City of Phoenix

Minutes

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

City Council Formal Meeting

Wednesday, June 3, 2020 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, June 3, 2020 at 2:39 p.m. in the Council Chambers.

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

Councilmembers DiCiccio, Garcia, Nowakowski, Stark, Waring, Williams Vice Mayor Guardado, and Mayor Gallego were present virtually.

Councilwoman Stark temporarily disconnected before the vote on Item 3. Councilman Nowakowski temporarily disconnected before the vote on continuing Items 45 and 46 to June 8, 2020.

Mayor Gallego acknowledged the presence of Mario Barajas, a Spanish interpreter, was present in the Council Chambers and available to the audience.

The City Clerk confirmed that copies of the titles of Ordinances G-6703 through G-6705, S-46551, S-46647 through S-46712, and Resolutions 21831 through 21836 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

BOARDS AND COMMISSIONS

1 Mayor and Council Appointments to Boards and Commissions

Summary

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

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

Community Development Review Committee

Appoint Jennifer Johnson, representing the Human Services Commission, for a term to expire June 30, 2021, as recommended by Mayor Gallego.

Design Review Committee

Appoint Nico Howard, replacing John Glenn as representative of the Planning Commission, for a term to expire June 3, 2022, as recommended by Mayor Gallego.

Appoint Zach Burns, representing the Central City Village Planning Committee, for a term to expire June 3, 2022, as recommended by Mayor Gallego.

Environmental Quality and Sustainability Commission

Appoint Ginger Torres as Vice Chair, for a term to expire June 3, 2021, as recommended by Mayor Gallego.

Human Relations Commission

Appoint Debora Colbert, for a term to expire June 30, 2022, as recommended by Mayor Gallego.

Appoint Sariah Flores, for a term to expire June 30, 2022, as recommended by Mayor Gallego.

Mayor's Commission on Disability Issues

Appoint Jordan Moon, for a vacancy to expire June 3, 2023, as recommended by Mayor Gallego.

Mayor's Human Trafficking Task Force

Appoint Susan Stodola, as recommended by Mayor Gallego,

Pacific Rim Advisory Board

Appoint Ashley Williams, for a term to expire June 3, 2024, as

recommended by Mayor Gallego.

Tourism and Hospitality Advisory Board
Reappoint Brett Cortright, for a second term to expire Sept. 30, 2020, as recommended by Vice Mayor Guardado.
Reappoint Paul Gray, for a third term to expire Sept. 30, 2021, as recommended by Councilman DiCiccio.

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

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

No: 0

2 Appointment of Municipal Court Judge

This item requests to appoint Frankie Jones as Judge of the Phoenix Municipal Court for a term to commence on July 6, 2020 and expire on Jan. 17, 2022.

Summary
On Feb. 28, 2020, the Judicial Selection Advisory Board recommended this individual be interviewed by the Public Safety and Justice Subcommittee.

On May 13, 2020, the Public Safety and Justice Subcommittee unanimously recommended Frankie Jones to be appointed as Judge of the Phoenix Municipal Court.

Discussion
After the vote on Item 2, Mayor Gallego congratulated Judge Jones and thanked him for his service.

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

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

No: 0

3 Reappointment of Municipal Court Chief Presiding Judge

This item requests to reappoint Judge B. Don Taylor III to a four-year term as Judge of the Phoenix Municipal Court that will commence on Feb. 10, 2021 and expire on Feb. 9, 2025, and an annual term as Chief Presiding Judge expiring June 30, 2021.

Summary

On April 23, 2020, the Judicial Selection Advisory Board recommended reappointment of Chief Presiding Judge B. Don Taylor III.

On May 13, 2020 the Public Safety and Veterans Subcommittee unanimously recommended reappointment to the Phoenix City Council.

Discussion

Mayor Gallego announced she would be supporting the motion. She explained Judge Taylor helped serve individuals experiencing domestic violence in the community and stated her appreciation of his innovation and service to the community.

Note: Councilman Waring and Councilwoman Stark temporarily disconnected from the voting body.

After the vote on Item 3, Mayor Gallego thanked Judge Taylor for his continued service.

A motion was made by Vice Mayor Guardado, seconded by Councilman Nowakowski, that this item be approved. The motion carried by the following vote:

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

No: 0

Absent: 2 - Councilwoman Stark and Councilman Waring

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

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

Note: One electronic comment was submitted indicating a neutral position on Items 4 and 5.

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Williams, that Items 4 through 16 be recommended for approval, except Items 12 and 14. The motion carried by the following voice vote:

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

No: 0

4 Liquor License - PF Chang's China Bistro

Request for a liquor license. Arizona State License Application 12077517.

Summary

Applicant
Lisa Gressel, Agent

License Type
Series 12 - Restaurant

Location
2420 W. Happy Valley Road
Zoning Classification: C-2 MR PCD
Council District: 1

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

The 60-day limit for processing this application is June 13, 2020.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"As an experienced licensee with liquor licenses in many cities throughout the U.S., Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

5 Liquor License - Tikka Shack

Request for a liquor license. Arizona State License Application 98627.

Summary

Applicant
Parish Patel, Agent

License Type
Series 12 - Restaurant

Location
2510 W. Happy Valley Road, Ste. 1245
Zoning Classification: C-2 M-R PCD
Council District: 1

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

The 60-day limit for processing this application was April 28, 2020. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona
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.

Tikka Shack (Series 12)

21001 N. Tatum Blvd. #48-1520, Phoenix
Calls for police service: 651
Liquor license violations: None

Blast & Brew (Series 12)
7000 E. Mayo Blvd. #1002, Phoenix
Calls for police service: 201
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have ran and operated several businesses in the past and have never had any outstanding liabilities or litigations against me or any of the businesses I ran. I have a clean background and have never been convicted of any felonies or misdemeanors. I will be completing liquor license training and I understand the importance of my obligation to promote responsible drinking."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I am bringing a family oriented restaurant business to the family centric neighborhood or Norterra. The business will promote a community gathering place. To enhance their experience we are planning to serve a variety of draft beers, bottled beers and wines."

Staff Recommendation
Staff recommends approval of this application.

Attachments

Liquor License Data - Tikka Shack
Liquor License Map - Tikka Shack

This item was recommended for approval.

6 Liquor License - PF Chang's China Bistro

Request for a liquor license. Arizona State License Application 12074150.

Summary

Applicant
Lisa Gressel, Agent

License Type
Series 12 - Restaurant

Location
7132 E. Greenway Pkwy.
Zoning Classification: C-2 PCD
Council District: 2

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

The 60-day limit for processing this application is June 13, 2020.

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

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

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

Applicant's Statement
The applicant submitted the following statement in support of this

application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
“As an experienced licensee with liquor licenses in many cities throughout the U.S., Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales.”

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

7 Liquor License - Bad Habits

Request for a liquor license. Arizona State License Application 102516.

Summary

Applicant
Hal Baird, Agent

License Type
Series 10 - Beer and Wine Store

Location
10612 N. Cave Creek Road
Zoning Classification: C-2
Council District: 3

This request is for a new liquor license for a tobacco shop. This location was previously licensed for liquor sales and may currently operate with an interim permit. This location requires a Use Permit to allow packaged liquor sales.

The 60-day limit for processing this application is June 14, 2020.

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

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been in business for 40 years with an excellent track record with all regulatory agencies."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The ability to sell liquor will allow me to open this store to serve the community. It is clearly an eye sore now. I will improve the structure an add to the taxbase as well as create jobs."

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 - Bad Habits
Liquor License Map - Bad Habits

This item was recommended for approval.

8 Liquor License - Lookout Tavern

Request for a liquor license. Arizona State License Application 06070325.

Summary

Applicant
Kevin Stout, Agent

License Type
Series 6 - Bar

Location
830 E. Greenway Pkwy., Ste. 100
Zoning Classification: PSC
Council District: 3

This request is for an ownership and location transfer of a liquor license for a bar. This location is currently licensed for liquor sales with a Series 12 - Restaurant, liquor license. This location requires a Use Permit to allow patron dancing and a variance to allow a bar.

The 60-day limit for processing this application is June 22, 2020.

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.

Lookout Tavern (Series 12)
830 E. Greenway Pkwy., Ste. 100, Phoenix
Calls for police service: 50
Liquor license violations: In March 2020, a fine of $2,000 was paid for failure to derive 40% of income from food.

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We have been open and operational since November 2017. My management team is highly capable and trained. We have not had any liquor violations during this time. I own many highly successful small businesses. We currently employ 50+ staff. We are converting to a series 6 from a 12, with no other changes."

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 been operational since November 2017, we are not changing anything relating to our current operational methods. We cater to a wide local audience. We have seniors during day time, families during dinner and trivia nights, and a younger crowd at night. The community fully supports what we do. We are converting to a series 6 from a 12, with no other changes."

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 - Lookout Tavern
Liquor License Map - Lookout Tavern

This item was recommended for approval.

9 Liquor License - QuikTrip #1412

Request for a liquor license. Arizona State License Application 103837.

Summary

Applicant
Perry Huellmantel, Agent

License Type
Series 10 - Beer and Wine Store

Location
1133 E. Northern Ave.
Zoning Classification: PSC
Council District: 6

This request is for a new liquor license for a beer and wine store. This location is currently licensed for liquor sales with a Series 12 - Restaurant, liquor license. This location will be remodeled with plans to open in January 2021.

The 60-day limit for processing this application is June 12, 2020.

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:
"At QuikTrip, we have a demonstrated record of our ability and commitment to act as a reliable and capable retailer. I currently serve as the agent on more than 100 liquor licenses in Arizona for QuikTrip Stores. Since I began acting as the agent on QuikTrip liquor licenses in Arizona, we have not received a single citation for a violation of liquor laws. We ensure all store managers have current liquor training and maintain strict standards to ensure to ensure all our employees comply with state laws. Quiktrip has proven that it is a responsible operator and our record demonstrates that I - as an applicant - and QuikTrip - as an organization -

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "The public convenience requires and the best interest of the community will be substantially served by the issuance of the requested liquor license because this location will provide consumers in the immediate neighborhood competitively priced market-style items at a location where they can purchase necessities (everything from milk to Band-Aids) including extensive beverage offerings beyond beer and wine. Allowing customers to purchase alcohol while shopping for fuel or other items, including food, saves time, reduces road congestion, and the additional competition in the area lowers prices and ensures a high level of service for customers. QuikTrip's clean and modern design offers an experience consistent with the redevelopment of this area and will provide an additional option for gasoline and convenience. The best interest of the community will further be served because QuikTrip is a reliable operator with a demonstrated ability to responsible sell alcohol in its stores and it will provide consumers in the area with more options and better pricing."

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 - QuikTrip #1412
Liquor License Map - QuikTrip #1412

This item was recommended for approval.

10 Liquor License - Ramen Kagawa

Request for a liquor license. Arizona State License Application 108520.

Summary

Applicant
Kevin Kramber, Agent

License Type

Series 12 - Restaurant

Location
111 W. Monroe St., Ste. 130
Zoning Classification: DTC - Business Core
Council District: 7

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 June 20, 2020.

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:
“1) I am currently Agent on over 140+ liquor licenses statewide. 2) All controlling persons have vast restaurant exeperience 3) All individual questionnaires and disclosures were answered "no" and should pass background checks without issue.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“As a Restaurant our promary purpose is that of the sale of food. As a state requirement we must, and will easily, maintain a minimum 40% food sales. We feel that beign able to offer our 21+ age patrons the opportunity to purchase and consume an alcoholic bevergae with their meal that it will enhance their dining and overal restaurant experience.”

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

Attachments
Liquor License Data - Ramen Kagawa
Liquor License Map - Ramen Kagawa

This item was recommended for approval.

11 Liquor License - Wingstop

Request for a liquor license. Arizona State License Application 108330.

Summary

Applicant
Thomas Aguilera, Agent

License Type
Series 12 - Restaurant

Location
9860 W. Lower Buckeye Road, Ste. F-100
Zoning Classification: C-2
Council District: 7

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor dining and outdoor alcohol consumption. This business is currently being remodeled with plans to open in July 2020.

The 60-day limit for processing this application is June 19, 2020.

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 serve as Agent on numerous liquor licenses in Arizona. I have been fingerprinted and background checked. I have Title IV liquor training and

have practiced as a Liquor Law attorney for over 20 years. I have completed all paperwork and have submitted same to the Arizona Department of Liquor Licenses and Control."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Wingstop will provide a family friendly restaurant experience offering the nation's best chicken wings. We boast over 500 locations nationwde. We provide the public with an easily accessible dining option with reasonable prices."

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 - Wingstop
Liquor License Map - Wingstop

This item was recommended for approval.

13 Liquor License - Superstition Meadery

Request for a liquor license. Arizona State License Application 19-13133053.

Summary

Applicant
Jeffrey Herbert, Agent

License Type
Series 19 - Remote Tasting Room for an existing Farm Winery

Location
1110 E. Washington St.
Zoning Classification: WU T5:2 EG HP
Council District: 8

This request is for a new liquor license for a Remote Tasting Room for

an existing Farm Winery. 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 June 16, 2020.

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.

Superstition Meadery (Series 19)
120 W. Gurley St., Prescott
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Superstition Meadery (Series 17)
6678 Inter Cal Way, Prescott
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Superstition Meadery (Series 13)
6678 Inter Cal Way, Prescott
Calls for police service: N/A - not in Phoenix

Liquor license violations: In September 2019, a fine of $500 was paid for selling to customers off licensed premises.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have owned and operated a Federal and State licensed winery & a remote tasting room in the state of Arizona for 8 years without incident or a violation. I have my current Title 4 training certificates and was the recipient of the 2019 National Small Business Person of the Year with the SBA."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We are actively engaged in an adaptive reuse project with the City of Phoenix to restore a piece of history that will add to the culinary scene of the Garfield Historic District. We will be creating at least 50 new jobs in the City of Phoenix and the restaurant will be the first mead & food pairing restaurant in the world. Our goal is to attract visitors from around the globe to not only eat at our restaurant, but to shop, stay and play in Phoenix."

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 - Superstition Meadery
Liquor License Map - Superstition Meadery

This item was recommended for approval.

15 Bingo License - American Legion Pat Tillman Post #117

Request for a Class B Bingo License.

Summary

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

Bingo License Types

Class A - gross receipts shall not exceed $15,600 per year
Class B - gross receipts shall not exceed $300,000 per year
Class C - anticipated gross receipts may exceed $300,000 per year

Applicant

David Roland

Location

3230 E. Thunderbird Road
Zoning Classification: C-2
Council District: 3

Applicant's projected use of net proceeds: "Proceeds from games of bingo are projected to be used for running post operations and helping the community."

