-48599 for Community Development Block Grant Public Facility Grant Award (Ordinance S-50297)

Request to authorize the City Manager, or his designee, to amend Ordinance S-48599 to increase the contract award from $85,690 to

$150,000 and extend the contract term to June 30, 2024 for The Opportunity Tree. Further request to authorize the City Controller to disburse all funds related to this item. There is no impact to the General Fund.

Summary

Community Development Block Grant (CDBG) public facility funding assists non-profit organizations expand services to support the needs of low- to moderate-income Phoenix residents. Eligible activities include acquisition, construction, rehabilitation, or Americans with Disabilities Act (ADA) improvements to non-profit owned public facilities. City Council approved fiscal year 2022-23 CDBG public facility grant funding for local non-profits, including The Opportunity Tree.

The Opportunity Tree provides services to Phoenix residents with intellectual and developmental disabilities and was awarded funding to implement ADA enhancements at the 3146 E. Windsor Ave. location in Phoenix. Construction costs have increased considerably since the original project budget was submitted due to the construction cost increases post pandemic, especially in the construction industry. Additional time is necessary as development of project plans were delayed due to unforeseen circumstances in obtaining infrastructure assessments, physical space considerations, and permit review.

Contract Term

The original authorized contract term was July 1, 2022, through June 30, 2023, with an option to extend through Dec. 31, 2023. If this item is approved, the term of the contract for only The Opportunity Tree will be initiated on or about Dec. 1, 2023, and run through June 30, 2024, with an option to extend through Sept. 30, 2024, that may be exercised at the discretion of the City Manager or designee.

Financial Impact

There is no impact to the General Fund. Contract award for The Opportunity Tree will increase from $85,690 to $150,000. Contracts are funded by the U.S. Department of Housing and Urban Development CDBG funds. Sufficient CDBG funding exists to accommodate the request. Payments may be made up to agreement limits, which may extend past the agreement termination.

Concurrence/Previous Council Action
Fiscal Year 2022-23 Community Development Block Grant Public Service and Public Facility Grant Award Recommendations was approved by the City Council on May 11, 2022.

Location
3146 E. Windsor Ave.
Council District: 8

This item was adopted.

42 Request Joshua Weiner, dba Flowcus Agreement Amendment (Ordinance S-50300)

Request to authorize the City Manager, or his designee, to amend the term and contract value of Agreement 157842 with Joshua Weiner, dba Flowcus. The term will be extended through June 30, 2024, with an option to extend through Dec. 31, 2024; and increase the value by $25,000 for a not to exceed of $250,000. Further request to authorize the City Controller to disburse all funds related to this item. There is no impact to the general fund.

Summary
The purpose of the amendment is to allow additional time and funding to complete the Eastlake Park Neighborhood placemaking artwork. This artwork, approved by City Council June 2022, also supports the Choice Neighborhood grant activities. Unforeseen delays with the commencement of construction has persisted since February 2023 to obtain environmental review and release of grant funds from the Department of Housing and Urban Development (HUD). These processes are necessary to ensure compliance with the Community Development Grant Block (CDBG) project fund source requirements, as well as ensure alignment with the Choice Neighborhood program and Neighborhood Revitalization Strategy Area.

Additional funding is necessary due to increased construction costs since the original project budget was agreed to in February 2023.

In June of 2022, City Council approved the execution of a contract with Joshua Weiner, dba Flowcus, with a contract term initiating on or around

July 1, 2022, for a maximum term of nine months. After the June 2022 Council action, staff worked with the owners of the two prominent site locations to finalize the exact placement of the artwork. Due to the delay in finalizing the locations, work under the contract could not begin when originally planned.

In January of 2023, Council amended Ordinance S-48805 with an updated contract term, initiating on or about Jan. 1, 2023, for a six-month contract term, with an option to extend for an additional three months. On Feb. 14, 2023, staff executed the contract with Joshua Weiner, dba Flowcus.

Since February of 2023, staff worked to obtain environmental review and release grant funds from HUD.

Contract Term

The authorized contract term was on or about Jan. 1, 2023, for a six month contract term, with an option to extend for three months, exercised at the discretion of the City Manager or designee. If this item is approved, the term of the contract will be extended through June 30, 2024, with an option to extend through Dec. 31, 2024, that may be exercised at the discretion of the City Manager or designee.

Financial Impact

The aggregate contract value will not exceed $250,000. Funding is available in the Neighborhood Services Department's Capital Improvement Program budget using HUD CDBG funds. There is no impact to the General Fund. Payments may be made up to agreement limits, which may extend past the agreement termination.

Concurrence/Previous Council Action

On Oct. 27, 2021, the design agreement with Flowcus was approved by City Council.

On June 1, 2022, the Community and Cultural Investment Subcommittee recommended City Council approval to enter into contract with Joshua Weiner, dba Flowcus, by a 4-0 vote.

On June 15, 2022, City Council approved entering into contract with Joshua Weiner, dba Flowcus.

On Jan. 25, 2023, City Council approved an updated contract term with Joshua Weiner, dba Flowcus.

Location
Southwest corner of 16th and Washington streets, and southwest corner of 16th and Jefferson streets
Council District: 8

This item was adopted.

44 Amendment to the 2020-24 Consolidated Plan's 2022-23 Annual Action Plan

Request City Council approval of an amendment to the 2020-24 Consolidated Plan's 2022-23 Annual Action Plan to include the City's plan to modify the use of the property at 1229 E. Washington St. acquired with Community Development Grant Funds.

Summary
The 2020-24 Consolidated Plan defines how the Community Development Block Grant (CDBG) HOME Investment Partnership (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) funds will be used to address the priorities and goals outlined in the five-year Consolidated Plan and is carried out through Annual Action Plans. The 2022-23 Annual Action Plan provides a concise summary of activities the City will prioritize in Fiscal Year 2022-23 to address the priority needs identified by the community in support of the goals outlined in the Consolidated Plan.

This amendment to the 2022-23 Annual Action Plan will outline the City's plans to modify the use of the property at 1229 E. Washington St.

The original use for 1229 E. Washington St., a CDBG acquired building, provided Arizona Bridge to Independent Living space to operate a disabled persons social services training center and administrative office. The City of Phoenix Community Assistance Program (CAP) intends to enter into a Memorandum of Understanding with the Neighborhood Services Department for 1229 E. Washington St. to provide on-scene crisis response, behavioral health, victim services/advocacy, and substance use supportive services. CAP's Crisis Response and Behavioral Health Units will be dispatched through the 9-1-1 Regional

Dispatch system. Crisis Response Units are considered co-response units with Phoenix Police or Fire departments. Behavioral Health Units may respond in a single unit response, or co-response capacity, with Phoenix Police or Fire staff. This decentralized location will be utilized by CAP staff including crisis response dispatched units, for the specific low-and-moderate income response area, caseworkers, trainers, peer support specialists, and office and supervisor personnel dedicated to the CAP operations. Crisis Response and Behavioral Health Units will be staffed 24 hours a day, seven days a week, year-round.

The response area for this location is generally bounded by 19th Avenue to the west, Indian School Road to the north, Baseline Road to the south, and 48th Street to the east. The total population residing in the response area is 375,230. Of this, 230,675, or 61.5 percent of the population, is low-and-moderate income.

Additionally, as a minor use, Phoenix Fire Department's Community Emergency Response Team (CERT) will have staff at this location. CERT trains residents, neighborhoods, community organizations, and businesses in disaster preparedness, disaster fire suppression, basic disaster medical operations, light search and rescue operations, and terrorism awareness. CERT also conducts meaningful outreach to individuals and families experiencing homelessness relative to heat safety and climate-related crisis prevention. Staff at this location will provide outreach in the same low-and-moderate income area.

Concurrence/Previous Council Action

The Community and Cultural Investment Subcommittee recommended approval of the 2022-23 Annual Action Plan on May 4, 2022, by a 4-0 vote.

City Council approved the 2022-23 Annual Action Plan on May 11, 2022.

Public Outreach

The City of Phoenix published a 30-day public comment period notice to obtain community and stakeholder input relative to this amendment. Public notice dates: Oct. 2, 2023, through Oct. 31, 2023.

Location

1229 E. Washington St.
Council District: 8

This item was approved.

45 Artist Contract for 55th Avenue Promenade Public Art Project (Ordinance S-50281)

Request to authorize the City Manager, or his designee, to enter into a contract with Creative Machines for an amount not to exceed $300,000 for the design, fabrication, and installation of four art structures along 55th Avenue between Camelback and Indian School roads. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Fiscal Year (FY) 2023-28 Public Art Plan includes funding for artwork identified as Shade, Cooling, and Heat Mitigation. In collaboration with the Parks and Recreation and Street Transportation departments, the 55th Avenue Promenade has been identified as the location for this initiative. Artwork will be located within the median greenspace along 55th Avenue, between Camelback and Indian School roads in District 5. The artwork will be made of durable materials that can survive the desert climate, include shade elements supporting the City of Phoenix Cool Corridors Initiative, and enhance the pedestrian experience of this unique neighborhood amenity.

After reviewing a pool of 144 applicants, a three-person panel recommended Creative Machines as the selected artist for the project. Creative Machines was recommended based on his experience creating site-specific public art projects and demonstrated ability to involve the community meaningfully. Community engagement is at the center of public art projects when approved. The artist will work with the nearby neighborhood, schools, and community members on the project's design.

The selection panel included Leticia Castro, John F. Long Elementary School Principal; Andrea Ramirez, District 5 resident; Victoria Sajadi, Public Art Coordinator, Scottsdale Arts.

Financial Impact

The 55th Avenue Promenade public art project, under the title of Shade, Cooling, and Heat Mitigation, is one of 42 projects in the FY 2023-28 Public Art Plan that the City Council approved on July 3, 2023. The proposed $300,000 budget will cover all costs related to the artwork's design, fabrication, and installation. Additional funding in the Plan for this project covers staff time, contingency, and administrative costs. Funding is available in the Public Art Program using Arizona Highway User Revenue funds and Water funds.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission reviewed and recommended approval of this item on Sept. 12, 2023, by a vote of 12-0 and one abstention. The Economic Development and Housing Subcommittee reviewed and approved this item by a 4-0 vote at its October 11, 2023 meeting.

Location

55th Avenue between Camelback and Indian School roads
Council District: 5

This item was adopted.

46 Artist Contract for State Route 303 Public Art Project (Ordinance S-50296)

Request to authorize the City Manager, or his designee, to enter into a contract with Eric Powell for an amount not to exceed $80,000 for the design and installation of artwork for the State Route 303 Public Art Project.

Summary

The Fiscal Year (FY) 2023-28 Public Art Plan includes a project to integrate public art into the State Route 303 Improvement Project from Lake Pleasant Parkway to I-17. The project, a partnership between the City of Phoenix, the Maricopa Association of Governments, and the Arizona Department of Transportation, adds additional traffic lanes in each direction, new traffic interchanges at I-17, 43rd Avenue, and 51st Avenue, and bridges to accommodate a future interchange at 67th

Avenue in District 1. The public art enhancements will be integrated into traffic interchanges at 67th Avenue and I-17. Enhancements will be cast cement reliefs and may be included on traffic interchange bridge piers, abutments, safety barriers, and other site improvements.