Staff Recommendation

Staff recommends approval of this application.

This item was recommended for approval.

16 Bingo License - Knights of Columbus Council #9287

Request for a Class B Bingo License.

Summary

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

Bingo License Types

Class A - gross receipts shall not exceed $15,600 per year
Class B - gross receipts shall not exceed $300,000 per year

Class C - anticipated gross receipts may exceed $300,000 per year

Applicant
Phil Maschue

Location
2312 E. Campbell Ave.
Zoning Classification: R-5
Council District: 6

Applicant's projected use of net proceeds: "The net proceeds will be used to help pay operating expenses for the St Thomas the Apostle Parish."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

12 Liquor License - South Mountain Distillery, LLC

Request for a liquor license. Arizona State License Application 105733.

Summary

Applicant
Phillip Carlson Jr., Agent

License Type
Series 1 - In-State Producer

Location
8831 S. 27th Ave.
Zoning Classification: S-1
Council District: 8

This request is for a new liquor license for an in-state producer. This location was not previously licensed for liquor sales and does not have an interim permit. Distiller is not a permitted use in this zoning district. This business has plans to open in July 2020.

The 60-day limit for processing this application is June 14, 2020.

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:
"Myself and the owner are hard working, upstanding members of the community with no criminal records. We wish to produce distilled spirits and beer, and pay appropriate taxes on our product which benefit Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We will gainfully employ Phoenix residents and produce a product which will increase the Phoenix tax base. Additionally, profits from our products

will remain in the Phoenix area as we are residents."

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 - South Mountain Distillery, LLC
Liquor License Map - South Mountain Distillery, LLC

Discussion

Mayor Gallego announced Item 12 was a liquor license application in Councilmember Garcia's district and stated there were four residents wishing to address Council.

Councilmember Garcia motioned to continue the item to the June 17, 2020 Formal Council meeting, as shown below.

Mayor Gallego stated comments would be taken on the motion to continue.

Phil Carlson stated there was no issue with the motion.

Mayor Gallego asked Jeremy Schneider if he was comfortable with the continuance.

Mr. Schneider said he opposed the item and had reasons behind it.

Mayor Gallego informed Mr. Schneider he had two minutes to tell Council why he opposed the continuance.

Mr. Schneider stated he opposed it because it was within a school zone and noted the traffic.

Mayor Gallego clarified the motion was to delay the vote for two weeks and explained testimony could be on the continuance but not on the substance of the application.

Mr. Schneider said he was okay to delay it and he would come back in two weeks.

Mayor Gallego asked if Donna Schneider was with him.

Mr. Schneider confirmed Ms. Schneider was with him and explained he was speaking on behalf of his neighbor Ross Patterson.

Mayor Gallego stated Council looked forward to hearing Mr. Schneider in two weeks and thanked him for his testimony.

A motion was made by Councilmember Garcia, seconded by Councilwoman Williams, that this item be continued to the June 17, 2020 City Council Formal Meeting. The motion carried by the following voice vote:

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

No: 0

14 Liquor License - Rocky Point Restaurant & Bar

Request for a liquor license. Arizona State License Application 99188.

Summary

Applicant
Alexandra Morales, Agent

License Type
Series 12 - Restaurant

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

This request is for a new liquor license for a restaurant. This location was

previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application was April 25, 2020. However, the applicant has submitted a written request for more time.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am a mother of 5, I am a house-wife, and I am a very responsible individual. My intent in holding a liquor license is to form a Restaurant and Bar family, friends and the community can trust and come to enjoy. I have experience and have been in the business majority of my life. I would like create a space for the community to enjoy great food, great drinks and

safe fun.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “I am a woman of law. I follow the rules and policies all of time. My Restaurant and Bar will do the same. I have the responsibility of keeping and maintaining a safe, law following environment in my restaurant and I will. Growing up in a restaurant owner family of 4 locations, taught me very well.”

Staff Recommendation
Staff recommends disapproval of this application based on a Police Department recommendation for disapproval. The Police Department disapproval is based on the applicant providing false information and the possibility of hidden ownership. The applicant has not demonstrated the capability, qualifications and reliability to hold and control a liquor license.

Attachments
Liquor License Data - Rocky Point Restaurant & Bar
Liquor License Map - Rocky Point Restaurant & Bar
Liquor License Police Department Recommendation - Rocky Point Restaurant & Bar

Discussion
Mayor Gallego announced Item 14 was an application in Councilman Waring's district.

Councilman Waring asked if the applicant was present.

City Clerk Denise Archibald confirmed the applicant, Alexandra Morales was present.

Councilman Waring asked to hear the staff presentation and then have the applicant respond.

Ms. Archibald introduced Jennifer Wingenroth, the License Services Manager.

Note: Ms. Morales spoke while Ms. Wingenroth was being connected.

Ms. Morales stated she was the owner of Rocky Point Restaurant and Bar and briefly described the location. She explained she applied for a liquor license earlier in the year and requested for it to be withdrawn so she could apply for a new license and request a new police interview. She mentioned she was denied the request for a new interview with the Police Department. She talked about her past job history and requested for Council to approve the new liquor license application.

Mayor Gallego thanked Ms. Morales for her testimony.

Councilman Waring asked if Council could hear from the Police.

Ms. Archibald introduced Ms. Wingenroth for a staff report prior to hearing from Police.

Ms. Wingenroth stated Item 14 was a request for a new liquor license and said the location was previously licensed and they were operating with an interim permit. She explained staff recommended disapproval of the application based a Police Department recommendation for disapproval.

Officer Tim Tewers detailed he received a liquor license for the Rocky Point Restaurant in December 2019. The first application received listed Ms. Morales as the manager and only person in charge of liquor. Officer Tewers noted the past experience Ms. Morales listed and talked about the interview encounter with Ms. Morales and an individual named Frank. He further described inconsistencies he encountered. He explained Ms. Morales listed Frank Powers-Abbasi as one of the investors of the property in the new liquor license application submitted in March 2020. Officer Tewers stated because of the first interview, deception, and job history he recommended denial of the liquor license.

A motion was made by Councilman Waring, seconded by Councilwoman Williams, that this item be recommended for disapproval. The motion carried by the following vote:

Yes: 8 - Councilman DiCiccio, Councilmember Garcia, Vice Mayor Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 1 - Councilman Nowakowski

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

Mayor Gallego noted the City received 183 requests to speak for the budget items and explained that would represent six hours of testimony. She asked if there were any Councilmembers who pulled items and who wished to put those items back on the omnibus for approval. She stated she would be scheduling open comment at the upcoming City Council Policy Session.

Councilman Waring addressed Items 53 and 100 and said they were good ideas and he was happy to see them. He requested to put them back on consent.

Councilman DiCiccio stated he pulled a few items to vote no on.

Mayor Gallego said those items would remain pulled for roll call.

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

Note: Electronic comments were submitted for the record for Items 19, 20, 23, 29, 32, 75, and 78 by the following individuals:

Item 19 - Oppose: 5
No Position: 1
Item 20 - Oppose: 2
No Position: 2
Item 23 - Oppose: 4
Item 29 - No Position: 1
Item 32 - Support: 1
Item 75 - Support: 1
Item 78 - Support: 1

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Stark, that Items 17 through 128 be approved or adopted, except Items 41-46, 56, 58, 60, 62, 67, 97, 126, and 127; continuing Item 128 to the June 24, 2020 City Council Formal Meeting; and noting that Items 22, 55, 99, and 110 are withdrawn and Item 75 is as corrected. The motion carried by the following vote:

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

No: 0

Items 17-40, Ordinance S-46647 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.

17 Springshare, LLC

For $40,000.00 in payment authority for a new contract entered on or about May 29, 2020 for a term of five years for LibAnswers online services for the Library Department. The new contract will replace the current platform and is needed to ensure no disruption in services to the public. LibAnswers will be used by the Phoenix Public Library to provide electronic support and communication for customer account management, information and online services. By providing this resource, the Library department is able to answer cardholders' questions more efficiently, utilizing fewer staff and providing a faster turnaround time. The platform allows customers to communicate with the Library Department 24 hours per day, 365 days per year. The ability to build a customized knowledge base also provides a shorter training period for staff maximizing overall work efficiency.

This item was adopted.

18 Varsity Brands Holding Company Inc. dba BSN Sports, LLC

For $95,000.00 in payment authority for a new contract, entered on or about June 1, 2020 for a term of three years for equipment and maintenance supplies for baseball and softball fields for the Parks and Recreation Department. The contract will support the replacement of damaged equipment used for recreational programs that are provided to the residents of Phoenix.

This item was adopted.

19 Zero Point Incorporated

For $11,000.00 in payment authority to purchase two Titan Disruptor Systems for the Police Department. The Titan Disruptor System is an Explosive Ordinance Disruptor which is used to remotely open or render safe a suspect item or improvised explosive device. The disruptor system is lightweight and can be carried easily for remote operations and quick deployment, and can be utilized in Bomb Squad operations that may require both general and precision disruption of items. The purchase is grant-funded using the 2019 State Homeland Security Grant Program funds, and will not use the City's general funds.

This item was adopted.

20 Van Winkle Aviation, LLC.

For $17,650.00 in payment authority to purchase service of an Aircraft Fleet Consultant for the Phoenix Police Department (PPD). PPD Air Support Unit is responsible for the maintenance on the aircraft fleet and the age of the current fleet results in unscheduled maintenance, which is costly and difficult to budget. The consultant, Edward L. Van Winkle, is needed to conduct an aircraft fleet upgrade/replacement assessment, resulting in a report which will provide guidelines and recommendations, including fleet prioritization to the Aircraft Fleet Replacement Plan. The assessment will ensure a detailed analysis of current helicopter and fixed-wing fleet, including flights hours, missions to be performed, call load, desired operational tempo and optimal fleet size; aircraft operating and acquisition cost analysis to justify aircraft replacement/fleet expansion; analysis of fixed-wing surveillance aircraft and search-and-rescue aircraft and potential fleet upgrade/expansion; review available mission equipment options (thermal imager, moving map, searchlight, microwave downlink); recommendations for trade-in/sale of current aircraft to maximize residual value to the City of Phoenix. The

purchase is essential for the PPD in order to remain compliant with the industry standards and to fully meet demands. This item was approved by the Public Safety and Justice Subcommittee at the May 13, 2020 meeting.

This item was adopted.

21 Settlement of Claim(s) The Society of Mount Carmel v. City of Phoenix

To make payment of up to $31,000.00 in settlement of claim(s) in *The Society of Mount Carmel v. City of Phoenix*, 19-0482-006 GL PD, for the Finance Department pursuant to Phoenix City Code chapter 42.

This item was adopted.

22 Ski-Pro Inc.

For $56,500.00 in payment authority to purchase aquatic swim wear uniforms for the Parks and Recreation Department. The purchase will only be made if the public health indicators warrant reopening of the pools. The aquatic swim wear uniforms will be used by all summer lifeguards and other pool staff during the pool season. The uniforms are necessary for the operation of the Parks and Recreation Department Aquatics Division. Aquatic swim wear uniforms include Speedo swim suits, O'Neill swim suits, Original Watermen aloha shorts and Original Water crew shorts. Through research and past experiences, the Parks and Recreation Department determined that the requested aquatic swim wear uniforms best fit the department's requirements and needs.

This item was withdrawn.

23 Stock Enterprises, LLC

For $15,000.00 in payment authority to purchase four Grappler System vehicle immobilization devices for the Police Department. The devices are deployed from the safety of a patrol vehicle, used to conclude a variety of circumstances involving a vehicle unwilling or unable to stop. The Phoenix Police Department Canine Unit has coverage responsibility across the City of Phoenix, and often operate alone. Having each canine vehicle equipped with the Grappler System, will increase their ability to assist patrol units requesting the use of the Grappler System when needed. The purchase will outfit two-night shift canine units used by the Tactical Support Bureau (TSB). Since the TSB began using the Grappler

System, there has been an 87 percent success rate in stopping vehicles in pursuit, unwilling, or unable to stop.

This item was adopted.

24 Zayo Group Holdings, Inc. doing business as Allstream Business US, LLC

For $188,400.00 for annual payment authority to provide the Phoenix Fire Department with a private Local Area Network solution utilized for the Maricopa Region Emergency Services IP Network (ESInet). The ESInet services provide 9-1-1 emergency communications among the Public Safety Answering Points in the region.

This item was adopted.

25 CenturyLink, Inc. dba CenturyLink

For $2,880,000.00 for annual payment authority for the Phoenix Fire Department. CenturyLink is the Incumbent Local Exchange Carrier that provides services and manages the wire-line 9-1-1 system for the Maricopa Region.

This item was adopted.

26 Cox Communications

For $120,000.00 for annual payment authority for the Phoenix Fire Department. Services include a private Local Area Network solution utilized for the Maricopa Region Emergency Services IP Network (ESInet). ESInet provides 9-1-1 emergency communications services among the Public Safety Answering Points in the region.

This item was adopted.

27 Sprint, Inc.

For $660,000.00 for annual payment authority for the Phoenix Fire Department. Services include delivering Wireless Phase II cellular 9-1-1 calls to the Maricopa Region 9-1-1 system.

This item was adopted.

28 International Public Safety Data Institute

For $95,000.00 in payment authority for a new contract, entered on or about July 1, 2020 for a term of three years and three months for access to the National Fire Operations Reporting System (NFORS) database

program for the Phoenix Fire Department. Access to the NFORS database provides unique capabilities and insights for public safety organizations to gather, organize, and translate real-time data to provide a quick and comprehensive way to improve how they evaluate risks, deploy resources, and respond to fires and other emergencies using local and national data to reduce firefighter and civilian injuries and death, as well as property loss. This technology and connection to national data and statistics is crucial in providing effective data to help protect the health, safety and welfare of firefighters.

This item was adopted.

29 Dunlap & Magee Property Management

For $35,000.00 in additional payment authority for fire damage repairs at Park Lee Apartment for the Housing Department. The covered parking at Park Lee Apartment was damaged along with a total of 12 vehicles due to a fire. In March 2020, the insurance carrier has made a final payment for the fire damage. The funds are necessary for the repairs to the carport structure.

This item was adopted.

30 Salt River Project Agricultural Improvement and Power District dba SRP

For $24,900.00 in payment authority for installation of electrical services at 3825 W. Baseline Road for the Parks and Recreation Department. Services will provide electrical power to the facilities under construction at Cesar Chavez Park and is required for the Cesar Chavez Community Center Project PA75200538.