Using a qualified vendor list, a three-person selection committee recommended Eric Powell based on his demonstrated two-dimensional design skills that would translate well into cement rustications and his demonstrated ability to work closely with design teams and involve the community meaningfully. The selection panel included Myesha Harris, Special Project Administrator, City of Phoenix Street Transportation Department; Joe Diaz, City of Phoenix Parks and Recreation Deputy Director; Eric Wilson, Horticulturist, City of Phoenix Street Transportation Department.

Financial Impact

The State Route 303 Public Art Project is one of 42 projects in the FY 2023-28 Public Art Plan that the City Council approved on July 3, 2023. The proposed $80,000 will cover all costs related to the design and construction oversight of the artwork, including the artist's time working with city staff, project consultants, and the local community to produce a complete and buildable design. Additional funding in the Plan for this project will cover staff time, contingency, and administrative costs. Funding is available in the Public Art Program using Arizona Highway User Revenue funds.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission reviewed and recommended approval of this item on Sept. 12, 2023, by a vote of 12-0 and one abstention. The Economic Development and Housing Subcommittee reviewed and approved this item by a 4-0 vote at its Oct. 11, 2023 meeting.

Location

Traffic interchanges at 67th Avenue and I-17
Council District: 1

This item was adopted.

47 Tennant Equipment and Machinery Maintenance Contract - RFA 24-0050 - Request for Award (Ordinance S-50286)

Request to authorize the City Manager, or his designee, to enter into a contract with Tennant Sales and Service Company to provide maintenance, repair and purchase of Tennant brand custodial equipment for the Phoenix Convention Center Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $535,000.

Summary

This contract will provide the necessary labor, parts, supplies, and equipment needed to maintain, repair, inspect, and clean Tennant custodial equipment. The equipment includes sweepers, scrubbers, and carpet extractors and is necessary to ensure that Tennant equipment performs at optimal levels to maintain the cleanliness of the facilities and to allow work to be completed in an efficient manner.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Without Competition. The Tennant Sales and Service Company is the only authorized service provider certified to maintain and repair Tennant brand products and machinery.

Contract Term

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

Financial Impact

The aggregate contract value will not exceed $535,000 for the five-year aggregate term.

Funding is available in the Phoenix Convention Center Department Operating and Capital Outlay budgets.

Location

Phoenix Convention Center

Council Districts: 7 and 8

This item was adopted.

48 Request to Apply for and Accept Fire Incident Management System Grant Funds (Ordinance S-50309)

Request to authorize the City Manager, or his designee, to retroactively apply for, and accept, if awarded, up to $1,678,382 from the Fire Incident Management System Grant Program. This program will provide funding for the deployment of a secure incident management platform for fire and medical response in the Phoenix 9-1-1 system. Further request authorization for the City Treasurer to accept and for the City Controller to disburse, all funds related to this item. If not approved, the grant, if awarded, would be declined.

Summary

The Fire Incident Management System Grant Program, administered through the Arizona Department of Administration State Grants Office, offers grants to fire departments for software and hardware that help improve incident management and ensure clear communication, safety, and efficiency during emergency response. Funds from this award will be used to procure hardware, software, and application licensing that integrates with the Fire Department Computer-Aided Dispatch (CAD) system. The software will assist with resource tracking, messaging and collaboration, organizing and coordinating responses, and will significantly enhance emergency response capabilities and fire incident data collection.

Procurement Information

The Fire Department will administer the grant in accordance with Administrative Regulation 3.10.

Contract Term

The three-year grant Period of Performance is projected to begin on or around Oct. 31, 2023.

Financial Impact

The grant does not require a local match. There is no impact to the General Fund.

This item was adopted.

49 Request to Enter into 2023 Readiness Cooperative Agreement with FEMA (Ordinance S-50310)

Request to authorize the City Manager, or his designee, to retroactively apply for, accept, and disburse Federal Emergency Management Agency (FEMA) funds totaling $1,259,456 for the Fiscal Year (FY) 2023 National Urban Search & Rescue (US&R) Response System Readiness Cooperative Agreement. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

The Department of Homeland Security and FEMA provide support and funding for the maintenance and readiness of the National Urban Search & Rescue (US&R) Response System. The purpose of this readiness cooperative agreement is to support the continued development and maintenance of a national US&R capability. This cooperative agreement provides direction to the Phoenix Fire Department for the use of funding to provide administrative and program management, training, support, equipment cache procurement, maintenance, and storage.

The Phoenix Fire Department is the sponsoring agency of Arizona Task Force One (AZ-TF1), one of 28 national Urban Search and Rescue response system task forces that can rapidly deploy skilled personnel and state-of-the-art equipment to sites of natural disasters, terrorist attacks, and building collapses. In addition to search and rescue, task force members provide immediate medical treatment to survivors, hazardous materials monitoring, and stabilization capabilities. In the past, AZ-TF1 has been deployed to Hurricanes Florence, Harvey, Irma, Rita, Katrina, Ike, Gustav, the Oklahoma City bombing, and the 9/11 World Trade Center in New York City.

Contract Term

The term of the agreement will be for three years. The contract will run from Sept. 1, 2023, through Aug. 31, 2026.

Financial Impact

The Fire Department will receive an amount not to exceed $1,259,456 from the FEMA for the FY 2023 National US&R Response System

Readiness Cooperative Agreement. There is no impact to the General Fund.

This item was adopted.

50 Purchase of Fire Technical Support Vehicles - Request for Award (Ordinance S-50291)

Request to authorize the City Manager, or his designee, to enter into a contract with Freightliner of Arizona, LLC dba Velocity Truck Centers for the purchase of three technical support vehicles. Further request to authorize the City Controller to disburse all funds related to this item. The total value will not exceed $1,020,162.

Summary

The Public Works Department is seeking to purchase three technical support vehicles for the Phoenix Fire Department. These vehicles are critical to the technical rescue teams in the department and are replacing current technical support vehicles that are aging. They transport equipment cache to incidents that include mountain, trench, confined space, and structural type rescues. These vehicles are equipped with rope, shoring systems for trenches, air carts, and other technical equipment necessary for the technical rescue teams.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Without Competition. Due to the unique build specifications reviewed and deemed acceptable by Fire and Public Works staff, the manufacturer Freightliner of Arizona, LLC dba Velocity Truck Centers, was selected.

Contract Term

The item will be for the one-time purchase of the technical support vehicles starting on or around Nov. 1, 2023.

Financial Impact

This item will have a value of up to $1,020,162. Funding is available in the Fire Department's budget.

This item was adopted.

51 False Alarm Tracking System Contract - EXC 23 - 082 - Request for Award (Ordinance S-50308)

Request to authorize the City Manager, or his designee, to enter into a contract with 365 Labs, LLC, to provide a false alarm tracking system for the Police Department. 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 $572,000.

Summary

This contract will provide a vendor-supported, cloud-hosted web application system called 365 false alarm to replace the current Public Records and Services Unit's false alarm tracking system (FATS). FATS was built on depreciated technologies no longer supported by Microsoft. The False Alarms Unit is responsible for administering false alarm violations, new permits, permit renewals, payment processing, invoicing, and letter generation, and provides a public-facing portal for customer registration and payments through the system. The 365 false alarm will interface with the computer-aided dispatch system to automatically import false alarms and connect to the City of Phoenix's systems applications and processing (SAP) for billing purposes. It is critical to replace the current outdated system with a cloud-hosted vendor-supported system, which will help the False Alarms Unit manage over 162,000 business and residential accounts with about 50,000 active lawful permits in the current system. This program is a significant revenue stream for the Police Department.

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

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved determination memo due to special circumstances, being without competition. 365 Labs offers the modules, interfaces, and functionality needed to replace the existing system with vendor supported cloud hosted solutions. The vendor completed a Service Organization Control 2, Type 2 security audit

compliance process for their cloud-hosted solution that meets the City's Information Security and Privacy Office's requirements.

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

Financial Impact
The aggregate contract value will not exceed $572,000 for the five year aggregate term.

Funding is available in the Police Department budget.

This item was adopted.

52 Firearms Contract (Weapons Lethal, Less-Lethal, Accessories, Consumables) - COOP 24-0101 - Request for Award (Ordinance S-50311)

Request to authorize the City Manager, or his designee, to enter into a cooperative agreement with Diamondback Police Supply Co., Inc., to provide firearms (weapons lethal, less-lethal, accessories, consumables) for the Police 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 $1,655,500.

Summary
This contract will provide lethal and less-lethal weapons, accessories, and consumables for use by the Phoenix Police Department's Training and Homeland Defense Bureau, Special Assignments Unit, and Downtown Operations Unit. The products available on this contract will equip officers with additional options to utilize during high stress incidents to reduce violent encounters between police officers and community members in furtherance of the Advanced Less Lethal Pilot Program (ALLPP). The ALLPP was created to provide front-line officers with contemporary less lethal options for use in de-escalating dynamic encounters and is being expanded for use throughout additional precincts.

Procurement Information
In accordance with Administrative Regulation 3.10, standard competition

was waived as a result of an approved determination memo based on special circumstances, alternative competition. The cooperative contract sought is from a reputable source, Diamondback Police Supply Co., Inc., as a procurement solution that offers competitive pricing by utilizing a percentage off of the manufacturer's suggested retail price/list across multiple manufacturers.

Contract Term

The contract will begin on or about Nov. 1, 2023, for a three-year term with two one-year options to extend.

Financial Impact

The aggregate contract value will not exceed $1,655,500 for the five year aggregate term.

Funding is available in the Police Department budget.

This item was adopted.

53 New Ground Lease with Bandura & Sons, Inc. (Ordinance S-50285)

Request to authorize the City Manager, or his designee, to execute a ground lease with Bandura & Sons, Inc. (Bandura) at 2933 E. Washington St. at Phoenix Sky Harbor International Airport (PHX).

Summary

Bandura is requesting to enter into a Ground Lease for approximately 680 square feet of land north of PHX at 2933 E. Washington St. for parking employee vehicles for its adjacent business. Bandura is currently using the area under a temporary license agreement that expires on Jan. 1, 2024.

Contract Term

The term will be for five years, with five one-year options to extend.

Financial Impact

Rent will be approximately $40 per month ($.70 per square foot). Rent will be adjusted based on market rate as determined by appraisal beginning with the fourth year of the agreement; future adjustments will be applied every three years thereafter. Total anticipated rent from this ground lease over the term will be approximately $2,380.

Concurrence/Previous Council Action
The Phoenix Aviation Advisory Board recommended this item for approval on Sept. 21, 2023, by vote of 6-0.

Location
Phoenix Sky Harbor International Airport - 2933 E. Washington St.
Council District: 8

This item was adopted.

54 Airfield Lighting Controls and Monitoring Systems Preventative Maintenance and Repair Contract - RFA 24-0052 - Request for Award (Ordinance S-50287)

Request to authorize the City Manager, or his designee, to enter into a contract with ADB Safegate Americas, LLC (ADB Safegate) to provide preventative maintenance and repair services for ADB Safegate's airfield lighting control and monitoring systems (ALCMS) for the Aviation Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will be up to $1.3 million.

Summary
The Aviation Department has Federal Aviation Administration (FAA) approved and certified ALCMS systems located at Phoenix Sky Harbor International, Phoenix Deer Valley, and Phoenix Goodyear Airports. The ALCMS systems are required to maintain compliance with federal regulations and are proprietary systems to ADB Safegate. This contract will provide preventative maintenance, repairs, and technical support services to ensure the systems maintain compliance with the federal airport lighting equipment certification program.

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

Procurement Information
In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on Special Circumstances - without competition - restrictive specifications, as the ALCMS systems are proprietary to ADB Safegate and must be

maintained by ADB Safegate trained technicians.

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

Financial Impact
The total contract value will be up to $1.3 million for the five-year contract term.

Funding is available in the Aviation Department budget.

Location
Phoenix Sky Harbor International Airport, 2485 E. Buckeye Road,
Phoenix Deer Valley Airport, 702 W. Deer Valley Road,
Phoenix Goodyear Airport, 1658 S. Litchfield Road, Goodyear, Ariz.
Council Districts: 1, 8, and Out of City

This item was adopted.

55 Heavy Duty Truck Brake Service - IFB 24-FSD-019 - Request for Award (Ordinance S-50279)

Request to authorize the City Manager, or his designee, to enter into separate contracts with Inland Kenworth (US) Inc., RWC International, LTD., Freightliner of Arizona, LLC DBA Velocity Trucking and Cummins Inc., to provide heavy-duty brake services for the Public Works Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $3,075,015.

Summary
This contract will provide brake services for 4,000 heavy-duty vehicles with a gross vehicle weight of 26,000 pounds or greater. The contract will provide brake service on steer axle and drive axle components on the heavy-duty fleet such as fire equipment, refuse trucks and street equipment that provides critical services to residential customers.

Procurement Information
Invitation for Bid 24-FSD-019 was processed in accordance with City of Phoenix Administrative Regulation 3.10. Four offers were received, and

all are deemed to be responsive to posted specifications and responsible to provide the required goods and services. Following an evaluation of the total cost of two groups, drum brakes and disc brakes, the following vendors are being recommended for award:

Inland Kenworth (US) Inc.: $6,445.58
RWC International, LTD.: $13,383.75
Freightliner of Arizona, LLC DBA Velocity Trucking: $15,840.60
Cummins Inc.: $17,226.00

Contract Term
The contracts will begin on or about Jan. 1, 2024, for an initial three-year term with two one-year options to extend, for a total contract term of five years.

Financial Impact
The contracts will have an annual estimated spend of $615,003 with an aggregate value that will not exceed $3,075,015.

Funding is available in the Public Works Department budget.

This item was adopted.

56 Original Equipment Manufacturer Parts and Service - 24-FSD-028 - Request for Award (Ordinance S-50295)

Request to authorize the City Manager, or his designee, to enter into separate contracts with RWC International Ltd., Balar Holding Corp., Bingham Equipment Company, Cummins Inc., Norwood Equipment Inc., Rush Truck Centers of Arizona Inc., Velocity Truck Centers DBA Freightliner of Arizona LLC, Empire Southwest LLC, Simpson Norton Corporation, Redsky Fire Apparatus LLC, Sonsray Machinery LLC, and Southwest JCB Inc., H&E Equipment Services, Inc., and Hughes Fire Equipment, Inc. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $ 30,949,590.

Summary
This contract will provide local support mechanisms for diverse product lines, which ensures that the City receives the best pricing for Original Equipment Manufacturer (OEM) parts and service. Without access to the

OEM dealerships, the Fleet Services Division would experience increased costs and downtime when purchasing parts and service through another mechanism other than the OEM supplier. Equipment that will benefit from this contract includes, but is not limited to, fire apparatus, street sweepers, refuse trucks, off-road equipment, and various heavy-duty trucks and equipment. This equipment is bought and maintained by the Public Works Department and is utilized by multiple departments to provide essential City services.

Procurement Information

In accordance with City of Phoenix Administrative Regulation 3.10. normal competition was waived as the result of a Determination Memo, citing that there is only one source for this essential service and parts. The above-mentioned vendors are the only authorized distributors for the State of Arizona for the product line they carry.

Contract Term

The initial three-year contract term will begin on or about Nov. 1, 2023, with two one-year option years to be exercised in increments of up to one year, with a total contract option term of five years.

Financial Impact

This contract will have an estimated annual expenditure of $6,189,918, with a value not to exceed $30,949,590.

Funds are available in the Public Works Department's budget.

This item was adopted.

57 Hard Surface Floor Work Agreement - RFQ 24-FMD-020 (Ordinance S-50299)

Request to authorize the City Manager, or his designee, to enter into separate agreements with Arizona Hardwood Floor Supply, Inc. and Triangle Services, Inc. for hard surface floor work services in City-owned facilities. Further request to authorize the City Controller to disburse all funds related to this item. The value of the agreements will not exceed $225,000.

Summary

The Public Works Department is responsible for maintaining hard floors

in City-owned facilities. These agreements will provide floor cleaning, polishing, and refinishing services to specialty flooring, to include hard wood floors, vinyl composition tile, and other flooring located in the City's museums, basketball courts, and historic buildings.

Procurement Information
Request for Quote 24-FMD-020 was conducted in accordance with Administrative Regulation 3.10. Two offers were received by the Public Works Department on Sept. 6, 2023. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required services. The prices were evaluated based on an all or none bid total per square foot for various types of services and flooring. The offers submitted by Arizona Hardwood Floor Supply, Inc. and Triangle Services, Inc. were deemed fair and reasonable.

Group 1 - Various Hard Floor Surfaces:
Triangle Services, Inc.: $3.60 bid total
Arizona Hardwood Floor Supply, Inc.: $6.83 bid total

Group 2 - Wood Floors:
Arizona Hardwood Floor Supply, Inc.: $48.15 bid total

Contract Term
The initial one-year term of the agreements will begin on or about Jan. 1, 2024. The agreements will include four one-year options to extend, for a total agreement term of up to five years if all options are exercised.

Financial Impact
The value of the agreements, including all option years is $225,000, including all applicable taxes, with an estimated annual expenditure of $45,000.

Funding is available in the Public Works Department's budget.

This item was adopted.

58 16-Inch Paradise Valley Zone 3C Improvements - Construction Manager at Risk Services Amendment - WS85500418 (Ordinance

S-50283)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 152069 with Hunter Contracting Co. to provide additional construction services for the 16-Inch Paradise Valley Zone 3C Improvements 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 $6.5 million.

Summary

The purpose of this project is to construct approximately 21,500 linear feet of 16-Inch Ductile Iron Pipe transmission main within Pressure Zone 3C in the Town of Paradise Valley and a new Pressure Reducing Station to relief Booster Station 3C-B1 and Well 235.

This amendment is necessary because the project was delayed due to high costs of pipeline construction and difficulties with obtaining easements for access to the proposed Pressure Reducing Valve Station. In addition, it will ensure that both phases of the project can be completed. This amendment will provide additional funds and time to the agreement.

Contract Term

The term of the agreement amendment 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 initial agreement for Construction Manager at Risk Preconstruction Services was approved for an amount not to exceed $150,000, including all subcontractor and reimbursable costs.

The initial agreement for Construction Manager at Risk Construction Services was approved for an amount not to exceed $9,875,000, including all subcontractor and reimbursable costs.

This amendment will increase the agreement by an additional $6.5

million, for a new total amount not to exceed $16,525,000, including all subcontractor and reimbursable costs.

Funding for this amendment is available in the Water Services Department's Water Revenue budget. The Budget and Research Department will separately review and approve funding availability prior to the 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 Construction Manager at Risk Construction Services Agreement 152069 (Ordinance S-46612) on May 20, 2020.

Location
Along Shea Boulevard from west of Tatum Boulevard to Mockingbird Lane and Invergordon Road
Council District: 3 and Out of City

This item was adopted.

60 Val Vista Water Treatment Plant Rehabilitation 2023 - Construction Manager at Risk Services - WS85230059 (Ordinance S-50294)

Request to authorize the City Manager, or his designee, to enter into an agreement with Sundt Construction, Inc. (Sundt) to provide Construction Manager at Risk Preconstruction and Construction Services for the Val Vista Water Treatment Plant Rehabilitation 2023 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 $52 million.

Summary
The purpose of this project is to rehabilitate the following treatment systems: Chemical Feed Stations, West Plant Bar Screens, Solid Handling Facility Polymer Feed System, Sludge Collectors, Reservoir Electrical Building, East Plant Sedimentation Basins 4-6 Launders, and East Plant Raw Water Pumps.

Sundt will begin in an agency support role for Construction Manager at

Risk Preconstruction Services. Sundt will assume the risk of delivering the project through a Guaranteed Maximum Price agreement.

Sundt's Preconstruction Services include, but are not limited to: providing detailed cost estimating and knowledge of marketplace conditions; project planning and scheduling; construction phasing and scheduling that will minimize interruption to City operations; alternate systems evaluation and constructability studies; assist with ways to gain efficiencies in project delivery; long-lead procurement studies and procurement of long-lead items; assistance in the permitting processes; and participating with the City in a process to establish a Small Business Enterprise (SBE) goal for the project.

Sundt's initial Construction Services will include preparation of a Guaranteed Maximum Price proposal provided under the agreement. Sundt will be responsible for construction means and methods related to the project and fulfilling the SBE program requirements. Sundt will be required to solicit bids from prequalified subcontractors and to perform the work using the City's subcontractor selection process. Sundt may also compete to self-perform limited amounts of work.

Sundt's additional Construction Services include, but are not limited to: arranging procurement of materials and equipment; scheduling and managing site operations; providing quality controls, bid, award, and manage all construction related contracts while meeting City bid requirements; and maintaining a safe work site for all project participants.

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: Sundt Construction, Inc.

Additional Proposer
Rank 2: PCL Construction, Inc.

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 Sundt Construction, Inc. will not exceed $52 million, including all subcontractor and reimbursable costs.

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

Location
Intersection of McDowell Road and Lindsay Road, Mesa, Ariz.
Council District: Out of City

This item was adopted.

61 Water and Wastewater Process Control and Security Improvements - Job Order Contracting Services - 4108JOC214 (Ordinance S-50282)

Request to authorize the City Manager, or his designee, to enter into a master agreement with Ludvik Electric Co., to provide Water and Wastewater Process Control and Security Improvements Job Order Contracting services for the Water Services Department. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $20 million.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

Ludvik Electric Co.'s (Ludvik) services will be used on an as-needed basis to provide Water and Wastewater Process Control and Security Improvements services for installation/replacement of electrical and instrumentation equipment, programming remote terminal units, emergency repairs, pre/post construction services and engineering services as required. Additionally, Ludvik will be responsible for fulfilling Small Business Enterprise program requirements.

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-604 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-604(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Two firms submitted proposals and are listed below.

Selected Firm

Rank 1: Ludvik Electric Co.

Additional Proposer

Rank 2: Industrial Power Solutions

Contract Term

The term of the master agreement is for up to five years, or up to $20 million, whichever occurs first. Work scope identified and incorporated

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

Financial Impact
The master agreement value for Ludvik will not exceed $20 million, including all subcontractor and reimbursable costs.

Request to authorize the City Manager, or his designee, to execute job order agreements performed under this master agreement for up to $2 million each. In no event will any job order agreement exceed this limit without Council approval to increase the limit.