This item was adopted.

31 Arizona Parks and Recreation Association

For $165,000.00 in payment authority to reimburse Arizona Parks and Recreation Association (APRA), per Letter Agreement 151953, for providing financial coordination services for the Phoenix Summit Challenge and National Trail Trek for the Parks and Recreation Department. The City's non-profit partner, APRA, is responsible for taking on the role of lead financial coordinator for the event and facilitation of all financial transactions. The source of funds is from revenue generated through participant entry fees, which are collected through the

event registration process. No General Funds are used to produce this event.

This item was adopted.

32 Rosson House - Heritage Square Foundation and Guild

For $60,000.00 in payment authority for Contract 47669 for financial assistance during the COVID-19 crisis for the Parks and Recreation Department. The funds are necessary for the continuing operations of the Heritage Square Foundation at Heritage Square Park. Funds will be utilized from the Heritage Square Foundation Trust, which are funds restricted to Heritage Square Park. No General Funds will be utilized for these payments.

This item was adopted.

33 Arizona Department of Health Services

For $20,000.00 in payment authority for State of Arizona regulatory laboratory license fees for the Water Services Department. The City is required to pay an annual renewal fee to maintain the Water Services laboratory compliance testing licensure and comply with State and federal regulations. Valid licensure is required for the laboratory to perform regulatory compliance testing.

This item was adopted.

34 Arizona Department of Environmental Quality

For $200,000.00 in payment authority for Fiscal Year 2020-21 permit fees and permit renewal fees for the Water Services Department. The payment authority includes annual operating permits, hazardous waste permits, quarterly disposal fees for all Water Services Department wastewater and water facilities, fees for acceptance and review of required compliance reports, fees for inspection of facilities for compliance with regulations, and fees for document review of paperwork necessary to make changes to permits.

This item was adopted.

35 Phoenix Newspapers, Inc., doing business as Republic Media, The Arizona Republic, AZ Business Gazette

For $20,000.00 in payment authority to purchase Industrial Pretreatment

Program Significant Noncompliance and Pretreatment Settlement Agreement publications for the Water Services Department. The publications are mandatory public notices that inform residents of industries that are in significant noncompliance with the Industrial Pretreatment program standards.

This item was adopted.

36 Oregon Health Authority, Public Health, Financial Services

For $20,000.00 in payment authority for accreditation of lab testing processes under the Clean Air Act, Clean Water Act, Resource Conservation and Recovery Act, and the Safe Drinking Water Act for the Water Services Department. Accreditation requires environmental and drinking water testing laboratories to meet these standards as adopted by the National Environmental Laboratory Accreditation Program. The Water Services Department's Compliance Laboratory is accredited through the Oregon Department of Human Services. Accreditation and assessment fee payment ensures laboratory accreditation and regulatory compliance.

This item was adopted.

37 City of Glendale

For $72,000.00 in payment authority for Intergovernmental Agreements 114154 and 114155 pertaining to treated sewer service and treated water service to an area located in Phoenix. The contracts provide sewer and water service to the area of Arizona State Route 101 and 51st Avenue located within the boundaries of the City of Phoenix but outside the City's system, for the Water Services Department.

This item was adopted.

38 City of Glendale

For $20,000.00 annual payment authority for Intergovernmental Agreement 123273 to provide water treatment services to the Camelback Ranch area located within the boundaries of the City of Phoenix but outside the City's water distribution system, for the Water Services Department.

This item was adopted.

39 City of Mesa

For $80,450.00 for annual payment authority for the water, wastewater,

solid waste, and gas costs associated with the Val Vista Water Treatment Plant, including yearly maintenance and repair shutdown for the Water Services Department. During the shutdown, services are purchased from the City of Mesa for the site, including potable water, wastewater services, solid waste services for removing debris from the Salt River Project South Canal, and natural gas services to power standby generators.

This item was adopted.

40 Solar Star Arizona III, LLC

For $1,383,800.00 for annual payment authority for Contract 132993 to provide solar power services to the Lake Pleasant Water Treatment Plant for the Water Services Department. The 7.5 megawatt solar facility produces approximately 75 percent of the Plant's power needs.

This item was adopted.

47 Mayor and Council Election to be Held on Nov. 3, 2020, Conducted by Maricopa County (Ordinance S-46672)

Request to authorize the City Manager, or his designee, to enter into an agreement with Maricopa County to conduct the City of Phoenix Mayor and Council Election to be held on Nov. 3, 2020, in conjunction with the State General Election according to State law, and authorizing payment to Maricopa County not to exceed $425,000. Further authorize the City Controller to disburse all funds related to this item.

Summary

On Aug. 28, 2018, voters passed Proposition 411, which moved regularly scheduled Mayor and Council elections from August of odd-numbered years to November of even-numbered years to be part of the State General Election. Maricopa County will conduct the election according to State law applicable to the General Election.

The regularly scheduled Mayor and Council Election will be held on Nov. 3, 2020. In this election, registered voters who reside in the city of Phoenix will elect a Mayor and decide a ballot measure related to the locally controlled alternative expenditure limitation. Additionally, voters residing in City Council Districts 1, 3, 5 and 7 will elect Council Members. The City will design, print and mail a publicity pamphlet for the Mayor and Council Election, to be paid for by the City. The pamphlet will include the

official title and text of the City ballot measure and any arguments filed supporting or opposing the ballot measure. The publicity pamphlet will be mailed to each household in the city of Phoenix in which a registered voter resides. The estimated total cost of the election including payment to the County and City expenses, is approximately $700,000.

This request seeks City Council authorization to permit the City Manager, or his designee, to enter into an agreement with the Maricopa County Elections Department to conduct the Mayor and Council Election by placing the candidate races for Mayor and Council Districts 1, 3, 5 and 7, and the City ballot measure on the County ballot for the General Election; to conduct early voting and voting on Election Day; to process and tabulate the ballots for the Mayor and Council Election; and to provide unofficial results of all ballots tabulated. This item authorizes the County Board of Supervisors to designate polling locations and appoint election board workers for the conduct of the election, as needed.

Contract Term
The contract with the County will begin on or about July 6, 2020, and expire on Dec. 31, 2020.

Financial Impact
Payment will be authorized for the duration of the contract, not to exceed $425,000 to the County, and will be allotted from the General Fund.

This item was adopted.

48 Acceptance and Dedication of Easements for Public Utility Purposes (Ordinance S-46668)

Request for the City Council to accept and dedicate easements for public utility purposes; further ordering the ordinance to be recorded.

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

Easement (a)
Applicant: RD Design Team, Inc., its successor and assigns
Purpose: Public Utility

Location: 3701 E. Polk St.
File: FN 200520
Council District: 8

Easement (b)
Applicant: White Fig Homes, LLC., its successor and assigns
Purpose: Public Utility
Location: 1617 W. Yuma St.
File: FN 200524
Council District: 8

This item was adopted.

49 Amend Ordinance S-46088 for Acquisition of Real Property for Street Improvement Project along Earll Drive from 50th Place to 52nd Street (Ordinance S-46677)

Request the City Council amend Ordinance S-46088 for authorization to acquire an additional parcel required for the street improvement project located along Earll Drive from 50th Place to 52nd Street.

Summary
Ordinance S-46088 authorized the acquisition of real property and related property interests for the street improvement project located along Earll Drive from 50th Place to 52nd Street. The Street Transportation Department identified impacts to an additional parcel during design that is necessary to accommodate project construction. All other conditions and stipulations previously stated in the above referenced ordinance will remain the same.

The additional parcel affected by acquisition and included in this request is identified by Maricopa County Assessor's Parcel Number (APN) 128-18-088 located at 3102 N. 52nd St.

Financial Impact
Acquisition will be funded with Arizona Highway User Revenue Funds (HURF) available in the Street Transportation Department's Capital Improvement Program budget.

Location
3102 N. 52nd St.

Council District: 6

Concurrence/Previous Council Action
Ordinance S-46088 was adopted by City Council on Oct. 16, 2019.

This item was adopted.

50 Acquisition of Real Property for the 43rd Avenue Roadway Widening Project, North of Old West Trail (Ordinance S-46676)

Request to authorize the City Manager, or his designee, to acquire all real property and related property interests required by donation, purchase within the City's appraised value or by the power of eminent domain for the 43rd Avenue Road Widening Project, north of Old West Trail. Further request authorization to dedicate land with roadway and/or public improvements to public use for right of way purposes via separate recording instrument. Further request authorization for the City Controller to disburse, and for the City Treasurer to accept, all funds related to this item.

Summary
The acquisition of real property is required for the construction and installation of 23 feet of new pavement along the east side of 43rd Avenue. The roadway widening will accommodate four travel lanes and a two-way left-turn lane at specified locations. The improvements will also include new driveways, a three-foot shoulder, and a thickened pavement edge.

The properties impacted by this project are identified in **Attachment A**.

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

Location
Along the east side of 43rd Avenue, north of Old West Trail.
Council District: 1

This item was adopted.

51 Acquisition of Real Property for Cave Creek Road and Contention Mine Road Widening Project (Ordinance S-46654)

Request to authorize the City Manager, or his designee, to acquire all real property and related property interests required by donation, purchase within the City's appraised value or by the power of eminent domain for the Cave Creek Road and Contention Mine Road Widening Project. Further request authorization to dedicate land with roadway and/or public improvements to public use for right of way purposes via separate recording instrument. Further request authorization for the City Controller to disburse, and for the City Treasurer to accept, all funds related to this item.

Summary

The roadway widening along Cave Creek Road from Angela Drive to Marco Polo Road and Contention Mine Road from Cave Creek Road to 26th Street will include curb and gutter, ramps, bus pads and landscaping. Existing traffic signals and street lighting will be upgraded to meet current City standards. The pedestrian access route along Cave Creek and Contention Mine Roads will also be upgraded to incorporate missing or non-compliant sections of sidewalk, curb ramps, and driveways to meet American's with Disabilities Act (ADA) standards.

The properties impacted by this project are identified in **Attachment A**.

Financial Impact

Funding is available in the Street Transportation Department's Capital Improvement Program T2050 budget.

Location

Cave Creek Road from Angela Drive to Marco Polo Road; and Contention Mine Road from Cave Creek Road to 26th Street
Council District(s): 2 and 3

This item was adopted.

52 Annual Expenditure Limitation Report Designee to Arizona Auditor General (Resolution 21834)

Request City Council approval to designate Chief Financial Officer (CFO), Denise M. Olson, to annually submit the Annual Expenditure Limitation Report (AELR) to the Arizona Auditor General each year.

Summary

Request City Council adoption of a resolution granting approval to officially designate CFO, Denise M. Olson of the City of Phoenix, to annually submit the AELR.

Arizona Revised Statutes 41-1279.07 (E) requires each county, city, town and community college district to annually provide to the Auditor General by July 31 of each year the name of the CFO that the governing board designates to submit the current year's AELR and certify to the accuracy of the report.

This item was adopted.

53 Intelligent Transportation System Devices and Communication Equipment - Maricopa County Department of Transportation Cooperative Contract - 180252-C (Ordinance S-46649)

Request to authorize the City Manager, or his designee, to enter into a cooperative participating agreement through the Maricopa County Department of Transportation (MCDOT) Contract 180252-C with AM Signal, Inc., Clark Electric Sales, Inc., Econolite Control Products Inc., Enterprise Networks Solutions, MSI Tec, Inc., Redhawk Solutions, LLC., Southwest Traffic Systems, Inc., and Summit Traffic Solutions, LLC., to provide the Street Transportation Department with Intelligent Transportation System (ITS) Devices and Communication equipment. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $2 million.

Summary

The Street Transportation Department is requesting to utilize the MCDOT ITS Devices and Communication Equipment contract to purchase the equipment, parts, supplies, and training necessary to perform Street Transportation Traffic Signal Shop's core functions, which is to maintain the existing Citywide infrastructure of over 1,138 signalized intersections and continually adapt to the changing technology of the traveling public, as it pertains to the Traffic Signal systems. This contract will further allow the City to keep pace with the Federal Highway Transportation Department and the transportation industries push toward Vehicle-to-Infrastructure (V2I) models and functionality as well as provide the street performance metrics needed by our engineering staff.

V2I is the next generation of ITS technology. The V2I technologies wirelessly provide information to the Infrastructure which is then used by the Infrastructure to adjust Travel Time Data and adjustment of Traffic Signal timing to reduce congestion and enhance Signal Systems Coordination. V2I technologies are also key in the distribution of “Travel Times” and other advisories from the infrastructure to the vehicle that inform the user of safety, mobility, and/or environment-related conditions.

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

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded through a competitive processes consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43. The use of this cooperative contract will provide the City the best national discounts for these commodities and services.

Contract Term

The two-year contract will expire on or about June 30, 2022.

Financial Impact

The aggregate value of the contract will not exceed $2 million including applicable taxes. Funds are available in the Street Transportation Department's budget.

This item was adopted.

54 Electrical Safety Training - RFQu HR 20-109 (Ordinance S-46705)

Request to authorize the City Manager, or his designee, to enter into contracts with Electric League of Arizona, ETC Compliance Solutions, LLC., and Work Place Safety Specialists for Electrical Safety Training for various City departments. Further request authorization for the City Controller to disburse funds related to this item. The five-year aggregate value of all contracts will not exceed $1.1 million.

Summary

The Human Resources Department Safety Division’s mission is to

ensure all City of Phoenix employees receive quality training required to ensure successful completion of their daily duties and reduce workplace injuries. The vendors referenced below are qualified firms who will be placed on a Qualified Vendors List (QVL) to provide electrical safety training to various Departments including Aviation, Parks and Recreation, Public Works, Street Transportation, and Water Services departments as required by the National Fire Protection Association (NFPA) - 70E.

Procurement Information

Request for Qualifications (RFQu) HR 20-109 was conducted in accordance with Administrative Regulation 3.10, with the intent of establishing a list of qualified vendors to supply electrical safety training to various City Departments. There were three offers received by the Human Resources Department on May 1, 2020. The offers were evaluated and the following three offers met the City's minimum qualification criteria:

Electric League of Arizona
ETC Compliance Solutions, LLC
Work Place Safety Specialists

The Human Resources Director recommends that the offers from the above vendors be accepted as responsive and responsible offers that are most advantageous to the City.

Contract Term

The five-year contract term shall begin on or about June 15, 2020.

Financial Impact

The five-year aggregate value of all contracts will not exceed $1.1 million. Funds are available in the various departments' budgets.

This item was adopted.