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

This item was adopted.

62 Ferric Chloride - Amendment (Ordinance S-50278)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Agreement 150561 with Kemira Water Solutions, Inc. for the purchase of ferric chloride, as needed, by the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $7,750,000.

Summary
The purpose of the amendment is to provide additional funds to Agreement 150561 with Kemira Water Solutions, which will allow for the as needed purchase of ferric chloride to assist in the Water Production and Wastewater Treatment processes. Ferric chloride is used in the water and wastewater industry as a coagulant and flocculant to help remove impurities and suspend partials from water, making it suitable for treatment and safe for discharge into the environment.

Due to rising costs incurred by chemicals over the past several years this agreement requires additional funding to support the purchase of ferric chloride until procurement solicits for a new contract to begin July 1, 2024.

Contract Term

The agreement term remains unchanged, ending on June 30, 2024.

Financial Impact

The initial authorization for Ferric Chloride was for an expenditure not-to-exceed $67,000,000. This amendment will increase the authorization for the agreement by an additional $7,750,000, for a new total not-to-exceed agreement value of $74,750,000.

Concurrence/Previous Council Action

The City Council approved:

Ferric Chloride Agreement 150561 (Ordinance S-45892) on July 3, 2019.

This item was adopted.

63 Rosemount Non Contact Level Meters and Replacement Parts - Amendment (Ordinance S-50280)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 153720 with Rosemount, Inc. to provide additional funding to the contract. 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 $500,000.

Summary

The purpose of this Amendment is to request additional payment authority due to the need for several expensive parts. Additional funding is required to continue supporting the Water Services Department with purchases of non contact level meters and replacement parts to maintain service for the remaining term of the contract.

Rosemount, Inc. is responsible for providing non contact level meters and replacement parts on an as-needed basis for the Water Services Department.

Contract Term

The contract term will remain unchanged ending on Jan. 31, 2027.

Financial Impact

The initial authorization for Non Contact Level Meters and Replacement Parts was for an expenditure not-to-exceed $180,000.

This amendment will increase the authorization for the contract by an additional $500,000, for a new total not-to-exceed contract value of $680,000.

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

Concurrence/Previous Council Action

The City Council approved the Non Contact Level Meters and Replacement Parts Contract 153720 (Ordinance S-47244) on Jan. 20, 2021.

This item was adopted.

64 Final Plat - TSMC Supplier Site B - PLAT 230086 - Southeast Corner of 7th Avenue and Pinnacle Peak Road

Plat: 230086
Project: 22-3059
Name of Plat: TSMC Supplier Site B
Owner: DV Parcel B Owner, LLC
Engineer: James A. Brucci, RLS
Request: A One-Lot Commercial Plat
Reviewed by Staff: Sept. 22, 2023
Final Plat requires Formal Action Only

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with Abandonment 220070. The sequence of recording is that the resolution of abandonment is recorded first, and the plat second.

Location

Generally located at the southeast corner of 7th Avenue and Pinnacle

Peak Road
Council District: 1

This item was approved.

65 Final Plat - Monterrey Park - PLAT 220076 - South of Myrtle Avenue and West of 26th Avenue

Plat: 220076
Project: 19-2881
Name of Plat: Monterrey Park
Owner: 26th Avenue Property Trust, Saint AFG Trust
Engineer: Kent D. Miller, RLS
Request: A Two-Lot Residential Plat
Reviewed by Staff: Sept. 22, 2023

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 south of Myrtle Avenue and west of 26th Avenue
Council District: 5

This item was approved.

66 Final Plat - 801 W Roosevelt Street & 838 & 846 N 8th Avenue - PLAT 230053 - Southwest Corner of Roosevelt Street and 8th Avenue

Plat: 230053
Project: 17-1057
Name of Plat: 801 W Roosevelt Street & 838 & 846 N 8th Avenue
Owner: Roosevelt 8 Zero 1, LLC
Engineer: James M. Williamson, RLS
Request: A 12-Lot Residential Plat
Reviewed by Staff: Sept. 25, 2023

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

Location
Generally located at the southwest corner of Roosevelt Street and 8th Avenue
Council District: 7

This item was approved.

67 Final Plat - 30 N. 1st Street - PLAT 230071 - Southeast Corner of Adams Street and Central Avenue

Plat: 230071
Project: 19-2147
Name of Plat: 30 N. 1st Street
Owner: Phoenix MC Properties, LLC
Engineer: David S. Klein, RLS
Request: A One-Lot Commercial Plat
Reviewed by Staff: Sept. 21, 2023
Final Plat requires Formal Action Only

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

Location
Generally located at the southeast corner of Adams Street and Central Avenue
Council District: 7

This item was approved.

68 Abandonment of Right-of-Way - ABND 220070 - 675 W. Pinnacle Peak Road (Resolution 22166)

Abandonment: ABND 220070
Project: 22-3059
Applicant: Jeff Hunter
Request: To abandon the excess right-of-way per exhibit on the south portion of Pinnacle Peak and east portion of 7th Avenue.
Date of Decision/Hearing: Feb. 23, 2023

Summary
The resolution of the abandonment and Plat 230086 are to be recorded together with the Maricopa County recorder on the same day, at the same

time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

Location
675 West Pinnacle Peak Road
Council District: 1

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 right-of-way abandonment, although filing fees were paid.

This item was adopted.

69 Modification of Stipulation Request for Ratification of Sept. 20, 2023, Planning Hearing Officer Action - PHO-8-23--Z-195-81-1 - Approximately 730 Feet South of the Southwest Corner of 23rd Avenue and Parkside Lane

Request to authorize the City Manager, or his designee, to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Sept. 20, 2023. This ratification requires formal action only.

Summary
Application: PHO-8-23--Z-195-81-1
Existing Zoning: A-1 DVAO
Acreage: 14.01

Applicant: Bill Lally, Tiffany & Bosco PA
Owner: RMLM LLC
Representative: Bill Lally, Tiffany & Bosco PA

Proposal:

1. Request to modify Stipulation 1 regarding general conformance with the site plan dated Aug. 3, 1999.
2. Request to modify Stipulation 3 regarding a landscape theme and a landscape setback along 21st and 23rd avenues.
3. Technical corrections to Stipulations 2 and 4.

VPC Action: The Deer Valley Village Planning Committee reviewed the request on Sept. 14, 2023, and recommended approval, with a modification, by a vote of 9-0.
PHO Action: The Planning Hearing Officer recommended approval, with modifications and additional stipulations.

Location
Approximately 730 feet south of the southwest corner of 23rd Avenue and Parkside Lane
Council District: 1
Parcel Address: N/A

This item was withdrawn.

70 (CONTINUED FROM OCT. 4, 2023) - Amend City Code - Ordinance Adoption - Rezoning Application Z-27-23-1 - Southwest Corner of 19th Avenue and Quail Avenue (Ordinance G-7172)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-27-23-1 and rezone the site from IND. PK. DVAO (Industrial Park, Deer Valley Airport Overlay District) to C-3 DVAO (General Commercial, Deer Valley Airport Overlay District) to allow electric vehicle sales and repair.

Summary
Current Zoning: IND. PK. DVAO
Proposed Zoning: C-3 DVAO
Acreage: 7.91 acres
Proposal: Electric vehicle sales and repair.

Owner/Applicant: Aztec 19th Ave., LLC
Representative: William E. Lally, Tiffany & Bosco, PA

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Deer Valley Village Planning Committee heard this case on Aug. 10, 2023, and recommended approval, per the staff recommendation with deleted stipulations, by a vote of 11-1.
PC Action: The Planning Commission heard this case on Sept. 7, 2023, and recommended approval, per the Deer Valley Village Planning Committee recommendation, by a vote of 6-0.

Location
Southwest corner of 19th Avenue and Quail Avenue
Council District: 1
Parcel Address: 21030 and 21040 N. 19th Ave. and 1929 W. Quail Ave.

This item was continued to the Dec. 6, 2023 City Council Formal Meeting.

71 Amend City Code - Official Supplementary Zoning Map 1254 (Ordinance G-7181)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1254. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-35-06-7(4) and the entitlements are fully vested.

Summary
To rezone a parcel located approximately 200 feet east of the southeast corner of Central Avenue and Thomas Road
Application No.: Z-35-06-7(4)
Zoning: C-1 HRI TOD-1 HGT/WVR
Owner: Haverly Midtown, LLC
Acreage: 4.04

Location
Approximately 200 feet east of the southeast corner of Central Avenue and Thomas Road
Address: 31 E. Thomas Road
Council District: 4

This item was adopted.

72 Amend City Code - Ordinance Adoption - Rezoning Application Z-40-23-2 - Approximately 430 Feet East of the Southeast Corner of

32nd Street and Paradise Lane (Ordinance G-7186)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-40-23-2 and rezone the site from C-O/G-O HGT/WVR (Commercial Office/General Office District, Height Waiver) to R-2 (Multifamily Residence District) to allow multifamily residential.

Summary
Current Zoning: C-O/G-O HGT/WVR
Proposed Zoning: R-2
Acreage: 1.59
Proposal: Multifamily residential

Owner: Brandon Nunns for Nunns Construction
Applicant/Representative: Shaine T. Alleman

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Paradise Valley Village Planning Committee heard this case on Sept. 11, 2023, and recommended approval, per the staff recommendation, by a vote of 12-0.
PC Action: The Planning Commission heard this case on Oct. 5, 2023, and recommended approval, per the Paradise Valley Village Planning Committee, by a vote of 7-0.

Location
Approximately 430 feet east of the southeast corner of 32nd Street and Paradise Lane
Council District: 2
Parcel Address: 3275 E. Paradise Lane

This item was adopted.

73 **Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-4-23-4 - Approximately 225 Feet South and 465 Feet West of the Southwest Corner of 43rd Avenue and McDowell Road (Ordinance G-7184)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-4-23-4 and rezone the site from C-2 (Intermediate Commercial) to

C-2 SP (Intermediate Commercial, Special Permit) to allow self-service storage warehouse and underlying C-2 uses. This is a companion case to Z-36-23-4 and should be heard first, followed by Z-36-23-4.

Summary
Current Zoning: C-2
Proposed Zoning: C-2 SP
Acreage: 2.12
Proposal: Self-service storage warehouse and underlying C-2 uses

Owner: 43rd Avenue Holdings, LLC
Applicant/Representative: Matthew Sargent, RKAA Architects, Inc.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Maryvale Village Planning Committee heard this case on Sept. 13, 2023, and recommended approval, per the staff recommendation, by a vote of 8-1.
PC Action: The Planning Commission heard this case on Oct. 5, 2023, and recommended approval, per the Maryvale Village Planning Committee, by a vote of 7-0.

Location
Approximately 225 feet south and 465 feet west of the southwest corner of 43rd Avenue and McDowell Road
Council District: 4
Parcel Address: 1470 and 1540 N. 43rd Ave.

This item was adopted.

74 Amend City Code - Ordinance Adoption - Rezoning Application Z-36-23-4 - Approximately 225 Feet South and 465 Feet West of the Southwest Corner of 43rd Avenue and McDowell Road (Ordinance G-7185)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-36-23-4 and rezone the site from C-2 (Pending C-2 SP) (Intermediate Commercial, Pending Intermediate Commercial, Special Permit) to C-2 SP HGT/WVR (Intermediate Commercial, Special Permit, Height Waiver) to allow self-service storage warehouse with underlying C-2 commercial uses and a height waiver. This is a companion case to Z-SP-4-23-4 and

should be heard following Z-SP-4-23-4.

Summary

Current Zoning: C-2 (Pending C-2 SP)
Proposed Zoning: C-2 SP HGT/WVR
Acreage: 2.12
Proposal: Self-service storage warehouse with underlying C-2 commercial uses and a height waiver

Owner: 43rd Avenue Holdings, LLC
Applicant/Representative: Matthew Sargent, RKAA Architects, Inc.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Maryvale Village Planning Committee heard this case on Sept. 13, 2023, and recommended approval, per the staff recommendation, by a vote of 8-1.
PC Action: The Planning Commission heard this case on Oct. 5, 2023, and recommended approval, per the Maryvale Village Planning Committee, by a vote of 7-0.

Location

Approximately 225 feet south and 465 feet west of the southwest corner of 43rd Avenue and McDowell Road
Council District: 4
Parcel Address: 1470 and 1540 N. 43rd Ave.

This item was adopted.

75 Amend City Code - Ordinance Adoption - Rezoning Application Z-14-23-4 - Southwest Corner of 15th Avenue and McDowell Road (Ordinance G-7183)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-14-23-4 and rezone the site from R-5 SNSPD (Multifamily Residence District, Story Neighborhood Special Planning District) and C-1 SNSPD (Neighborhood Retail, Story Neighborhood Special Planning District) to C-1 SNSPD (Neighborhood Retail, Story Neighborhood Special Planning District) to allow retail convenience store with fuel sales.

Summary

Current Zoning: R-5 SNSPD (0.49 acres) and C-1 SNSPD (1.09 acres)

Proposed Zoning: C-1 SNSPD
Acreage: 1.58
Proposal: Retail convenience store with fuel sales

Owner/Applicant: Circle K Stores, Inc.
Representative: Land Development Consultants, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Central City Village Planning Committee heard this case on Sept. 11, 2023, and recommended approval, per staff recommendation, with an additional stipulation, by a vote of 13-1-1.
PC Action: The Planning Commission heard this case on Oct. 5, 2023, and recommended approval, per the staff recommendation with an additional stipulation, by a vote of 7-0.

Location
Southwest corner of 15th Avenue and McDowell Road
Council District: 4
Parcel Address: 1501, 1503, 1505, 1509, 1513, 1517 and 1529 W. McDowell Road

This item was withdrawn.

76 Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-23--Z-27-15-4 - Northeast Corner of Central Avenue and Pierson Street (Ordinance G-7187)

Request to authorize the City Manager, or his designee, to approve the Planning Commission's recommendation without further hearing by the City Council on matters heard by the Planning Commission on Oct. 5, 2023.

Summary
Application: PHO-1-23--Z-27-15-4
Existing Zoning: PUD
Acreage: 2.10

Applicant/Owner: Central Avenue Owner, LLC
Representative: Ed Bull, Burch and Cracchiolo, PA

Proposal:

1. Modification of Stipulation 2 regarding a $25,000 deposit into a Street Transportation Department escrow account.
2. Deletion of Stipulation 4 regarding a temporary path along 1st Street.
3. Modification of Stipulation 5 regarding conditional approval upon development commencing within seven years.

VPC Action: The Alhambra Village Planning Committee heard the request on April 25, 2023, and recommended approval, with a modification and an additional stipulation, by a vote of 11-0.
PHO Action: The Planning Hearing Officer heard the request on Aug. 16, 2023, and recommended approval, with modifications and an additional stipulation.
PC Action: The Planning Commission heard the request on Oct. 5, 2023, and recommended approval, per the Planning Hearing Officer recommendation, by a vote of 6-0.

Location
Northeast corner of Central Avenue and Pierson Street
Council District: 4
Parcel Address: 4801, 4805, 4807, and 4809 N. Central Ave.; 4900 N. 1st St.; and 15 E. Mariposa St.

This item was withdrawn.

77 Amend City Code - Ordinance Adoption - Rezoning Application Z-38-23-6 - Approximately 200 Feet North of the Northeast Corner of 9th Place and Orangewood Avenue (Ordinance G-7182)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-38-23-6 and rezone the site from R1-10 (Single-Family Residence District) to R1-10 HP (Single-Family Residence District, Historic Preservation Overlay) to allow a Historic Preservation Overlay for the historic Walter Hubbard Sterling Residence.

Summary
Current Zoning: R1-10
Proposed Zoning: R1-10 HP
Acreage: 0.75
Proposed Use: Historic Preservation Overlay for the Walter Hubbard Sterling Residence

Owner: Humphrey Family Trust
Applicant: City of Phoenix, Historic Preservation Commission
Representative: Kevin Weight, City of Phoenix, Planning and Development Department

Staff Recommendation: Approval.
VPC Action: The Camelback East Village Planning Committee heard this case on Sept. 5, 2023, and recommended approval, per the staff recommendation, by a vote of 13-0.
HPC Action: The Historic Preservation Commission heard this case on Sept. 18, 2023, and recommended approval, per the staff recommendation, by a vote of 8-0.
PC Action: The Planning Commission heard this case on Oct. 5, 2023, and recommended approval, per the Camelback East Village Planning Committee and Historic Preservation Commission recommendations, by a vote of 7-0.

Location
Approximately 200 feet north of the northeast corner of 9th Place and Orangewood Avenue
Council District: 6
Parcel Address: 7519 N. 9th Place

This item was adopted.

80 (CONTINUED FROM OCT. 4, 2023) - Public Hearing and Ordinance Adoption - Rezoning Application Z-19-23-5 - Approximately 500 Feet South of the Southeast Corner of 75th Avenue and Camelback Road (Ordinance G-7176)

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-19-23-5 and rezone the site from R1-6 (Single-Family Residence District) to R-3A (Multifamily Residence District) to allow multifamily residential.

Summary
Current Zoning: R1-6
Proposed Zoning: R-3A
Acreage: 6.50

Proposal: Multifamily residential

Owner: Sheri Ranger, Ranger Homes, LLC
Applicant/Representative: Taylor Earl, Earl & Curley, P.C.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Maryvale Village Planning Committee heard this case on July 12, 2023, and recommended approval, per the staff recommendation, by a vote of 10-1.
PC Action: The Planning Commission heard this case on Aug. 3, 2023, and recommended approval, per the Maryvale Village Planning Committee recommendation, by a vote of 8-0.

Location
Approximately 500 feet south of the southeast corner of 75th Avenue and Camelback Road
Council District: 5
Parcel Address: 4705, 4729, 4735 and 4747 N. 75th Ave.

This item was continued to the Nov. 15, 2023 City Council Formal Meeting.

82 (CONTINUED FROM SEPT. 6, 2023) - Public Hearing - Amend City Code - Ordinance Adoption - Parking Reductions for Multifamily Developments - Z-TA-8-23-Y (Ordinance G-7161)

Request to hold a public hearing on a proposed text amendment Z-TA-8-23-Y and to request City Council approval per the Planning Commission recommendation which amends Chapter 2, Section 202 (Definitions) to add definitions for affordable housing, passenger loading space, passenger loading zone, and revise parking space, unreserved; amend Chapter 6, Section 608.J (Density Bonus For Low or Moderate Income Housing); amend Chapter 7, Sections 702.C (Parking Requirements) and Section 702.E (Modifications to Parking Requirements); and amend Chapter 13, Section 1307 (Parking Standards) to modify the parking requirements for multifamily, single-family attached, and affordable housing, and add requirements for passenger loading zones.

Summary
The intent of the proposed text amendment is to reduce parking

requirements for multifamily developments. Related definitions have been revised and/or deleted, with new definitions provided as necessary; “passenger loading space” and “passenger loading zone” has been added for use with the Walkable Urban code, together with proposed development standards; and parking requirements have been reduced for multifamily developments as detailed in the Staff Report (**Attachment B**).

Applicant: City of Phoenix, Planning Commission
Representative: City of Phoenix, Planning and Development Department

Staff Recommendation: Approval of Z-TA-8-23-Y as shown in Exhibit A of the Staff Report (**Attachment B**).
VPC Info: Eleven of the 15 Village Planning Committees (VPCs) heard this item for information only throughout June, as reflected in **Attachments C and D**.
VPC Action: Fourteen VPCs considered the request. Four VPCs recommended approval, per the staff recommendation; two VPCs recommended approval, per the staff recommendation, with modifications; and nine VPCs recommended denial, as reflected in **Attachments C and E**.
PC Info: The Planning Commission heard this item on June 1, 2023, for information only (**Attachment F**).
PC Action: The Planning Commission heard this item on Aug. 3, 2023, and recommended approval, per the staff recommendation (in the Staff Report) with modifications, by a vote of 6-2, as reflected in **Attachment G**.

This item was continued to the Jan. 24, 2024 City Council Formal Meeting.

Item 25, Ordinance S-50277 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.

25 Settlement of Claim(s) Estate of Ali Osman v. City of Phoenix

To make payment of $5,500,000 in settlement of claim(s) in *Estate of Ali Osman v. City of Phoenix*, CV-00317, 22-0291-001, 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 Sept. 24, 2022.

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:	6 -	Councilwoman Hodge Washington, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Vice Mayor Ansari and Mayor Gallego
No:	1 -	Councilman Waring
Absent:	2 -	Councilwoman Guardado and Councilwoman O'Brien

27 Recommendation to Begin Quadrennial Review of the Home Rule Option

This report recommends the Mayor and City Council appoint an Expenditure Limit Task Force and initiate the quadrennial review process to carefully study the State Expenditure Limit effect on the City. The Task Force will recommend a proposal for placement on the ballot for the November 2024 regular election.

Summary

In 1980, Arizona voters approved a constitutional amendment limiting local government spending to 1979-80 amounts adjusted for annual growth in population and inflation. This constitutional amendment included provisions for obtaining voter approval to exceed those limits. Since 1980, Phoenix has had ten home rule options approved by the voters.

Each of the City's prior home rule options have been thoroughly studied and recommended by citizen task forces. The City's current home rule option will expire on June 30, 2025. A proposal must be presented to the voters in the regular election on Nov. 5, 2024, in order to be in place by July 1, 2025. Additional information regarding the expenditure limit is attached to this report in **Attachments A-C**.

Recommendation

Staff recommends a Task Force be appointed and charged with reviewing the revenue and expenditure forecasts prepared by City staff, studying the potential effects of the constitutional limit, and recommending a proposal to the Mayor and City Council for referral to the ballot. Staff also recommends the following schedule for their work:

November 2023 - Appointment of Task Force
February/March 2024 - Task Force meetings
April 2024 - Task Force presents findings to the City Council
May 2024 - Two required public hearings
May 2024 - Required analysis transmitted to the State Auditor General
June 2024 - Adoption of the form of the ballot
August 2024 - Publicity pamphlet materials prepared
Nov. 5, 2024 - Election Day

Discussion

A motion was made and seconded to approve this item.

Jeff Caldwell spoke in opposition as this would allow the City to spend more money if approved by the voters. He expressed concern about taxes continuously being raised, noting interest rates were going up due to the bond market's condition. He urged Council to vote no on this item because the City should not spend more than it could afford.