55 Amend Pay Ordinance S-45840 in Accordance with Human Resources Committee 605 Recommendations (Ordinance S-46707)

To recognize the higher degree of training and more complex duties required by security personnel in the Municipal Court Department,

creating a separate classification series (Court Security Officer) will distinguish the specialized knowledge and duties from general Municipal Security Guards. Likewise, creating an assignment of "*Municipal Court" for the Human Resources classifications is appropriate because while the primary duties remain the same as the base class, they must be performed in accordance with the requirements and under the authority of the Arizona Administrative Office of the Courts (AOC). The establishment of these classifications and assignments are proposed as follows:

Establish the classification of Court Security Officer, Job Code 80010, Salary Plan 006, Grade 325 ($16.67 - $24.29).
Reclassify position numbers and incumbents of position numbers 00093347; 00092624; 00004250; 00016069; 00092621; 00092622; 00092625; 00092626; 00092628; 00092629; 00092640; 00093113; and 00093348 to the new classification.
Establish the classification of Court Security Supervisor, Job Code 80020, Salary Plan 001, Grade 030 ($20.74 - $31.50).
Reclassify position numbers and incumbents of position numbers 00092623 and 00092627 to the new classification.
Establish the classification of Court Security Systems Manager, Job Code 80030, Salary Plan 001, Grade 036 ($27.95 - $42.49).
Reclassify position number and incumbent of position number 00009928 to the new classification.
Establish the assignment of Human Resources Aide*Municipal Court, Job Code 05022, Salary Plan 012, Grade 727 ($18.73 - $28.50).
Reclassify position number and incumbent of position number 00006117 to the new assignment.
Establish the assignment of Human Resources Analyst*Municipal Court, Job Code 05111, Salary Plan 001, Grade 031 ($21.80-$33.09).
Reclassify position number and incumbent of position number 00005431 to the new assignment.
Establish the assignment of Human Resources Officer*Municipal Court, Job Code 05221, Salary Plan 001, Grade 036 ($27.95 - $42.49).
Reclassify position number and incumbent of position number 00009205 to the new assignment.

Summary

Currently, Municipal Security Guards, used throughout the City, are also used in the Municipal Court. However, that classification does not

encompass the essential functions the AOC requires of Court Security Officers, including mandatory AOC 40-hour certification (which includes use-of-force training, certification to carry and use TASERs, use of metal detection devices and x-ray machines, among other areas) and the higher level duties (x-ray screening, pat downs to identify restricted items, confiscation of all illegal items including drugs and firearms) performed by court security personnel. A compensation review of other certified municipal court security job families in local jurisdictions found that the recommended grade increase for the Court Security Officer and Court Security Systems Manager reflects proper placement in the market for this job family.

It is common practice within the City of Phoenix to create assignment classifications when a classification requires some additional duties or skill level when assigned to a particular area. Creating the assignment of "*Municipal Court" for the Human Resources Aide, Analyst and Officer assigned to the Court maintains the functionality of each base class and recognizes the differences inherent in administering human resources functions within the judicial branch of government.

Financial Impact

The estimated cost of these actions for a full fiscal year, including benefits, is approximately $3,605. Funding is available in the Phoenix Municipal Court's budget.

Concurrence/Previous Council Action

This action was reviewed and recommended for approval by Human Resources Committee 605 on May 13, 2020.

This item was withdrawn.

57 Fort McDowell Yavapai Nation Gaming Grants (Ordinance S-46665)

Request to authorize the City Manager, or his designee, to apply, accept, and if awarded, enter into related agreements for up to $1,164,353 in new funding from Fort McDowell Yavapai Nation under the 2020 funding cycle. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, funds by Fort McDowell Yavapai Nation in connection with these grants.

Summary

If awarded, these monies would be applied, as directed by Fort McDowell Yavapai Nation towards the following:

City Applications

Human Services Department - Business and Workforce Development Division: $145,200 for the Phoenix Youth R.I.S.E program, which will provide youth of Phoenix, ages 16 to 24, an opportunity to participate in a paid, five-week work experience/internship with a community business during the summer months. Funding will allow them to serve more youth and in turn support the economic and community development needs in Phoenix.

Housing Department: $43,375 for the Phoenix ConnectHome Technology Camp, a new project for 60 low-income public-school students who reside in three affordable housing communities. The two-week ConnectHome Technology Camp for students would provide Science, Technology, Engineering, Art, and Math (STEAM) based learning activities and culminate with each student receiving a computer.

Office of Sustainability: $22,000 for the Rio Salado Tall Pot Tree Nursery, which will establish a low-cost sustainable nursery to propagate desert trees utilizing tall pot container methodology for public land projects.

Phoenix Fire Department: $78,592 for the Forcible Entry Door Prop Project, which will fund training props that teach techniques used to forcibly enter commercial grade, steel security doors.

Nonprofit Applications

American Indian Veterans Memorial Organization: $150,000 for the American Indian Veterans Memorial, which would build an American Indian Veterans Memorial at Steele Indian School Park in Phoenix, Arizona.

Arizona Humane Society: $50,000 for Arizona Humane Society's Large-Scale Animal Cruelty Investigations and Rescues, which will help underwrite a portion of their Emergency Animal Medical Technician program. Arizona Humane Society will be able to continue to address the public safety concern animal abuse and hoarding has in Maricopa County through the emergency animal rescue team.

Arizona Masters of Poetry: $16,300 for the Creative Collaborative

Communication program, which will invigorate educational spaces, galvanize life-long learners and culturally-literate citizens, and deliver tools to support young people in crafting and sharing their stories. The program will also support youth to improve their confidence, writing skills, public speaking, performance skills and interpersonal skills.

Aunt Rita's Foundation: $10,000 for Aunt Rita's HIV Prevention, Education, and Outreach Programs, whose primary goal is to provide more than 40,000 Arizonans annually, both HIV positive and HIV negative, with the information that is required to 1) Prevent HIV transmission, 2) Promote HIV testing, 3) Provide resources to access healthcare, medications, housing, substance use treatment, legal aid, and dozens of other services that improve health outcomes and quality of life.

Center for the Future of Arizona: $75,000 for five Education and Workforce Initiatives which aims to increase statewide prosperity and individual opportunity, improve civic health, and build a sense of place where all Arizonans connect and thrive. The five initiatives are Beat the Odds School Leadership Academy, Arizona Personalized Learning Network, Arizona Pathways to Prosperity, Participatory Budgeting and RetailWorks AZ.

Creighton Community Foundation (CCF): $148,874 for the Creighton Community Gardens Program, which will build on existing community services provided by CCF and utilize community gardens to mitigate the detrimental effects of food deserts and enable families and community members with the resources, education, and training necessary to achieve healthy lifestyles.

Desert Oasis Elementary School: $150,012 for the Desert Oasis Elementary School Preschool Program Expansion Project, which would provide the funding necessary to open an additional high-quality preschool program, adjacent to their current 5 Star Quality First/First Things First preschool program, with the capacity to serve another 36 children four days per week, for the school year.

Esperanca Inc.: $25,000 for the Esperanca Health Literacy Education for Low-Income Latino Children, Parents, and Seniors project, which conducts an evidence-based health literacy and disease management programs to empower low-income Latino children, parents and seniors to improve their health outcomes.

Foundation for Senior Living: $50,000 for the Aging in Place in Health

and Dignity programs, which will support in-home and community-based programs and services that promote aging in place for seniors, adults with disabilities, and other vulnerable individuals, such as adults with severe mental illnesses. These individuals can live with their loved ones in their homes rather than be admitted to long-term care facilities.

Girl Scouts-Arizona Cactus Pine Council: $25,000 for Girl Scout Programming, which would fund the Girl Scout program during out-of-school time that supports leadership development that complements academic goals for K-12 girls.

New Pathways for Youth: $50,000 for the Mentor Program Expansion Project, which will assist in doubling their footprint and serve more high-risk youth in Phoenix experiencing homelessness, poverty and adversity through targeted expansion and capacity building of all program elements to meet the needs of the new communities served.

Ronald McDonald House Charities of Central and Northern Arizona, Inc.: $25,000 for the Help-A-Family program, which will fund temporary housing and support services for families staying at Ronald McDonald House while their children receive pediatric care at Phoenix-area medical facilities.

Scott Foundation: $35,000 for the Finding True Self-Wellness Retreat Scholarships program, working in association with youth and wellness organizations, their program experiences provide ongoing support that help teens remove the layers of self-doubt that prevent them from discovering the wealth of love, joy and potential within each of them. Practicing social wellness and self-care is not just in times of crisis, but an everyday need for the under-served population of Arizona foster youth.

Swift Youth Foundation: $5,000 for the Swift Youth Foundation After School Program, which will expand their education and youth development After School and Out of School programs. These programs include Swift After School, Swift Saturday, Club Swift Jr., Swift Leadership Camp, Swift in the Summer and Swift Carnival (programs generally offered after school and some weekends), primarily serve children 8 to 11 years old.

Valley of the Sun YMCA: $20,000 for the YMCA Lifeguard Academy and Childhood Drowning Prevention program, which will provide training to teens to be protectors in the community - to both prevent drownings

and to gain life-long experiences that will prepare them for future jobs. The YMCA Lifeguard Academy develops leaders who have the skills needed to respond to one of Arizona's most pressing needs - reducing the number of drownings, especially with children.

Year Up Arizona: $40,000 for the Supporting Year Up Arizona: An Investment in Phoenix's Opportunity Youth program, which will support Year Up Arizona's direct service workforce development program, including each component of their program model, directly contributing to the learning and development of up to 240 students enrolling in their program.

The gaming compact entered into by the State of Arizona and various tribes calls for 12 percent of gaming revenue to be contributed to cities, towns, and counties for government services that benefit the public including education, public safety, health, environment, economic and community development. The Fort McDowell Yavapai Nation will notify the City, by resolution of the Tribal Council, if it desires to convey to the City a portion of its annual 12 percent local revenue-sharing contribution.

Financial Impact

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

This item was adopted.

59 Request Authorization to Amend Contract with Area Agency on Aging, Region One Due to COVID-19 Pandemic (Ordinance S-46685)

Request authorization for City Manager, or his designee, to amend Contract 150666 with Area Agency on Aging, Region One (AAA) to accept additional grant funding for the Home Delivered Meals (HDM) program in an amount of up to $500,000 for a contract total of $2,582,325 for the period beginning July 1, 2019 through June 30, 2020. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. There is no impact to the General Fund.

Summary

The AAA provides federal and state funds for HDM to seniors throughout Maricopa County. The City of Phoenix has partnered with AAA for more than 30 years. Funds provided to the City of Phoenix through AAA are used to support homebound older adults and people with disabilities with home delivered nutritious meals. Approval to accept funds provided to the City of Phoenix through this request will allow the Human Services Department (HSD) to provide an additional 45,455 meals for a total of 295,455 meals for homebound older adults and people with disabilities who are impacted directly or indirectly by the COVID-19 pandemic.

Contract Term

The term of the contract is for one year from July 1, 2019 through June 30, 2020, with four one-year options to extend. The City of Phoenix will reapply for funding each extension year if provided the option by AAA. Each extension may be exercised in the discretion of the City Manager or designee.

Financial Impact

The annual amount of the AAA contract will not exceed $2,582,325. Funding is provided by the U.S. Department of Health and Human Services (HHS) as part of the Coronavirus Aid, Relief, and Economic Security (CARES) Act through AAA.

Concurrence/Previous Council Action

Ordinance S-44610 was adopted on May 16, 2018, authorizing HSD to contract with Selrico Services, Inc., for HDM and congregate meal service. The contract term for Selrico is July 1, 2018 through June 30, 2023.

This item was adopted.

61 Request Authorization to Enter Into Contracts with Arizona Food Bank Network, The Society of St. Vincent de Paul, St. Mary's Food Bank Alliance, Salvation Army and Amend Contract 147513 with Selrico Services, Inc. (Ordinance S-46709)

Request to authorize the City Manager, or his designee, to enter into contracts with Arizona Food Bank Network ($500,000), The Society of St. Vincent de Paul ($365,000), St. Mary's Food Bank Alliance ($2,000,000) and Salvation Army ($135,000) to provide emergency food assistance to

vulnerable populations impacted by COVID-19. The term of the contracts will begin on or about June 15, 2020 through Dec. 30, 2020. Additionally request authorization for the City Manager, or his designee, to amend existing contract 147513 with Selrico Services Inc. to add $300,000 in funding for additional home-delivered meals for senior citizens impacted by COVID-19 for an aggregate contract amount not to exceed $28,100,000 over the life of the contract. The aggregate value of the contract funding authorized by this item will not to exceed $3,300,000. Further request authorization for the City Controller to disburse all funds related to this item. One-time funding is provided through the Coronavirus Aid, Relief and Economic Security (CARES) Act. There is no impact to the General Fund.

Summary

In response to the COVID-19 pandemic, the City of Phoenix Human Services Department has developed a food assistance plan to address the food needs of vulnerable populations and communities impacted by COVID-19. The plan addresses:

Access to healthy foods for impacted populations.
Infrastructure assistance regarding transportation, delivery with a focus on home delivery and storage of food.
Support for food banks and community agencies with increased operational costs.

This plan is aligned with the City Manager’s guiding principles and strategic plan to deploy CARES Act funding.

Below is a description of what services each agency will be responsible for:

Arizona Food Bank Network (AFBN) - provide financial support through grants for food distribution agencies demonstrating capacity for expanding distribution services due to COVID-19.

The Society of St. Vincent de Paul (SVdP) - purchase non-perishable food to replace supplies lost due to the suspension of the annual U.S. Postal Service Annual Canned Food Drive campaign. SVdP has a system in place to quickly distribute meals to large numbers of

individuals, particularly given the emergency need for vulnerable populations due the COVID-19 environment.

St. Mary's Food Bank Alliance (SMFBA) - cover increased costs due to COVID-19 for transportation, delivery, purchase of shelf stable food, warehousing and production. SMBFA is the primary transportation and delivery hub for 330 plus partner agencies within Phoenix.

Salvation Army - provide take-out meals and food boxes to vulnerable residents experiencing an increased need due to COVID-19. Salvation Army is one of the larger service providers for the most vulnerable, including programs for those experiencing increased food insecurity due to COVID-19.

Selrico Services Inc. - provides congregate and home delivered meal (HDM) services to elderly and disabled Phoenix residents. As a result of the COVID-19 pandemic, the City's senior centers are closed to the public, thus preventing seniors from obtaining congregate meals. To help address the gap in service, Selrico Services Inc. will provide additional HDMs in lieu of congregate meal service to seniors.