Five electronic comments were submitted for the record in opposition of this item.

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

Yes:	7 -	Councilwoman Hodge Washington, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	2 -	Councilwoman Guardado and Councilwoman O'Brien

33 Bottled Water and Associated Products - IFB 23-119 - Request for Award (Ordinance S-50298)

Request to authorize the City Manager, or his designee, to enter into a

contract with BlueTriton Brands to provide bottled water and associated products 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 $1,000,000.

Summary

This contract will fulfill the continuous and Citywide demand for bottled water and supplies, encompassing bottles of drinking water, bottles of purified/distilled laboratory water, electric bottled water dispensers, cups, and cup holders on an as-needed basis. This contract plays a crucial role in guaranteeing the City's ability to sustain ample and easily accessible sources of clean drinking water, supporting the diverse needs of various departments.

Procurement Information

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

Three vendors submitted bids. Only one vendor, BlueTriton Brands, Inc., was 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

BlueTriton Brands, Inc.

Contract Term

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

Financial Impact

The aggregate contract value will not exceed $1,000,000.

Funding is available in the various department budgets.

Discussion

A motion was made and seconded to approve this item.

Jeff Caldwell spoke in opposition and encouraged Council to vote no on this item as it was for plastic bottled water. He expressed if Council voted no then this $1 million could be applied towards the recent water rate hike.

Seven electronic comments were submitted for the record in opposition of this item.

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

Yes:	6 -	Councilwoman Hodge Washington, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Vice Mayor Ansari and Mayor Gallego
No:	1 -	Councilman Waring
Absent:	2 -	Councilwoman Guardado and Councilwoman O'Brien

35 Information Technology Solutions and Services Contract - COOP 23-033 - Request for Award (Ordinance S-50303)

Request to authorize the City Manager, or his designee, to enter into contracts with CDW, LLC, dba CDW Government, LLC, and SHI International Corp., to provide information technology services and solutions for Citywide use. 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 contracts will not exceed $35,000,000.

Summary

These contracts will provide comprehensive product offerings for technology equipment and services to support operations Citywide. Equipment needs include desktops, notebooks, servers, software, and peripherals, as well as professional services such as analysis, design, installation, and technical support. The range of products and services from these contracts provide a wide variety of technology needs for all City departments.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition

was waived as a result of an approved determination memo due to special circumstances, being that there is no alternative competition. Finance staff worked with the Information Technology Services Department to review various cooperative contracts. The review demonstrated that the Omnia Partners Cooperative Agreement with the City of Mesa was the most favorable, as it included the best discounts on key products that the City will be purchasing and provided the most comprehensive list of options.

Contract Term

The contracts will commence on or about Nov. 1, 2023, and expire on the expiration date of the Master Agreement, Feb. 28, 2025, with a one-year option to extend.

Financial Impact

The aggregate contract value will not exceed $35,000,000 for the aggregate term.

Funding is available in Citywide department budgets.

Discussion

A motion was made and seconded to approve this item.

Jeff Caldwell spoke in opposition of these contracts because CDW had the ability to add biometric tracking and facial recognition on all previously installed cameras. He said he could not encourage Council to vote yes on this item as he did not know how the City would use these contracts.

Lezley Shepherd spoke in opposition as there was no transparency on how the contracts would be used, but CDW would have the ability to add biometric tracking and facial recognition on all previously installed cameras. She urged Council to vote no on this item.

Five electronic comments were submitted for the record in opposition of this item.

Councilman Waring questioned how the City planned to use these contracts.

Chief Information Officer Steen Harry Hambric answered these were broad contracts for various IT services, such as software implementation and purchases.

Councilwoman Hodge Washington recalled concerns about the City using facial recognition or biometric tracking.

Mr. Hambric stated that was something the Information Technology Services (ITS) Department would not be implementing and suggested the Police Department might know about it.

Councilwoman Hodge Washington sought confirmation these contracts did not provide for biometric tracking or facial recognition.

Mr. Hambric replied it was not being used for that service.

City Manager Jeffrey Barton emphasized the City was not tracking or using facial recognition on residents or employees. He explained this was a leveraged state-wide contract the City used to purchase equipment and software.

Councilwoman Pastor said she understood this contract would not be used for facial recognition, but asked if it had the capability of carrying out that function.

Mr. Barton replied most software had the capability of doing that, including cell phones, but as a policy the City would not be turning on that software to track residents.

Councilwoman Pastor questioned what the City was using this contract for.

Mr. Barton answered the contract would be used primarily for replacing computers and software, noting it was a broad contract as specified by Mr. Hambric. Mr. Barton emphasized it was a contract the City would use to procure information technology software and supplies.

Councilwoman Pastor reiterated this contract would be used to purchase

computers and software.

Mr. Barton affirmed that was correct.

Councilwoman Pastor said she wanted confirmation this contract would not be used for biometric tracking or facial recognition.

Mr. Barton affirmed that was correct.

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:	6 -	Councilwoman Hodge Washington, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Vice Mayor Ansari and Mayor Gallego
No:	1 -	Councilman Waring
Absent:	2 -	Councilwoman Guardado and Councilwoman O'Brien

36 American Rescue Plan Act Phoenix Resilient Food System Programs - Enter into Agreement for Agri-Food Technology Innovation Grant - Lehr Innovations, LLC (Ordinance S-50304)

Request to authorize the City Manager, or his designee, to enter into an individual agreement with Lehr Innovations, LLC (Lehr) to disburse funds for the Agri-Food Technology Innovation Grant program. Further request to authorize the City Controller to disburse all funds related to this item. Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) federal funding and is in the Phoenix Resilient Food System category of the strategic plan. There is no impact to the General Fund. The additional aggregate expenditures included will not exceed $10,872.

Summary

In response to the COVID-19 pandemic, the Office of Environmental Programs (OEP) developed a food assistance plan to address the food needs of vulnerable populations and communities impacted by COVID-19.

Economic Development and Innovation

Agri-Food Technology Innovation Grant Program

The Agri-Food Technology Innovation Grant program is designed to encourage existing entrepreneurs, businesses, non-profits, educational institutions and sustainable food cooperatives across the entire food system to address challenges associated with climate change by adopting or expanding the use of agri-food technology. Agri-food technology are innovative tools and solutions created within the food supply chain to improve the food and agriculture industry.

Lehr was previously awarded a $99,000 grant June 15, 2022, and expended $88,128 during the original grant period of Aug. 31, 2022, to Aug. 31, 2023. Due to the extreme summer heat experienced from June through August 2023, the entire scope of work was not completed by the original contract end date. Therefore, OEP is requesting approval to enter into this Agreement to provide the remaining balance of $10,872 to Lehr to complete the grant scope of work. Lehr will use the remaining funds to complete the project, which includes continued food production and measurement of the differences in water usage, soil carbon sequestration, costs, and productivity between its existing Linking Ecosystem and Hardware for Regeneration (LEHR) Gardens and traditional in-ground farming methods. The construction of a small urban farm demonstration and testing site was developed under the original grant agreement referenced above.

Procurement Information
Services may be procured, as needed, in accordance with Administrative Regulation 3.10, to implement and administer programs intended to prevent, prepare for and respond to the COVID-19 pandemic.

Contract Term
The term of the agreement will begin on or about Nov. 1, 2023, through June 30, 2024. Agreements may be extended based on continuous need and available funding, which may be exercised by the City Manager, or his designee.

Financial Impact
There is no impact to the General Fund. Funding is available through the City’s allocation of federal ARPA funding and is in the Phoenix Resilient Food System category of the ARPA Strategic Plan approved by Mayor

and Council.

Concurrence/Previous Council Action
Council approved the Agri-Food Technology Innovation Grants (Ordinance S-48802) and award to Lehr on June 15, 2022.

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

Lezley Shepherd expressed she was opposed as this was a substitute for how people ate food and wondered if similar programs were created in the Phoenix cattle or dairy industries. She urged Council to vote no on this item as it was unnecessary because COVID had ended.

Six electronic comments were submitted for the record in opposition of this item.

Councilman Waring asked if this item was meant for people who did not have food to be more self-sufficient.

City Manager Jeffrey Barton affirmed that was correct, noting this was continuation of a program setup in 2020 to provide food for areas with food insecurities.

Councilman Waring inquired if this would be a substitute for certain types of food.

Mr. Barton replied it was not, noting there were many areas across the city that were food deserts and most people did not have access to healthy foods so this was an opportunity to provide such foods.

Councilman Waring requested confirmation COVID was mentioned because funds came from the federal government and if they were not spent that money would be returned to the federal government.

Mr. Barton affirmed that was correct.

Vice Mayor Ansari said she supported this item as some of these programs were successful, noting the best feedback was about these

programs. She expressed her excitement that this item was moving forward on investment in food resiliency.

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

Yes:	7 -	Councilwoman Hodge Washington, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	2 -	Councilwoman Guardado and Councilwoman O'Brien

37 Authorization to Apply, Accept, Disburse Funds and Enter into Agreements for Carbon Neutral Cities Alliance Game Changer Fund (Ordinance S-50305)

Request approval for the City Manager, or his designee, for the City of Phoenix Office of Environmental Programs (OEP) to submit a grant application to the Carbon Neutral Cities Alliance (CNCA) Game Changer Fund Request for Proposals, Transforming Food Systems for $200,000 to transform the local food system through the creation of a Phoenix Circular Food Economy Pilot Project, and if awarded, to execute all contracts and Memorandums of Agreement necessary to accept and disburse the grant funds. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, grant funds in accordance with the terms of the aforementioned grant and agreement.

Summary

The CNCA Game Changer Fund is available to fund development, adoption, and implementation of game-changing climate work to achieve prosperity, social equity, resilience and a better quality of life for all. The focus of funding is to improve local food systems - especially by addressing emissions embodied in food transportation, storage, packaging and food waste products. Up to $200,000 is available over a two-year grant period.

OEP plans to submit a grant proposal for $200,000 to circularize the food economy in Phoenix by creating connections throughout the food system. The pilot project will connect food producers, processors, aggregators/distributors, consumers, restaurants, agri-food tech

businesses, and composting service providers. The pilot project will serve the needs of residents impacted by food and climate justice issues, strengthen the connections between restaurants and food producers, shorten food supply chains, eliminate food loss and waste, reduce greenhouse gas emissions, promote regenerative food production of culturally appropriate foods, and fortify the local food system.

Grant Partners

OEP intends to partner with the following organizations to implement the circularization of the Phoenix food economy:

Cihuapactli Collective - grow culturally appropriate foods for residents and restaurants through regenerative agriculture methods and receive compost generated by residents and restaurants to regenerate soil and start the circular process anew.

Food Forest Cooperative - grow culturally appropriate foods for residents and restaurants through regenerative agriculture methods and receive compost generated by residents and restaurants to regenerate soil and start the circular process anew.

Sun Produce Cooperative - aggregate from the growers (Cihuapactli and Food Forest Cooperative), distribute to residents and restaurants, and use the FreshKube to ensure freshness and fight food loss and waste.

FreshKube - provide new innovative cold storage containers for transportation of produce specifically designed for the Phoenix climate and for local, small growers.

Recycled City - provide compost pick up and processing and deliver finished compost back to growers (Cihuapactli and Food Forest Cooperative).

Consumers and restaurants benefit from the receipt of locally grown produce with food waste diverted from the landfill through composting. Growers benefit with a market to local restaurants. A new agri-food tech business benefits by increasing the use of their innovative product in the marketplace. The CNCA grant also aids in achieving the goals established in the 2025 Phoenix Food Action Plan and the 2021 Phoenix Climate Action Plan.

The grant will be managed by the OEP.

The deadline to submit a proposal is Nov. 7, 2023. Award announcements are expected by Nov. 30, 2023.

Contract Term
The grant term is for up to two years.

Financial Impact
No match or general fund dollars are required for this grant.

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

Jeff Caldwell spoke in opposition as this policy would disrupt the food market and livestock industry, noting his displeasure for one of the organizations, Cihuapactli Collective.

Lezley Shepherd said she was opposed and suggested to make the most of what was available and give unused food to people in need. She encouraged Council to vote no on this item.

Eleven electronic comments were submitted for the record in opposition of this item.

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

Yes:	6 -	Councilwoman Hodge Washington, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Vice Mayor Ansari and Mayor Gallego
No:	1 -	Councilman Waring
Absent:	2 -	Councilwoman Guardado and Councilwoman O'Brien

38 Intergovernmental Agreement with Arizona State University and its Rob and Melani Walton Sustainability Solutions Services for Greenhouse Gas Emissions Inventories (Ordinance S-50306)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the Arizona State University (ASU) Global Institute of Sustainability (GIOS) to conduct Greenhouse

Gas (GHG) Emissions Inventories for City operations and community-wide for the calendar year 2022 and to conduct other services related to operations of the Office of Environmental Programs (OEP). Further request to authorize the City Controller to disburse all funds related to this item. The agreement value will not exceed $104,780.

Summary

OEP is proposing to enter into an IGA with the ASU GIOS for consultant services to calculate 2022 GHG emissions based on most recent available data. ASU GIOS has conducted GHG inventories for City operations and community-wide since 2012. ASU reviews the data provided by the City and measures emission reductions to track the City's progress on meeting its reduction goals. OEP plans to conduct GHG inventories every two years, consistent with the City Council approved Climate Action Plan.

OEP, in coordination with City departments, prepared the Climate Action Plan (CAP) 2021 Edition that was approved by City Council on Oct. 12, 2021. It is expected that additional studies, research, or evaluation may be needed in a number of sectors included within the CAP, in addition to the potential need for assistance in other environmental and sustainability areas that are under the purview of OEP. Therefore, OEP has expanded the scope of this IGA to include the following additional services: conduct research, evaluation, studies, and develop plans for environmental and sustainability efforts, including an update to the municipal operations and community GHG emissions inventories with calendar year 2022 data. Additionally, the existing GHG emissions inventory will be updated to allow for the City to compare GHG emissions across all previous inventories. By executing this IGA, OEP will have the capability to engage ASU as needed and feasible, provided funding is available.

Contract Term

The term of the IGA will begin on or about Nov. 1, 2023, through June 30, 2024. The IGA may be extended based on continuous need and available funding, which may be exercised by the City Manager, or his designee.

Financial Impact

The agreement value will not exceed $104,780 with funding available in the OEP Air Quality/Climate Fund using General Funds.

Discussion

A motion was made and seconded to approve this item.

Lezley Shepherd spoke in opposition and expressed Arizona State University (ASU) should do this service for free based on the millions of dollars given to them by the state. She urged Council to vote no on this item.

Six electronic comments were submitted for the record in opposition of this item.

Mayor Gallego said she appreciated ASU's partnership to ensure Council had accurate data to make good decisions.

Councilman Waring requested clarification this was just measuring the City's pollution output.

Deputy City Manager Alan Stephenson affirmed ASU would be measuring the City's greenhouse gases as part of the Climate Action Plan and to discuss that information with the community and Council moving forward.

Councilman Waring asked if the City's practices were changing.

Mr. Stephenson replied no.

Councilman Waring stated this would be measuring something that happened long before climate change came about, such as when gas went from leaded to unleaded in the 1970s.

Mr. Stephenson responded that was correct, noting there was additional technology now.

Councilman Waring questioned if these funds could be used to hire a police officer.

Mr. Stephenson answered the funds were set aside in the existing budget to address climate issues per Environmental Protection Agency requirements as it related to economic development and collecting data now would help address future issues. He added Council could re-allocate the money.

Councilman Waring restated the funds were being encumbered based on where it was placed in the current budget which Council could change. He expressed the amount of money would not change what the City was doing, but he saw the benefits in getting this data for the future.

Vice Mayor Ansari thanked staff for bringing this item forward as she spent her career working on solutions to climate change. She expressed data was vital and this partnership with ASU was extraordinary so that Council could make good decisions to reduce emissions.

Mayor Gallego said this was timely given the rough summer, especially the data listing heat-related illness and death.

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

Yes:	6 -	Councilwoman Hodge Washington, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Vice Mayor Ansari and Mayor Gallego
No:	1 -	Councilman Waring
Absent:	2 -	Councilwoman Guardado and Councilwoman O'Brien

39 XWing Non-Congregate Shelter - EXC 22-0049 - Amendment (Ordinance S-50301)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 157624 with Steel & Spark, LLC to extend the contract term. Further request to authorize the City Controller to disburse all the funds related to this item. The additional expenditures will not exceed $191,833.

Summary

This contract will provide the installation of the XWing temporary shelter units at a temporary location prior to the permanent install. The City's

Office of Homeless Solutions will use the XWings to provide temporary shelter to persons experiencing homelessness. The additional funds are required for the Contractor to provide galvanized frames, door landings, and other hardware as needed to install the shelters at the temporary locations.

Contract Term
Upon approval, the contract will be extended through Dec. 31, 2025.

Financial Impact
Upon approval of $191,833 in additional funds, the revised total value of the contract will not exceed $3,191,833. Funds are available in the Human Services Department's budget.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
XWing Non-Congregate Shelter, Contract 157624, (Ordinance S-49284) on Dec. 14, 2022.

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

Vice Mayor Ansari said she was excited to support this item, noting last month she visited non-profit organizations in Austin and San Antonio that were doing remarkable work to address homelessness. She pointed out those organizations were leading the way with tiny homes and places that provided dignity to people who had been homeless for decades. She indicated this investment with XWing would provide the safety unsheltered people did not have in congregate spaces. She expressed this was the beginning of the City testing XWing shelters and she hoped to use them more across the city if successful.

Councilwoman Hodge Washington remarked she also supported this item as the XWing shelters would provide homeless individuals with space and privacy while seeking permanent housing. She said she visited XWing sites and saw people who were placed in these shelters which was the first step to having their own space.

Mayor Gallego explained these were shipping container housing-based

projects that were first introduced as market-rate apartments, noting Phoenix had the tallest shipping container housing in the country. She acknowledged the City Manager who determined these could be used to quickly build housing for individuals in need which had been successful. She conveyed this success story was highlighted in national publications as a good model other cities could adopt. She expressed she looked forward to supporting this item.

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

Yes:	7 -	Councilwoman Hodge Washington, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	2 -	Councilwoman Guardado and Councilwoman O'Brien

40 Burton Barr College Depot - Architectural Services - ND30080040-1 (Ordinance S-50293)

Request to authorize the City Manager, or his designee, to enter into an agreement with Holly Street Studio, LLC to provide Architectural Services that include design and possible construction administration and inspection (CA&I) services for the Burton Barr College Depot 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 $120,000.

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 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 design for an infrastructure enhancement to expand the footprint of College Depot on the second floor of the Burton Barr Library.

Holly Street Studio, LLC's services include, but are not limited to: final construction plans; specifications; engineering estimates; data collection information; surveying; materials reports; various utility adjustments; prepare the required documents for Environmental Clearance; post design bid assistance through award of construction; 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. Two firms submitted proposals and are listed below:

Selected Firm

Rank 1: Holly Street Studio, LLC

Additional Proposer

Rank 2: Jammonstudios 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 Holly Street Studio, LLC will not exceed

$120,000, including all subconsultant and reimbursable costs.

Funding is available in the Neighborhood Services Department's Operating budget utilizing Community Development Block Grant Neighborhood Enhancement and Infrastructure Program funds. 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
1221 N. Central Ave.
Council District: 7

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

Mayor Gallego said she looked forward to supporting this item, noting College Depot was growing and helped connect high school students with resources to go to college and apprenticeship opportunities. She expressed she was excited to award this agreement to Holly Street Studio as it was a company with local expertise that understood the architecture at Burton Barr Library.

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 Hodge Washington, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	2 -	Councilwoman Guardado and Councilwoman O'Brien

43 Bookmobile for Underserved Areas - Architectural Services - ND30010039 (Ordinance S-50292)

Request to authorize the City Manager, or his designee, to enter into an

agreement with Holly Street Studio, LLC to provide Architectural Services that include design and possible construction administration and inspection (CA&I) services for the Bookmobile for Underserved Areas 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 $235,000.

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 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 design for an asphalt pad for a bookmobile, asphalt parking lot, restrooms, lighting, utilities, a garage to house the bookmobile and security cameras on an empty City owned parcel of land on the corner of Lower Buckeye Road and 67th Avenue.

Holly Street Studio, LLC’s services include, but are not limited to: final construction plans; specifications; engineering estimates; data collection information; surveying; materials reports; various utility adjustments; prepare the required documents for Environmental Clearance; post design bid assistance through award of construction; 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. Two firms submitted proposals and are listed below:

Selected Firm
Rank 1: Holly Street Studio, LLC

Additional Proposer
Rank 2: Jammonstudios 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 Holly Street Studio, LLC will not exceed $235,000, including all subconsultant and reimbursable costs.

Funding is available in the Neighborhood Services Department's Operating budget utilizing Community Development Block Grant Neighborhood Enhancement and Infrastructure Program funds. 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
6620 W. Lower Buckeye Road
Council District: 7

Discussion
Vice Mayor Ansari expressed she was excited to see this Bookmobile project moving forward as residents in the area had been asking for

library access for quite some time. She commended the advocacy of community and school district leaders for working with the City to make this project happen. She added this region was set to get its first branch library at the future Estrella Civic Space Park with funding from the general obligation bond. She said she was thankful the Estrella community was receiving significant investments now and in the future.

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

Yes:	7 -	Councilwoman Hodge Washington, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	2 -	Councilwoman Guardado and Councilwoman O'Brien

59 Rio Reimagined: 3rd Street Rio Salado Bicycle/Pedestrian Bridge - Engineering Services - ST87600140 (Ordinance S-50284)

Request to authorize the City Manager, or his designee, to enter into an agreement with T.Y. Lin International, Inc. to provide Engineering Services that include design services for the Rio Reimagined: 3rd Street Rio Salado Bicycle/Pedestrian Bridge 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 $2.8 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 design a bicycle and pedestrian bridge across the Rio Salado River along the 3rd Street alignment and to improve the southern bank trails of the Rio Salado River by adding low-emitting solar pedestrian-scale lighting and pathway amenities in the south side of the Rio Salado River footprint between Central Avenue and 40th Street.