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

Contract Term
The term of the AFBN, SVdP, SMFBA and Salvation Army contracts will begin on or about June 15, 2020 through Dec. 30, 2020. Contracts may be extended based on continuous need and available funding, which may be exercised by the City Manager or designee. The current five-year term of existing contract 147513 with Selrico remains unchanged but the additional expenditures authorized by this item must be incurred by Dec. 30, 2020 unless otherwise authorized.

Financial Impact
The funding breakdown is as follows:

Arizona Food Bank Network	$ 500,000
The Society of St. Vincent de Paul	$ 365,000
St. Mary's Food Bank Alliance	$ 2,000,000
Salvation Army	$ 135,000
Selrico Services Inc.	$ 300,000

The aggregate value of these contract funds shall not exceed $3,300,000. There is no impact to General Fund. One-time funding is provided through the CARES Act.

This item was adopted.

63 Request to Accept CARES Act Provider Relief Funds (Ordinance S-46693)

Request to retroactively authorize the City Manager, or his designee, to accept $131,363.38 in CARES Act Provider Relief funds from the U.S. Department of Health and Human Services. Further request authorization for the City Treasurer to accept and the City Controller to disburse funds associated with this item. This retroactive request seeks to ratify prior action because these funds were automatically deposited into the City's account by the U.S. Department of Health and Human Services without prior notification.

Summary

On March 27, 2020, the President signed the bipartisan CARES Act that provides $100 billion in relief funds to hospitals and other healthcare providers on the front lines of the coronavirus response. This funding will be used to support healthcare-related expenses or lost revenue attributable to COVID-19 and to ensure uninsured Americans can get testing and treatment for COVID-19. $50 billion of the Provider Relief Fund is allocated for general distribution to Medicare facilities and providers impacted by COVID-19, based on eligible providers' 2018 net patient revenue. The initial $30 billion was distributed between April 10 and April 17. The City of Phoenix received a direct deposit of $131,363.38 on April 17.

The Fire Department received these funds based on the department's billing to Medicare for emergency medical transports and can be used to offset costs associated with emergency medical response to COVID-19.

Contract Term

There is no term to these funds as they have already been received as part of a stimulus package.

Financial Impact

There is no financial impact to the City of Phoenix.

This item was adopted.

64 Request to Apply for and Accept Federal Fiscal Year 2020 Assistance to Firefighters Grant Program COVID-19 Supplemental Funds (Ordinance S-46699)

Request to retroactively authorize the City Manager, or his designee, to apply for, and accept, if awarded, up to $869,565 from federal fiscal year (FFY) 2020 Assistance to Firefighters Grant (AFG) Program - COVID-19 Supplemental funds, to fund Personal Protective Equipment (PPE). 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 would be turned down.

Summary

The AFG Program, administered through the Federal Emergency Management Agency, is intended to help the nation's fire service by providing vital funds to local fire departments across the country. The primary goal of the program is to meet the firefighting and emergency response needs of fire departments, nonaffiliated emergency medical service organizations, and State Fire Training Academies. Since 2001, AFG has helped firefighters and other first responders obtain critically needed equipment, protective gear, emergency vehicles, training, and other resources necessary to protect the public and emergency personnel from fire and related hazards. This program is supplemental funding to offset costs associated with PPE use related to the COVID-19 response.

Personal Protective Equipment

The project will purchase PPE for Fire Department personnel responding to emergency medical calls for service. The funds will be utilized to purchase N95 respirator masks, exam gloves, eye protection, isolation gowns and face shields. The total cost for this project is $1,000,000 with a city match of around $130,435.

Since 2008, the Fire Department has received more than $5 million in AFG funding. These grants were used to purchase portable radios, thermal imaging cameras, Incident Safety Officer System training, Automatic Chest Compression devices, Peer Support Team Training, and Physical Therapy Equipment upgrades.

Procurement Information

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

Contract Term

The one-year grant Period of Performance is projected to begin on or around June 1, 2020.

Financial Impact

The grant is anticipated to have a 15 percent required cost match; funds are available in the Fire Department's operating budget.

This item was adopted.

65 Enter into Contract with Battelle Memorial Institute for Personal Protective Equipment (PPE) Decontamination Services and Authorize Exceptions to Phoenix Code Section 42-18 - Indemnification and Liability Provisions (Ordinance S-46675)

Request the City Council to enter into contract with Battelle Memorial Institute for personal protective equipment (PPE) decontamination services subject to contract provisions and requesting waiver of Phoenix Code section 42-18.

Summary

On April 30, 2020, the City of Phoenix entered into a Revocable License for Use of City Property with the Arizona Department of Administration, and Arizona Department of Emergency and Military Affairs, City Contract No. 151993, to allow Battelle Memorial Institute as operator to perform decontamination of compatible N95 respirators at the Phoenix Fire Department Administration West building located at 150 S. 12th St., Phoenix, Arizona, 85009.

The Phoenix Fire Department (PFD) requests authorization to enter into a service agreement with Battelle Memorial Institute to provide

decontamination services for fire department emergency medical services personnel PPE, and police department PPE, as approved by the Food and Drug Administration (FDA) as set forth in the Emergency Use Authorization (EUA) for decontamination processing. These services will be provided to the City at no cost.

Additionally, Battelle Memorial Institute has taken exception to the indemnification and liability provisions in the contract. PFD is seeking an exception to Phoenix Code section 42-18 in allowing for mutual indemnification against any liability, claim, loss, damage or expenses, including without limitation, reasonable attorney fees, arising from its negligent acts or omissions in connection with its performance of the agreement, or its failure to comply with the terms of the agreement, as determined by a court of competent jurisdiction. PFD is also seeking an exception to Phoenix Code section 42-18 in allowing a limitation of damages not to exceed $10,000.

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an EUA issued by the FDA on March 29, 2020 authorizing Battelle Memorial Institute, Inc. to operate the Battelle Critical Care Decontamination System (“CCDS”) for use in decontaminating compatible N95 or N95-equivalent respirators for reuse by healthcare personnel to prevent exposure to pathogenic biological airborne particulates when there are insufficient supplies of Filtering Facepiece Respirators during the COVID-19 pandemic.

Contract Term
The term of the agreement with Battelle Memorial Institute, if approved, will begin on or about June 1, 2020 through May 31, 2021 with options to renew on a month-to-month basis for up to six months.

Financial Impact
There are no costs to the City. On April 10, 2020 the Defense Logistics Agency, under authority of 10 U.S.C. 2304(c)(2), FAR Part 6.302-2, issued a contract to Battelle Memorial Institute to operate the CCDS, in accordance with conditions of the EUA, to decontaminate compatible N95 respirators at site locations throughout the United States as directed

by the U.S. Government. Under this program, qualifying customers can submit qualifying PPE to be decontaminated at a Battelle approved facility without cost to the customer.

This item was adopted.

66 Emergency Management and Public Safety Consulting (Ordinance S-46711)

Request to authorize the City Manager, or his designee, to enter into a contract with Kevin Kalkbrenner to provide emergency management and public safety consulting due to COVID-19 in an amount not to exceed $37,000. Further request authority for City Controller to expend funds related to this item.

Summary

The City Manager's Office is seeking a contract to provide emergency management and public safety consulting services during COVID-19. During the pandemic additional focus on emergency management and public safety is critical. Mr. Kalkbrenner served as Emergency Manager for the City of Phoenix for more than six years and has direct experience with City government at a high level, maneuvering the daily communications with management and elected officials, creating a situation of expediency and strong communication.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a determination memo citing emergency. Kevin Kalkbrenner has over 30 years of experience in emergency management and public safety with the City of Phoenix. His knowledge and background qualifies him as an expert with the City during COVID-19 and the immediate response that is necessary.

Contract Term

This contract will begin on or about Council approval on June 3, 2020. Funds are available in the City Manager's office budget.

Financial Impact

This contract will not exceed $37,000 and has a term of 90 days.

This item was adopted.

68 **Tenant Background Screening Services Contract Amendment (Ordinance S-46669)**

Request to authorize the City Manager, or his designee, to amend Contract 149489 with Jalyssa, Inc. dba National Credit Reporting to add additional funds in the amount of $400,000. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $560,000. There is no impact to the General Fund.

Summary

The increase in funding will allow the Housing Department's Section 8 Housing Choice Voucher program to utilize the tenant background screening services for program applications. Additional types of background screening reports also need to be included in the contract scope in support of Housing policy to ensure the safety of our residents.

Financial Impact

With the $400,000 in additional funds, the contract's revised value is now $560,000. There is no impact to General Fund. Funds will come from federal grant resources.

Concurrence/Previous Council Action

This contract is the result of RFP FY19-086-02 and was approved by City Council on March 20, 2019.

This item was adopted.

69 **APS Solar Communities Program Implementation at Affordable Housing Properties (Ordinance S-46695)**

Request to authorize the City Manager, or his designee, to implement the Arizona Public Service (APS) Solar Communities Program for Sunnyslope Manor, Fillmore Gardens and Marcos de Niza affordable housing properties. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item. There is no impact to the General Fund.

Summary

The APS Solar Communities Program provides a free solar-covered parking structure to multifamily housing complexes that serve the limited-income population. The program helps provide utility allowances

for residents and property owners, produce clean energy and provide shade for resident vehicles at zero cost to the property. By adding solar carports to three affordable housing properties, APS will increase their solar capacity which creates clean, pure energy and helps combat greenhouse gas emissions. The power produced is fed back into the APS electrical grid and helps supply the on-peak power demand. The solar-covered parking structure is owned and maintained by APS for 20 years.

The properties proposed for APS Solar Communities Program implementation are:
Sunnyslope Manor, 205 E. Ruth Ave., District 6 (116 units)
Fillmore Gardens, 802 N. 22nd Place, District 8 (120 units)
Marcos de Niza, 305 W. Pima St., District 8 (374 units)

Sunnyslope Manor and Fillmore Gardens, both master metered properties, will receive $2.50 per kWAC bill credit monthly. Both properties have existing carports where the new solar carports will need to be installed. These existing carports will need to be demolished as they cannot support the additional weight from the new solar panels and do not have the correct pitch to maximize solar productivity. It will be the Housing Department's responsibility to fund the demolition of any existing carports that conflict with the new solar installation. Marcos de Niza, an individually metered property, will receive a solar-covered parking structure plus a $1,000 annual bill credit for 20 years, while tenants will receive a $15 monthly bill credit on their energy bill.

The Housing Department seeks authorization to proceed with the APS Solar Communities Program and all actions necessary or appropriate to implement the APS Solar Communities Program at Sunnyslope Manor, Fillmore Gardens and Marcos de Niza including the following:

Authority to enter into agreements with APS or other entities as necessary to implement the APS Solar Communities Program;
Authority to accept any funding or utility bill credits related to or resulting from the APS Solar Communities Program;
Authority to grant easements for the benefit of the APS Solar Communities Program on the referenced properties;

Authority to use up to $30,000 in federal and/or affordable housing funds for demolition of existing carports; and

Authority to take all other actions necessary or appropriate to implement the APS Solar Communities Program.

Financial Impact

There is no impact to the General Fund.

Location

Sunnyslope Manor, 205 E. Ruth Ave.
Fillmore Gardens, 802 N. 22nd Place
Marcos de Niza, 305 W. Pima St.
Council Districts: 6 and 8

Concurrence/Previous Council Action

This item was recommended for approval at the Land Use and Livability Subcommittee meeting on May 20, 2020, by a vote of 3-0.

This item was adopted.

70 2020-24 Consolidated Plan, 2020-21 Annual Action Plan and Analysis of Impediments to Fair Housing Choice Study - Submission to HUD (Ordinance S-46657)

Request City Council approval of the draft 2020-24 Consolidated Plan, 2020-21 Annual Action Plan and the Analysis of Impediments to Fair Housing Choice Study broad activity areas and the submission of the these items to the U.S. Department of Housing and Urban Development (HUD). The responsible departments also seek approval to procure goods and services and enter into any necessary and appropriate contracts and/or agreements to implement these plans and study, and take all necessary or appropriate actions to implement and administer the items as submitted, including payment authority to reimburse funds to the U.S. Department of Housing and Urban Development. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to these items.

Summary

The 2020-24 Consolidated Plan defines strategies to address housing and community development needs in the City of Phoenix for the next five years. The plan contains the application requirements for the four

HUD programs administered by the City, which include: Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA).

The 2020-21 Annual Action Plan describes how funds will be used to address the priorities and achieve the goals outlined in the first year of the Five-Year Consolidated Plan, while the Analysis of Impediments to Fair Housing Choice study will help identify and overcome obstacles to fair housing choice. The 2020-21 allocation are as follows:

CDBG: $16,694,589
HOME: $5,887,208
HOME Program Income: $1,687,500
ESG: $1,442,971
HOPWA: $3,026,933
Total Funding: $28,739,201

CDBG
Critical Core Programs: $10,631,483
Public Services: $2,504,188
Program Management, Coordination, and Support: $3,338,918
Total CDBG Funding: $16,694,589

HOME
Multi-Family Reconstruction / Rehabilitation Projects and Reconstruction / Rehabilitation of Owner-Occupied Homes: $5,298,488
Program Management, Coordination, and Support: $588,720
Total HOME Funding: $5,887,208

HOME Program Income
Total HOME Program Income: $1,687,500

HOPWA
Client and Housing Services: $2,936,126
Program Management, Coordination, and Support: $90,807
Total HOPWA Funding: $3,026,933

ESG
Emergency Shelter: $793,628
Rapid Re-Housing: $418,329
Eviction Prevention: $146,014
Homeless Management Information Systems (HMIS): $10,000
Program Management, Coordination, and Support: $75,000
Total ESG Funding: $1,442,971

Public Outreach
A broad, multifaceted and multilingual approach to engage the community was launched to facilitate and promote the involvement of low- and moderate-income populations. Five community engagement sessions and an electronic survey, available in both English and Spanish, were conducted to introduce residents to the City's Five-Year Consolidated Plan and federal program, and to solicit input from residents, stakeholders and staff, on the level of need for various types of improvements that could be addressed through the Consolidated Plan. Extensive efforts were made to encourage and broaden public participation, including publishing the engagement session notices in the Arizona Republic, Prensa Hispana, and La Voz. This community engagement approach was designed to facilitate and promote the participation of low- and moderate-income populations through branding, a dedicated webpage, social media marketing, partnerships with local Title 1 schools, e-mailing over 2,000 community stakeholders and organizations, and leveraging census outreach campaigns. Highlights of the community engagement process include:
A partnership with a Title 1 school resulting in outreach to over 16,000 student households.
Outreach to over 6,000 public housing residents, Section 8 participants, and Section 8 landlords.
Outreach to the Laveen, Paradise Valley, Encanto Village, Camelback East, South Mountain and Maryvale Village Planning Committees.
Outreach conducted through City of Phoenix affinity groups, including the LGBTQ Employee Alliance and the Phoenix Hispanic Network.
Media coverage from KJZZ and a local Spanish radio.