T.Y. Lin International, Inc.'s services include, but are not limited to: develop final design plans, specifications, cost estimates, geotechnical investigations, hydraulic analysis model, and technical reports; coordination with Construction Management at Risk contractor for constructability reviews to produce contract documents for obligation and construction; and other work as required for a complete project. Additionally, the scope includes, but is not limited to: coordination of tasks with multiple stakeholders including Federal Highway Administration team, the City Environmental and Right of Way teams for the National Environmental Policy Act (NEPA) clearance, 408 permitting requirements and Right of Way clearance purposes.

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: T.Y. Lin International, Inc.

Additional Proposers

Rank 2: Parsons Transportation Group, Inc.
Rank 3: Schlaich Bergermann and Partner, LP (SBP)
Rank 4: Modjeski and Masters, 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 T.Y. Lin International, Inc. will not exceed $2.8 million, including all subconsultant and reimbursable costs.

This project will utilize federal funds and is subject to the requirements of the Rebuilding American Infrastructure with Sustainability and Equity program. Funding is available in the Street Transportation Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Public Outreach
T.Y. Lin International, Inc. will work with a public engagement firm contracted by the City to provide public outreach to inform selection of the preferred bridge type and associated aesthetics.

Location
3rd Street between Central Avenue and 40th Street along Rio Salado River footprint
Council District: 8

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

Two electronic comments were submitted for the record in support of this item.

Mayor Gallego said this was an exciting item related to a grant the City received through the Bipartisan Infrastructure Law that will improve connectivity, including pedestrians and bicyclists. She remarked she hoped this investment coordinated with the work being done on the

bridge for Central Avenue as well as catalytic investments along the river front to take it to the next level.

Vice Mayor Ansari stated this was a critical project that connected downtown to South Phoenix, noting it was one of many things happening in the area. She expressed it was a testament to the work individuals had done on the vision of Rio Reimagined and she hoped the City continued to prioritize bringing that vision to life.

Councilwoman Pastor emphasized this was the continuation of Congressman Ed Pastor's vision of transition to Rio Reimagined and people walking the Rio Salado with connection to nature. She expressed her appreciation for the continued advocacy and growth of this area.

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 Hodge Washington, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	2 -	Councilwoman Guardado and Councilwoman O'Brien

78 Public Hearing and Resolution Adoption - General Plan Amendment GPA-LV-2-23-7 - Northeast Corner of 43rd Avenue and Baseline Road (Resolution 22165)

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 25.55 acres from Residential 3.5 to 5 dwelling units per acre to Residential 0 to 1 dwelling units per acre and Commercial. This item is a companion case to Z-29-23-7 and must be heard first, followed by Z-29-23-7.

Summary

Application: GPA-LV-2-23-7
Current Designation: Residential 3.5 to 5 dwelling units per acre
Proposed Plan Designation: Residential 0 to 1 dwelling units per acre (15.87 acres) and Commercial (9.68 acres)

Acreage: 25.55
Proposal: Minor General Plan Amendment to allow commercial and residential (open space) uses

Owner: 43rd Ave and Baseline Development, LLC
Applicant/Representaive: Manjula M. Vaz, Gammage & Burnham, PLC

Staff Recommendation: Approval.
VPC Action: The Laveen Village Planning Committee heard this case on Sept. 11, 2023, and recommended approval, per the staff recommendation, by a vote of 7-1.
PC Action: The Planning Commission heard the case on Oct. 5, 2023, and recommended approval, per the Laveen Village Planning Committee, by a vote of 7-0.

Location
Northeast corner of 43rd Avenue and Baseline Road
Council District: 7
Parcel Address: 7453 S. 43rd Ave. and 4140, 4156, 4168, 4182, 4200, and 4250 W. Baseline Road

Discussion
Mayor Gallego announced both cases would be heard together with separate actions. She declared the public hearing open. Noting there was no one present to speak, she declared the public hearing closed. She mentioned Vice Mayor Ansari put in a lot of work on these items, noting the cases started with a lot of public input but the partners listened.

The hearing was held. A motion was made by Vice Mayor Ansari, seconded by Councilwoman Stark, that this item be approved per the Planning Commission recommendation with adoption of the related resolution. The motion carried by the following vote:

Yes:	7 -	Councilwoman Hodge Washington, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	2 -	Councilwoman Guardado and Councilwoman O'Brien

79 Public Hearing and Ordinance Adoption - Rezoning Application

Z-29-23-7 - Approximately 255 Feet East of the Northeast Corner of 43rd Avenue and Baseline Road (Ordinance G-7188)

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-29-23-7 and rezone the site from S-1 PCD (Ranch or Farm Residence, Planned Community District) to C-1 (Neighborhood Retail) to allow commercial uses. This is a companion case to GPA-LV-2-23-7 and should be heard following GPA-LV-2-23-7.

Summary

Current Zoning: S-1 PCD
Proposed Zoning: C-1
Acreage: 7.53
Proposed Use: Commercial uses

Owner/Applicant: 43rd Ave and Baseline Development, LLC
Representative: Manjula M. Vaz, Gammage & Burnham, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Laveen Village Planning Committee heard this case on Sept. 11, 2023, and recommended approval, per the staff recommendation (Addendum A), by a vote of 7-1.
PC Action: The Planning Commission heard this case on Oct. 5, 2023, and recommend approval, per the Laveen Village Planning Committee recommendation, by a vote of 7-0.

Location

Approximately 255 feet east of the northeast corner of 43rd Avenue and Baseline Road
Council District: 7
Parcel Address: 4140, 4156, 4168, 4182, and 4200 W. Baseline Road and 7453 S. 43rd Ave.

NOTE: Refer to Item 78 for discussion related to this item.

The hearing was held. A motion was made by Vice Mayor Ansari, seconded by Councilwoman Stark, that this item be approved per the Planning Commission recommendation with adoption of the related ordinance. The motion carried by the following vote:

Yes: 7 - Councilwoman Hodge Washington, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego

No: 0

Absent: 2 - Councilwoman Guardado and Councilwoman O'Brien

81 **Public Hearing and Ordinance Adoption - Rezoning Application Z-77-22-8 - Approximately 40 Feet North of the Northwest Corner of 27th Avenue and Harvest Groves Lane (Ordinance G-7189)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-77-22-8 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: 7.68
Proposed Use: Single-family residential

Owner: 27 Southern, LLC
Applicant: Equity Connect Holdings, LLC
Representative: Wendy Riddell, Berry Riddell, LLC

Staff Recommendation: Approval, subject to stipulations **(Attachment B)**.
VPC Action: The Laveen Village Planning Committee heard this case on Aug. 14, 2023, and continued the case by a vote of 7-0. The Laveen Village Planning Committee heard this case on Sept. 11, 2023, and recommended approval, per the staff recommendation, with modifications and additional stipulations, by a vote of 7-1 **(Attachment C)**.
PC Action: The Planning Commission heard this case on Sept. 7, 2023, and continued the case by a vote of 6-0. The Planning Commission heard this case on Oct. 5, 2023, and recommended approval, per the Laveen Village Planning Committee, with deleted and modified stipulations, by a vote of 6-1 **(Attachment D)**.

The Planning Commission recommendation was appealed by a community member and a petition for a three-quarter vote was submitted on Oct. 11, 2023 **(Attachment E)**. A three-quarter vote is required.

Location

Approximately 40 feet north of the northwest corner of 27th Avenue and Harvest Groves Lane
Council District: 8
Parcel Address: 6844 S. 27th Ave.

Discussion

Mayor Gallego mentioned Councilwoman Hodge Washington put in a lot of work on this item, and declared the public hearing open.

Wendy Riddell, with the Berry Riddell law firm, spoke in support on behalf of the applicant, Equity Connect, regarding Laveen Ranch. She advised this was a request to rezone a seven-and-a-half acre site to R1-8. She presented a display which showed the site, noting to the east and west was R1-8 zoning, to the south was the Harvest Grove neighborhood and to the north was R-3 development. She mentioned this case started in the Spring of 2023 with over 40 units as a cluster product with two-story homes, noting there was significant opposition from the neighbors. She stated the applicant had since agreed to cap the density at 30 single-family platted lots along with other conditions which was why the neighbors withdrew their legal protest. She conveyed the applicant modified the site plan to create the north buffer of 30 feet and the south buffer to 50 feet. She outlined the following commitments to the neighbors:

All lots will be single-story homes;
Minimum lot size will be 50 feet;
Increased landscape buffer;
Creation of solid masonry walls along the perimeter;
Staggered street fronts;
Platted lots to facilitate them being for-sale homes;
Provide notice about the agricultural nature of the area as well as the commercial wedding venue; and
Work with the neighbors regarding connection to the sewer.

Ms. Riddell showed another display related to design, noting there would

be detached sidewalks, 22-foot-wide driveways, low level lighting to maintain dark sky and monument signage. She indicated the neighbors requested this be gated, noting the applicant agreed to wall types as well as paint the neighbors' side of the wall. She presented a rendering of what the single-story home development would look like from the Harvest Grove neighborhood. She added the applicant went into great detail on the design to ensure a quality product for Laveen, including articulation and upgraded garage doors. She emphasized the legal protest was withdrawn and displayed the homes that were now in agreement with this compromise.

Ms. Riddell pointed out the applicant fought to maintain as many lots as possible to make these homes more attainable by developing a product that was eligible for someone to use an FHA loan. She stated this case had the support from the LCRD, Laveen Village Planning Committee and Planning Commission. She requested the Council's support subject to the negotiated stipulations.

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

Councilwoman Hodge Washington thanked Ms. Riddell for working with the neighbors who were strongly opposed and coming to a compromise that would place more units that were attainable for the average person in her district.

The hearing was held. A motion was made by Councilwoman Hodge Washington, seconded by Councilwoman Stark, that this item be approved per the Nov. 1, 2023 memo from the Planning and Development Director with adoption of the related ordinance. The motion carried by the following vote:

Yes:	7 -	Councilwoman Hodge Washington, Councilwoman Pastor, Councilman Robinson, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	2 -	Councilwoman Guardado and Councilwoman O'Brien

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 comment, but prohibits council members from discussing or acting on the matters presented.

Michael Norton spoke on behalf of two individuals that were members of the Rogers Ranch Resident Committee and Rogers Ranch II Homeowners Association Board. He said they emailed a letter to Council today about properties donated to the City for parks and the systemic failure in building said parks that would enhance the surrounding communities.

Jeff Caldwell spoke about the public being limited to speak on only five agenda items which restricted their ability to petition elected officials, noting the City's website said a person can speak on any item so there was no limitation. He expressed concern about the City implementing policies and giving money to entities that cut out dairy and meat. He concluded by encouraging Council to remove the limitation to speak on only five agenda items.

Lezley Shepherd apologized for a comment she made to Mayor Gallego at the last formal meeting. Ms. Shepherd also expressed concern about the lack of engagement she received from Mayor Gallego. Ms. Shepherd asserted the public should not be restricted on how many items they wish to speak on, noting Mayor Gallego had the ability to change that rule. Ms. Shepherd recalled a homeless person from a previous meeting who spoke about how dangerous it was to use a restroom at night and urged Council to put porta pottys in the downtown area. She encouraged Council to use City funds for the homeless instead of climate change.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 3:45 p.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 1st day of November, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 29th day of May, 2024.

CITY CLERK