Efforts were also made to ensure community engagement sessions were held in locations and facilities that were accessible to non-English

speaking persons, individuals with special needs or disabilities, public housing residents, and low- and moderate-income people throughout the City. A total of 86 residents attended five engagement meetings and provided feedback on their housing, economic, and community development needs and priorities for the City. Each session also provided activities for children so adults could participate without childcare barriers. The following engagement sessions were held across Phoenix:

Nov. 4, 2019, from 5:30 p.m. - 7 p.m., at the South Mountain Community Center, 212 E. Alta Vista Road

Nov. 5, 2019, from 10 a.m. - noon, at the Burton Barr Central Library, 1221 N. Central Ave.

Nov. 5, 2019, from 5:30 p.m. - 7 p.m., at the Broadway Heritage Neighborhood Resource Center

Nov. 6, 2019, from 5:30 p.m. - 7 p.m., at the Maryvale Community Center

Nov. 7, 2019, from 5:30 p.m. - 7 p.m., at the Adam Diaz Senior Center

Information about the Consolidated Plan and community needs were presented at each engagement meeting, and was followed by a series of facilitated small group discussions in which attendees described how the City could make a positive impact in programs supporting low- and moderate-income residents and communities. To supplement the community engagement sessions and to further understand the City's needs, an electronic survey was offered in both English and Spanish. A total of 2,026 responses, 1,875 in English and 151 in Spanish, were received. The survey was available online on the City's website and hard copies were made available at community workshops and senior centers. Additionally, the survey was emailed to 2,215 organizations, agencies and community stakeholders; these partners then advertised the survey link in their newsletters, social media pages and conducted outreach through their email networks.

Based on the community engagement process the following goals for have been developed for the 2020-24 Consolidated Plan:

Increase and preserve affordable rental and homeowner housing opportunities for low-and-moderate income households based on community needs.

Assist individuals and families to gain stable housing after experiencing

homelessness or a housing crisis by providing appropriate housing and supportive services.

Foster the development of vibrant and thriving neighborhoods by investing in public facilities, essential infrastructure and addressing blight.

Provide public and community services that promote equity and serve vulnerable populations, including for residents with special needs.

Enhance the City's economic stability by investing in inclusive economic growth opportunities that develop and strengthen small businesses, as well as providing access to workforce development and job opportunities.

Meet the needs of persons with HIV/AIDS and their families through housing, health and support services.

This item was adopted.

71 Authorization to Amend Contract with Teaching Strategies, LLC (Ordinance S-46682)

Request authorization for the City Manager, or his designee, to amend Contract 141887 with Teaching Strategies, LLC for the Head Start Birth to Five program by extending the term of the contract until Dec. 31, 2020, and increasing the payment authority in the amount of $34,000. The amended aggregate value will be $384,000 to provide continued use of this online child assessment tool. Further request authorization for the City Controller to disburse all funds related to this item. There is no impact to the General Fund.

Summary

The Arizona Department of Education (ADOE) convened an Early Childhood Assessment Work Group in the spring of 2005 to define best practices for early childhood assessment in Arizona. The Work Group endorsed using the same assessment system across all ADOE-administered early childhood programs and that education agencies are responsible for purchasing and administering the assessment tool adopted by ADOE. The tool is designed to monitor children's progress, appropriately plan for children’s learning, implement best practices, and meet the accountability requirements of the Individuals with Disabilities Education Act of 2004 (IDEA), Part B, Section 619.

Teaching Strategies was selected by ADOE for the statewide Early Childhood Assessment tool. The City entered into a contract with Teaching Strategies, LLC on July 1, 2015.

Procurement Information
Teaching Strategies was selected through an ADOE Request for Proposal #RFP-ADED 15-00004546 for a statewide Early Childhood Assessment tool to be utilized by other state agencies, political subdivisions, and Head Start grantees.

The ADOE contract with Teaching Strategies expired on March 22, 2020. ADOE extended its contract with Teaching Strategies until Dec. 31, 2020 to allow time for ADOE to complete a procurement for a new provider.

In accordance with Administrative Regulation 3.10, a Determination Memo citing a need to extend the City's current contract beyond the maximum option years was approved on April 10, 2020.

Contract Term
The original contract was for a five-year term, beginning on July 1, 2015, with four one-year extension options exercised by the City. Approval of this request would extend the contract until Dec. 31, 2020.

Financial Impact
Funding is available from the U.S. Department of Health and Human Services, Administration of Children, Youth and Families. There is no impact to the General Fund.

Concurrence/Previous Council Action
City Council approved the initial contract on May 13, 2015 with Ordinance S-41702.

This item was adopted.

72 Fiscal Year 2020-21 Neighborhood Services Department Infrastructure and Enhancement Programs (Ordinance S-46659)

Request to authorize the City Manager, or his designee, to procure services and amend existing contracts, including increasing spending limits, as necessary or appropriate to implement the Neighborhood

Services Department's (NSD) grant-funded Infrastructure and Enhancement Programs in an aggregate amount not to exceed $13,625,000. All existing contract spending limits are included in the aggregate total of this item. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

NSD administers infrastructure and enhancement projects that benefit low- and moderate-income residents of Phoenix, and prevent or eliminate blight by improving the physical infrastructure of neighborhoods. Infrastructure and Enhancement Programs are designed and implemented in partnership with active neighborhood organizations and City of Phoenix departments, including Parks and Recreation and Street Transportation, to provide additional resources and support to execute strategies that achieve basic neighborhood improvement goals. The U.S. Department of Housing and Urban Development (HUD), through the Community Development Block Grant (CDBG), funds the following Infrastructure and Enhancement Programs:

The Neighborhood Infrastructure Program sponsors activities that improve streets, sewers, drainage, and other infrastructure projects in low- and moderate-income areas including Neighborhood Initiative Areas (NIAs), Redevelopment Areas (RDAs), and the Enterprise Community. All projects are subject to federal regulations and requirements.

The Neighborhood Enhancement Program sponsors activities that address neighborhood needs with projects that include, but are not limited to, improving playgrounds and parks, street- and landscaping, security, and traffic mitigation. All projects are subject to federal regulations and requirements.

Additional activities include the acquisition and rehabilitation of public facilities to address slum and blight on a spot or area basis.

NSD seeks authorization to proceed with all actions necessary or appropriate to implement and administer grant-funded Infrastructure and Enhancement Programs, including accepting up to $625,796 in 2020 CDBG funding, and allocating up to $13,625,000 of available CDBG funding and program income for Neighborhood Infrastructure and Enhancement projects in 2020-21.

If approved, procure and/or amend any necessary contracts or agreements with the grantor(s) to fund existing and future contracts in accordance with the grant terms.

Acquire real property meeting the applicable federal rules and regulations and take all actions necessary to carry out acquisition and rehabilitation activities in accordance with grant terms.

Take all other action necessary or appropriate to carry out the purposes of this item and implement and administer the Infrastructure and Enhancement Program in accordance with federal regulations and requirements.

Application and Review Process

Neighborhood Infrastructure and Enhancement Program applications may be submitted any time and are reviewed by City of Phoenix staff as they are received to determine the eligibility and feasibility of proposed projects. Successful applications must benefit and serve low- and moderate-income residents of Phoenix, and prevent or eliminate blight by improving the physical infrastructure of neighborhoods.

Procurement Information

Services may be procured, as needed, by utilizing procurement procedures in accordance with Administrative Regulation 3.10 to implement and administer NSD's Neighborhood Infrastructure and Enhancement Programs.

Financial Impact

These programs are funded by the U.S. Department of Housing and Urban Development (HUD) through the Community Development Block Grant (CDBG). There is no impact to the General Fund.

This item was adopted.

73 Fiscal Year 2020-21 Neighborhood Services Department Neighborhood Economic Development Programs (Ordinance S-46663)

Request to authorize the City Manager, or his designee, to issue Request for Proposals (RFP), Request for Qualifications (RFQu) or Invitation for Bids (IFB) and amend existing contracts, including increasing spending limits, as necessary or appropriate to implement the Neighborhood

Services Department's (NSD) grant-funded Neighborhood Economic Development (NED) Programs. All existing contract spending limits are included in the aggregate total of this item. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

NSD administers several economic development programs that make a significant and positive impact on Phoenix neighborhoods by expanding economic opportunities for low-to-moderate income individuals through job creation and training, and providing valuable and timely resources to the small businesses that serve their community including consultations, technical assistance, financing opportunities, and forgivable loans for rehabilitation projects. The U.S. Department of Housing and Urban Development (HUD), through the Community Development Block Grant (CDBG), funds the NED programs listed below.

Entrepreneurship Assistance Program (EAP)

EAP provides admission into Phoenix-based co-working and accelerator spaces and incubators, and direct access to trainings, technical assistance, and targeted workshops in English, Spanish or other languages to low-to-moderate income small business owners.

Management Technical Assistance (MTA) Program

MTA provides free consulting services and technical assistance to small businesses through instructional and curriculum-based one-on-one meetings or group workshops focused on topics including, but not limited to, branding marketing and other needed services.

Neighborhood Commercial Revitalization (NCR) and Operation Patch and Paint (OPP) Programs

Commercial neighborhood revitalization programs encourage neighborhood revitalization. NCR and OPP provide financial and technical assistance to existing business and commercial property owners along targeted city of Phoenix business corridors. Program support, through capital improvements, ensure the long-term sustainability of the community and structures.

Other Small Business Assistance Programs

To respond to the changing needs of the micro-business community, NSD proposes to develop lending tools and other program resources to promote their sustainability and success. Program funding could include grants, forgivable loans, zero-to-low interest rate loans, or other assistance for businesses that operate in or predominately serve low-to-moderate income communities. In addition, partnerships with non-profit agencies or other organizations could be established to leverage funding options and other services.

Program Eligibility for NSD's NED Programs

Business owners must meet a CDBG National Objective to take part in NED Programs. Under Special Economic Development Activities 24-CFR, Part 570.203, owners must provide a public benefit or deliver neighborhood enhancements, including job creation for local residents, blight elimination, or the provision of qualified goods and services to residents of targeted, low-to-moderate income Phoenix neighborhoods, to be eligible to participate in economic development programs.

NSD estimates using up to $1.7 million in CDBG funds from current and prior HUD allocations to implement economic development programs. NSD projects approximately $200,000 for EAP, $400,000 for MTA, $300,000 for Small Business Assistance and $800,000 for NCR and OPP in 2020-21 to administer its NED Programs.

Issue Request for Proposals (RFP), Requests for Qualifications (RFQu), Calls for Interest (CFI), Request for Bid (RFB), and other procurements in accordance with A.R.3.10.

Deliver economic development services with various business and or property through the utilization of financial tools such as grants and loans.

Amend existing contracts with various business or property owners, or agencies such as non- and for-profit organizations and other agencies to provide economic development services and implement and administer the Neighborhood Economic Development Program activities.

Take all other action necessary or appropriate to carry out the purposes of this item and implement and administer the Neighborhood Economic Development Program grants according to their terms.

Application and Review Process

NED Program applications may be submitted at any time and are reviewed by City of Phoenix staff as they are received to determine the eligibility and feasibility of the proposed project. Successful applications must meet a CDBG National Objective in accordance with HUD program regulations.

Procurement Information

Services may be procured, as needed, by utilizing procurement procedures in accordance with Administrative Regulation 3.10 to implement and administer NSD's NED Programs.

Financial Impact

NED Programs are funded by the U.S. Department of Housing and Urban Development through the Community Development Block Grant and Choice Neighborhood Grant; there is no impact to the General Fund.

This item was adopted.

74 Fiscal Year 2020-21 Neighborhood Services Department Housing Rehabilitation Programs (Ordinance S-46656)

Request to authorize the City Manager, or his designee, to apply for, accept, and if awarded, enter into any necessary agreements to implement the Neighborhood Services Department's (NSD) grant-funded Housing Rehabilitation Programs. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. There is no impact to the General Fund.

Summary

NSD manages housing rehabilitation projects that enhance the quality of life for low-to-moderate income property owners by rehabilitating single-family and multi-family housing units, addressing health and safety hazards, and promoting conservation, sustainability, and energy efficiency to support and revitalize communities. Housing rehabilitation projects are funded through a variety of federal, state, and local grant funds, including:

U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) funds are used to fund housing rehabilitation contracts

between low-to-moderate income property owners and contractors on the Approved Contractor List (ACL). These contracts may also be supplemented with funding from the U.S. Department of Energy, utility providers, and other state and local agencies.

HUD Lead Hazard Control and Healthy Homes Program (LHCP) funding supports NSD's ongoing efforts for providing lead testing and lead hazard control services in single-family and multi-family housing units occupied by low-income families with children under six years of age. LHCP is a competitive grant application in partnership with the Maricopa County Department of Public Health and funds direct contracts with environmental consulting firms.

U.S. Department of Health and Human Services and U.S. Department of Energy Weatherization Assistance Program (WAP) funds provided through the Arizona Department of Housing (ADOH), Arizona Public Service, Salt River Project, Southwest Gas, the Utility Repair Replacement Deposit Program, the Low-Income Home Energy Assistance Program and Wildfire support NSD's continuous commitment of providing weatherization services. These services include installation of attic insulation, sun screens, duct sealing, room pressure relief/air balancing, and the repair or replacement of heating and cooling systems in housing and rental households that meet federal poverty guidelines.

NSD will maintain an ACL to enhance the number of eligible small businesses, which will be an internal process. To be added to the ACL and be eligible to participate as a housing rehabilitation contractor, receive bid opportunities and perform construction services on housing rehabilitation projects, contractors will be screened and qualified on an individual basis and must meet and maintain all eligibility requirements set forth within the NSD Housing Rehab Contractor Application Packet. The ACL will be continuously open to local contractors that meet the applicable criteria in the Contractor Application Packet to promote small business participation. Contractors on the ACL will be selected to submit bids on a rotating basis.

NSD seeks authorization to proceed with all actions necessary or appropriate to implement and administer grant-funded Housing Rehabilitation Programs, including applying for and accept up to

$13,380,000 in funding to implement housing rehabilitation programs. NSD expects to be awarded approximately $3 million in CDBG funds, $7 million in LHCP funds, $2.7 million in WAP funds, and $680,000 in HOME funds in 2020-21.

If awarded, enter into any necessary contracts or agreements with the grantor(s) to fund existing and future contracts in accordance with the grant terms.

Enter into and amend contracts with eligible property owners to perform rehabilitation services; enter into contracts with private contractors; issue Request for Proposals, Request for Qualifications, Calls for Interest, and Requests for Bids for Housing Rehabilitation Program services; award, negotiate, and execute contracts with the successful responders; and negotiate and/or amend existing contracts with various contractors and service providers to perform work on eligible housing and rental rehabilitation projects.

Maintain an ACL of qualified contractors to enter into agreements with low-to-moderate income property owners that will be funded by NSD pursuant to the grant terms. These funds may be disbursed to the property owner or contractor.

Take all other action necessary or appropriate to carry out the purposes of this item and implement and administer the Housing Rehabilitation Program grants according to their terms.

Procurement Information

As needed to implement and administer NSD's Housing Rehabilitation Programs, services may be procured using procurement procedures in accordance with Administrative Regulation 3.10.

Financial Impact

These programs are funded with federal, state, and local grants. There is no impact to the General Fund.

Public Outreach

The ACL and/or other procurement opportunities will be advertised in local print media and will also be posted on NSD’s website.

This item was adopted.

75 Authorization to Enter into a License Agreement with Arizona

Fresh Holdings, LLC (Ordinance S-46706)

Request to authorize the City Manager, or his designee, to enter into a license agreement with Arizona Fresh Holdings, LLC, for pre-development, due diligence and planning activities on City-owned land located at 1150 E. Elwood St. Further request to grant an exception pursuant to Phoenix City Code 42-20 to authorize indemnification and assumption of liability provisions in the agreement that would otherwise be prohibited by Phoenix City Code 42-18.

Summary

Arizona Fresh Holdings, LLC will access the 1150 E. Elwood St. licensed area for pre-development, due diligence and planning activities. The license agreement will allow Arizona Fresh Holdings, LLC, to adequately survey and test this former municipal landfill site in anticipation for future redevelopment.

The license agreement may contain other terms and conditions deemed necessary by the City.

Contract Term

The contract will be in effect until a development agreement and long-term lease is negotiated, and considered for approval by City Council at a public meeting, and ultimately executed. Should Council not approve the terms, this contract will terminate.

Location

1150 E. Elwood St.
Council District: 8

This item was adopted as amended.

76 Issuance of Multifamily Housing Revenue Bonds (Foothills Village Apartments Project) for Purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended (Resolution 21836)

Requests City Council adoption of Resolution 21836 approving the issuance of Multifamily Housing Revenue Bonds (Foothills Village Apartments Project) to be issued in one or more tax-exempt and/or taxable series in an aggregate principal amount not to exceed $15,000,000 following a public hearing held on May 26, 2020, solely for

the purposes of complying with the notice requirement set forth in Section 147(f) of the Internal Revenue Code, as amended (the "Code").

Summary

On June 5, 2019, the City Council adopted Resolution 21754 granting approval of the proceedings under which The Industrial Development Authority of the City of Phoenix, Ariz. (the "Phoenix IDA") had resolved to issue up to $15,000,000 of Multifamily Housing Revenue Bonds (the "Revenue Bonds") as required by A.R.S. 35-721(b). The proceeds from the sale of the Revenue Bonds are to be used by FVA, LLC (the "Borrower"), an Arizona limited liability company, to

finance or refinance, as applicable, acquisition, construction, improvement, equipping and/or operation of a multifamily residential rental housing facility in Phoenix, Arizona, and
pay certain costs related to the issuance of the Revenue Bonds.

Resolution 21754 also approved the plan of financing for the project and the issuance of the Revenue Bonds following a public hearing as required by Section 147(f) of the Code. For such purpose, the City Council's original approval is valid until June 5, 2020, however, the Bonds will not be issued before June 5, 2020.

Current Request

Because the previous public hearing and approval is considered "stale" under Section 147(f) of the Code, a public hearing was held on May 26, 2020, and a new approval of the plan of financing and issuance of the Revenue Bonds is requested by adoption of Resolution 21836, which will allow the Revenue Bonds to be issued on a tax-exempt basis on or before June 2, 2021.

Concurrence/Previous Council Action

The Phoenix IDA Board previously resolved to issue the Revenue Bonds at its meeting held on May 16, 2019. For purposes of providing the approval required by A.R.S. 35-721(b), the City Council adopted Resolution 21754 on June 5, 2019, which approval remains valid.

Location

The Project is located at 920 W. Alta Vista Road in Phoenix, Arizona.

Council District: 7

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

This item was adopted.

77 Criminal Case Management System - Requirements Contract - RFP 19-118 (Ordinance S-46686)

Request to authorize the City Manager, or his designee, to enter into a contract with Karpel Computer Systems, Inc., dba Karpel Solutions to purchase a criminal case management system for the City Prosecutor's Office. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The City of Phoenix Prosecutor's Office uses a criminal case management system responsible for prosecution of approximately 40,000 misdemeanor cases a year in Phoenix Municipal Court. The criminal case management system is the primary technology tool for all prosecuting attorneys and support staff to process high volumes of criminal cases to comply with mandatory legal obligations such as due process, victims' rights, local rules of court, and the Arizona Rules of Criminal Procedure.

The goal of this project is to replace the current 17-year-old Criminal Records Information Management System (CRIMES) and 9-year old Electronic Prosecutor Records Organization System (ePRO) systems, which are unable to migrate data and are incompatible with current operating systems, with a single criminal case management system.

Karpel Solutions will provide the cloud-based PROSECUTORbyKarpel™ software solution. All services including, but not limited to, implementation, data conversion and integration, training, software licensing, and annual maintenance and support will be provided by Karpel Solutions. The PROSECUTORbyKarpel™ solution will provide better caseload management, streamlined data entry operations, substantially more information, and better accountability for staff members and

attorneys.

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

Procurement Information
RFP 19-118 was conducted in accordance with Administrative Regulation 3.10. Five offers were received by the Procurement Division on October 18, 2019. One offer was deemed non-responsive.

An evaluation committee consisting of eight voting members and nine subject matter experts evaluated the offers, based on the following criteria: Business Requirements (350 points), Pricing (250 points), Company Overview, Qualifications, Experience, and References (100 points), Method of Approach (150 points), and Technology Architecture (150 points). The evaluation committee determined that two firms were in the competitive range and both firms were invited to participate in demonstrations. Once demonstrations concluded, the evaluation committee reached consensus to move forward with the Best and Final Offer (BAFO) process, after which the evaluation committee recommended awarding a contract to Karpel Solutions. The offerors and their final scores are as follows:

Karpel Solutions: 750 points
Aeon Nexus: 479 points
Equivant (On-Premise): 157 points

The Deputy Finance Director recommends the offer from Karpel Solutions be accepted as the highest-scored, responsive, and responsible offeror.

Contract Term
The 10-year contract shall begin on or about June 22, 2020, and end on June 23, 2030.

Financial Impact
The aggregate contract value will not exceed $2,050,000. Funds are available in the City Prosecutor's Office operating budget.

This item was adopted.

78 Electronic Patient Care Reporting (ePCR) System - Requirements Contract EXC 20-046 (Ordinance S-46648)

Request to authorize the City Manager, or his designee, to enter into a contract with Starwest Associates, LLC, to purchase an Electronic Patient Care Reporting (ePCR) System for the Phoenix Fire Department (PFD). Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract will not exceed $3,050,000.

Summary

The Phoenix Fire Department (PFD) seeks to enter into a contract for the implementation, operation, maintenance, and support of an ePCR system. The PFD currently utilizes a manual paper-based process. This system is a configurable real-time information system which will allow Emergency Medical Services (EMS) personnel to electronically input, store, transmit, and analyze medical incident and transportation data.

The ePCR system will benefit the PFD by introducing efficiency and productivity improvements for first responders, transfer of care improvements for ETS staff while also ensuring the department's compliance with applicable state and industry standards and eliminating the need to store paper records. Additionally, the system will enhance the PFD's ability to evaluate and analyze quality assurance and continuous quality improvement Key Performance Indicators.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a Special Circumstance Without Competition Determination Memo. The memo supports Starwest Associates, LLC, as the most responsive, responsible offer, and most advantageous to the City to provide an ePCR system. The determination memo was approved by the Deputy Finance Director recommending the contract with Starwest Associates, LLC.

Two prior RFPs (16-014 and 18-032) were issued for an ePCR System. The evaluation and scoring of the submittals for both of these solicitations, resulted with the same top two vendors. The City concluded that a third solicitation would not be significantly different in scope, would

not be in the best interests of the City, and it would be unduly burdensome for the two vendors. Therefore, selection was made using an alternate process under the City Code, a special circumstance without competition. The City determined that both top vendors were responsive, responsible offers and within the City's budget. The remaining final criteria for consideration was the end-user evaluation of the two vendor systems. On March 4, 2020, 23 evaluators who had participated in the field evaluation process in one of the two prior RFPs, cast an anonymous vote for their independent evaluation and preference based on the prior demonstrations and use of the two systems. The final votes resulted in 13-10, with the highest votes favoring Starwest Associates, LLC.

Contract Term

The five-year contract term will end on or about June 30, 2025.

Financial Impact

The aggregate contract will not exceed $3,050,000. Funds are available in the Fire Department's budget.

This item was adopted.

79 Fire Department Health Services Agreements (Ordinance S-46688)

Request authorization for the City Manager, or his designee, to enter into agreements with Arizona Department of Emergency and Military Affairs and Buckskin Fire District for the Phoenix Fire Department Health Center to provide health services to firefighters and police officers. These services include physical examinations, immunizations, return to work evaluations, and exposure management. Further request authorization for the City Treasurer to accept all funds related to this item. The jurisdictions utilizing these services will reimburse the City of Phoenix for all services performed.

Summary

The health services offered by the Phoenix Fire Department Health Center to sworn firefighters and police officers are available in a single location, reducing the amount of time public safety personnel are off-duty to seek multiple health services. In addition, the provision of services to other jurisdictions will not negatively impact City of Phoenix public safety personnel.

Contract Term

The term for the Health Services Agreements will begin on or around July 1, 2020, for a term of five years.

Financial Impact

The jurisdictions utilizing these services will reimburse the City of Phoenix for all services performed.

Location

The Phoenix Fire Department Health Center is located at 150 S. 12th St. Council District: 8

This item was adopted.

80 Request to Apply for and Accept 2019 Staffing for Adequate Fire and Emergency Response (SAFER) Grant (Ordinance S-46701)

Request to retroactively authorize the City Manager, or his designee, to apply for, and accept, if awarded, up to $8,581,815 from federal fiscal year (FFY) 2019 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program funds. 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 would be turned down.

Summary

The purpose of SAFER grants is to increase the number of firefighters to help communities meet industry minimum standards and attain 24-hour staffing to provide adequate protection from fire and fire-related hazards. The grant application will request $8,581,815 to hire 27 Firefighter positions. These positions will be used to staff two Medical Rescue Vehicles (MRV) and a rescue. MRVs provide peak time coverage to reduce response times in busy areas. Funding will be distributed over a three-year period. The Federal Emergency Management Agency has waived the cost match for this grant program. Additionally, the Fire Department will seek a waiver for the minimum staffing requirement, and if denied, acceptance of the award will be contingent upon available funding.

Contract Term

The performance period of this grant, if awarded, is three years. The anticipated start date is on or around July 1, 2020 with an anticipated end

date on or around June 30, 2023.

Financial Impact
If awarded, the City of Phoenix Fire Department will receive up to $8,581,815 in grant funding for 27 Firefighter positions.

Concurrence/Previous Council Action
The grant application period opened on April 13, 2020 and closed on May 15, 2020. This timeline did not give the Fire Department an opportunity to present this item to the Public Safety and Justice Subcommittee.

This item was adopted.

81 Intergovernmental Agreement with Maricopa County for Regional Emergency Operations Management and Disaster Services (Ordinance S-46702)

Request approval from the City Council to enter into a Regional Disaster and Emergency Management Services Agreement with Maricopa County Department of Emergency Management, with an annual assessment of $60,000. Maricopa County will provide assistance and additional resources to ensure the coordinated preparation and execution of emergency management programs and planning between the City of Phoenix, Maricopa County and surrounding communities for the preservation of life and property when disasters occur in accordance with the guidance set forth in the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

Summary
There is an ongoing possibility of the occurrence of disasters of unprecedented size and destructiveness resulting from natural, technological, national security or other causes. Coordinated preparation and use of common processes and procedures allow agencies on the local, county, and state levels to provide for consistent, coordinated response.

Maricopa County will develop, maintain, and provide access to WebEOC, a cross-jurisdictional disaster information management system used throughout the county as well as providing customization, technical

support and training needed to support emergency operations and planned events.

This agreement also allows the County to provide additional tools and assistance for Emergency Operations and Continuity of Operations Planning, Emergency Public Alert Systems, Hazard Mitigation Planning, exercise planning and facilitation, staff training, public outreach activities, and other disaster and emergency management services.

Contract Term
The Intergovernmental Agreement shall commence on July 1, 2020 and remain in effect until June 30, 2023.

Financial Impact
The City shall pay to the County an annual assessment of $60,000. Funds are available in the Office of Homeland Security and Emergency Management budget.

Concurrence/Previous Council Action
This item was recommended by the Public Safety and Justice Subcommittee at its May 13, 2020 meeting by a vote of 4-0.

This item was adopted.

82 FY 2020 Prosecuting Cold Cases Using DNA Grant (Ordinance S-46703)

Request authorization for the City Manager, or his designee, to allow the Police Department to apply for, accept and enter into an agreement with the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for the FY 2020 Prosecuting Cold Cases Using DNA Grant for an amount not to exceed $400,000. Further request authorization for the City Treasurer to accept, and the City Treasurer to accept and the City Controller to disburse all funds related to this item.

Summary
The objective of this grant is to provide funding to support the prosecution of violent crime cold cases, where DNA for a suspect has been identified. The goal is to provide funding assistance for projects to

increase the number of violent crime cold case prosecutions and to decrease the number of unresolved violent crime cold cases awaiting prosecution. The grant application is due by June 16, 2020.

Contract Term
Three years beginning on Oct. 1, 2020.

Financial Impact
The total funding request is $470,000. No matching funds are required.

This item was adopted.

83 FY 2020 Paul Coverdell Forensic Science Improvement Formula Grant Program (Ordinance S-46704)

Request authorization for the City Manager, or his designee, to allow the Police Department to apply for, accept and enter into an agreement with the Arizona Criminal Justice Commission for the FY 2020 Paul Coverdell Forensic Science Improvement Formula Grant for an amount not to exceed $119,780. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary
The Police Department has applied for these types of grant funds continually over the past several years. Funding is used to implement innovative solutions to the backlog issues facing many crime laboratories nationwide. The Police Department's Crime Laboratory has made significant strides in addressing these issues by utilizing these grant funds as part of a comprehensive approach to support and enhance the services provided to the criminal justice community. Funding will be utilized for overtime, related fringe benefits, and supplies to improve the timeliness of forensic science services and to address the backlogs in the analysis of forensic evidence.

Contract Term
Two-year period beginning on Oct. 1, 2020.

Financial Impact
The grant will provide approximately $119,780 in funding. No matching funds are required.

This item was adopted.

84 Federal Aviation Administration Reimbursable Agreement Amendment for Additional Design and Construction Plan Review and Temporary Relocation of Communication Frequencies (Ordinance S-46670)

Request to authorize the City Manager, or his designee, to enter into an amendment to Reimbursable Agreement 141136 with the Federal Aviation Administration (FAA) for additional funding for the planning, design, and construction support to mitigate line-of-site interference for communication frequencies and Airport Surface Detection Equipment at Phoenix Sky Harbor International Airport. Further request to authorize the City Controller to disburse the necessary funds related to this item.

Summary

Contract 141136 is a FAA Reimbursable Agreement to plan and design the relocation of a communications tower, radio transmitter antenna, and emergency generator; to install a direct-current bus system for the radio transmitter antenna site equipment room; and to plan and design radio communication facilities, all to mitigate line-of-site interference for communication frequencies and Airport Surface Detection Equipment at Phoenix Sky Harbor International Airport. This Amendment will add funding for the extended time required to conduct extensive plan reviews beyond what was originally anticipated and to temporarily relocate critical communication frequencies until the new RT-3A antenna site has been completed. This work is necessary to accommodate the Sky Train Stage 2 Project and to maintain safe air traffic services at Phoenix Sky Harbor International Airport. This Amendment is essential to the health, safety, and welfare of the Public and critical operations for the City.

Financial Impact

This amendment will authorize a reimbursement amount to the FAA not to exceed $380,000. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the termination of the agreement. Funding is available in the Aviation Department’s Capital Improvement Program budget.

Concurrence/Previous Council Action

On July 1, 2015, City Council approved executing an Agreement for the

planning and design of the communications tower relocation for the Terminal 3 Modernization Project.

On June 22, 2016, City Council approved modification of the Agreement to relocate a radio transmitter antenna and emergency generator room for the Terminal 3 Modernization Project.

On May 10, 2017, City Council approved modification of the Agreement to procure and install a direct current bus system for the radio transmitter antenna site equipment room for the Terminal 3 Modernization Project.

On June 20, 2018, City Council approved modification of the Agreement to add the planning and design of radio communication facilities for the Sky Train Stage 2 Project.

On May 15, 2019, City Council approved modification of the Agreement for the planning, design and construction support to mitigate line of site interference for communication frequencies and Airport Surface Detection Equipment for the Sky Train Stage 2 Project.

Location

Phoenix Sky Harbor International Airport, 3400 E. Sky Harbor Blvd.
Council District: 8

This item was adopted.

85 Trailer-Mounted Water Pumps - Contract Recommendation (Ordinance S-46652)

Request to authorize the City Manager, or his designee, to enter into separate contracts with Amco Pump Manufacturing, Inc. and Xylem Dewatering Solutions, Inc. for purchase of trailer-mounted water pumps for the Water Services Department. This item will have an aggregate amount of $2 million. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department is responsible for purchase of fleet equipment used by various departments. This contract will allow Public Works to replace aging water pump units that have exceeded their expected life cycle and includes 35 units exceeding their 16-year life cycle in the next five years. These pumps will be used to move water from one area to another during maintenance, emergency situations and after major storm events. These units are critical in emergency situations

when power is down.

Procurement Information
Invitation for Bid (IFB) 20-FSD-044 was conducted in accordance with Administrative Regulation 3.10. Six bids were received, with four bid items being identified as follows: Bid Item 1: Gorman Rupp T4A4OST or similar; Bid item 2: Gorman Rupp T6A60S- B/F or similar; Bid item 3: Godwin CD 150M Critical Silence or similar; Bid Item 4: Heidra 150 Hydraulic Submersible or similar. All bid items had a bid that was deemed responsive and responsible with the following lowest bidder being recommended for award:

Bid Item 1:
Amco Pump Manufacturing, Inc. - $23,664.11
CDPW, Inc. - $27,043.00
Capital Pump & Equipment, LLC - $29,717.00

Bid Item 2:
Amco Pump Manufacturing, Inc.- $26,338.23
CDPW, Inc. - $29,645.00
Capital Pump & Equipment, LLC - $30,736.00

Bid Item 3:
Amco Pump Manufacturing, Inc. - $38,700.98
CDPW, Inc. - $41,309.00
Xylem, Inc. - $50,240.00

Bid Item 4:
Xylem, Inc. - $63,506.00
Capital Pump & Equipment, LLC - $69,231.00
Phoenix Pumps, Inc. - $73,352.22

Contract Term
This contract will begin on or about June 1, 2020, with an initial one-year contract period, with four option years to be exercised in increments of up to one year, for a total contract term of five years.

Financial Impact

This contract will have an estimated annual amount of $400,000 with a total aggregate amount of $2 million over the life of the contract. Funds are available in the Water Services Department's Operating budget.

This item was adopted.

86 Agreement with Arizona Department of Economic Security for Vending Machine Services (Ordinance S-46692)

Request to authorize the City Manager, or his designee, to enter into an Agreement with the Arizona Department of Economic Security (ADES) Business Enterprise Program (BEP) for provision and operation of vending machines in designated City buildings. There is no financial impact to the City for this item.

Summary

Pursuant to Arizona Revised Statutes §23-504, BEP operators have a priority for merchandising business on State, County, or other local government property for business operations varying from small snack bars to vending machines. This Agreement assigns licensed BEP operator(s) responsibility for merchandising and vending services in accordance with Arizona Revised Statutes §23-504, Arizona's "mini-Randolph-Sheppard Act". This agreement for vending machine services will support approximately 120 locations citywide. The location of the vending machines shall be mutually agreed upon by the City and ADES as required.

Contract Term

This contract will have an initial five-year term starting on or about July 1, 2020, with two five-year option terms, for a total contract term of 15 years.

Financial Impact

Arizona Revised Statutes §23-504 does not allow a municipality or local government to charge BEP operators rent or other assessments associated with the use or occupancy of space for operation of the vending merchandising services over the life of the contract.

This item was adopted.

87 Purchase of Vacuum Excavator (Ordinance S-46684)

Request to authorize the City Manager, or his designee, to enter into a contract with Ditch Witch of Arizona, Inc. for the purchase of one trailer mounted vacuum excavator. This item will have a one-time expenditure of $57,618. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department is responsible for the purchase of fleet assets and has identified a trailer-mounted pressure washer that has exceeded its life cycle. The requested trailer-mounted vacuum excavator is a replacement to the pressure washer and is a safer, more efficient way to clear fluid and debris from trenches and pipes. This unit will be used frequently to clean out basins, pumps and holes using high-powered vacuum suction, reducing injury to workers and reducing the chance of cutting underground utility lines.

Procurement Information

Request for Quote (RFQ) 20-FSD-049 was conducted in accordance with Administrative Regulation 3.10. One bid was received at the total below:

Ditch Witch of Arizona: $57,618

Contract Term

This contract will begin on or about Council approval on June 3, 2020.

Financial Impact

Expenditures will not exceed $57,618 over the life of the contract. Funds are available in the Water Services Department's Operating budget.

This item was adopted.

88 Val Vista Transmission Main Rehabilitation 2018 - Construction Manager at Risk Construction Services - WS85500438 (Ordinance S-46653)

Request to authorize the City Manager, or his designee, to enter into an agreement with Kiewit Infrastructure West Co. (Kiewit) to provide Construction Manager at Risk (CMAR) Construction Services for the Val

Vista Transmission Main Rehabilitation 2018 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 $18.9 million.

Summary

The purpose of this project is to slip-line rehabilitate approximately 9,000 linear feet of the Val Vista Transmission Main's 96-inch diameter Pre-stressed Concrete Cylinder Pipe (PCCP) and construct several access portals.

Kiewit's initial services will include preparation of a Guaranteed Maximum Price (GMP) proposal for the Construction Services provided under the agreement and participating with the City in a process to establish a Small Business Enterprise (SBE) goal for the project. Kiewit will be responsible for construction means and methods related to the project and fulfilling the SBE program requirements. Kiewit will be required to solicit bids from pre-qualified subcontractors and to perform the work using the City's subcontractor selection process. Kiewit may also compete to self-perform limited amounts of work.

Kiewit's services include, but are not limited to: construct the selected alternative per final plans and specifications, solicitation of bids for major portions of the work, schedule and manage site operations, acquisition and maintenance of required permits and licenses, and coordinate with various City of Phoenix departments, other agencies and utility companies as required.

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

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes. Scoring and selection were made in conjunction with the CMAR Preconstruction Services selection process.

Contract Term

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

Financial Impact

The agreement value for Kiewit will not exceed $18.9 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.

Concurrence/Previous Council Action

The City Council approved:
CMAR Preconstruction Services Agreement 151633 (Ordinance S-46369) on Feb. 19, 2020.

Location

Horne Street and Sun Circle Trail, and Jensen Street and Forest Street
Council District: Out of City

This item was adopted.

89 Remote Telemetry Units Replacement - Phase 6 - Engineering Services - WS85100031 (Ordinance S-46655)

Request to authorize the City Manager, or his designee, to enter into an agreement with Arcadis, U.S., Inc., to provide Engineering Services that include design and possible construction administration and inspection (CA&I) services for the Remote Telemetry Units (RTUs) Replacement - Phase 6 project. Further request to authorize execution of amendments to the agreement(s) 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 $1.45 million.

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

Summary

The purpose of this project is to provide engineering services to review the overall list of sites requiring remote telemetry units upgrades and finalize the designs of the Phase 6 sites.

Arcadis, U.S., Inc.'s services include, but are not limited to: designing M580 RTUs and associated panels; updating the standard control panel and antenna design; and identifying new radio, antenna and cabling requirements at each site.

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

Procurement Information

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

Selected Firm

Rank 1: Arcadis, U.S., Inc.

Additional Proposers

Rank 2: Black & Veatch Corporation

Rank 3: OZ Engineering, LLC

Rank 4: Quantum Engineering, Inc.

Contract Term
The term of the agreement is four 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 Arcadis, U.S., Inc. will not exceed $1.45 million, including all subconsultant and reimbursable costs.

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

This item was adopted.

90 Edison Park Activity Hub - Design-Bid-Build Services - 8640600010 (Ordinance S-46658)

Request to authorize the City Manager, or his designee, to accept Low Mountain Construction, Inc. as the lowest-priced, responsive and responsible bidder and to enter into an agreement with Low Mountain Construction, Inc. for Design-Bid-Build Services for the Edison Park Activity Hub, a Choice Neighborhoods project. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed $698,000.

Summary
The purpose of this project is to create a central activity hub within the existing Edison Park for the surrounding community.

Low Mountain Construction, Inc.’s services include, but are not limited to: installation of custom shade ramadas, seating, turf areas, art, new site lighting, electrical, site furnishings, irrigation and controls, and other miscellaneous work as required.

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

Procurement Information
The selection was made using an Invitation for Bids procurement process set forth in section 34-201 of the Arizona Revised Statutes. Three bids were received on May 5, 2020 and were sent to the Housing Department for review to determine contractor compliance and responsiveness to Choice Neighborhoods Planning Grant and Community Development Block Grant (CDBG) program compliance and HUD Section 3 program requirements.

The Engineer's Estimate and the two lowest responsive, responsible bidders are listed below:

Engineer's Estimate: $805,529
Low Mountain Construction, Inc.: $698,000
Stratton Restoration: $733,113

The bid award amount is within the total budget for this project.

Contract Term
The term of the agreement is 90 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for Low Mountain Construction, Inc. will not exceed $698,000, including all subcontractor and reimbursable costs.

Funding is available in the Housing Department's Choice Neighborhoods Planning Grant and Neighborhood Services CDBG funding. 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
901 N. 19th St.
Council District: 8

This item was adopted.

91 Water Main Replacement: Area Bounded By Camelback Road from 26th to 40th Streets, 36th Street from Campbell Avenue to Colter Street, and 40th Street from Hazelwood Street to Camelback Road - Construction Manager at Risk Construction Services - WS85509055 (Ordinance S-46662)

Request to authorize the City Manager, or his designee, to enter into an agreement with TALIS Construction Corporation (TALIS) to provide Construction Manager at Risk (CMAR) Construction Services for the Water Main Replacement: Area Bounded By Camelback Road from 26th to 40th streets, 36th Street from Campbell Avenue to Colter Street, and 40th Street from Hazelwood Street to Camelback Road 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 $7.23 million.

Summary
The purpose of this project is to replace approximately 3.9 miles of 4-inch to 12-inch aging water mains, and 27 fire hydrants within an area bounded by Camelback Road from 26th Avenue to 40th streets, 36th Street from Campbell Avenue to Colter Street, and 40th Street from Hazelwood Street to Camelback Road.

TALIS's initial services will include preparation of a Guaranteed Maximum Price proposal for the Construction Services provided under the agreement and participating with the City in a process to establish a Small Business Enterprise (SBE) goal for the project. TALIS will be responsible for construction means and methods related to the project and fulfilling the SBE program requirements. TALIS will be required to solicit bids from prequalified subcontractors and to perform the work using the City’s subcontractor selection process. TALIS may also compete to self-perform limited amounts of work.

TALIS's construction services include, but are not limited to: construction of the selected alignment design per final plans and specifications; bond and insure the construction; address all federal, state and local permitting requirements; arrange for procurement of materials and equipment; schedule and manage site operations; address owner issues; maintain a safe work site for all project participants; and provide quality controls.

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

Procurement Information
The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes. Scoring and selection were made in conjunction with the CMAR Preconstruction Services selection process.

Contract Term
The term of the agreement is 448 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for TALIS will not exceed $7.23 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.

Concurrence/Previous Council Action
The City Council approved:
CMAR Preconstruction Services Agreement 146352 (Ordinance

S-44046) on Nov. 15, 2017; and
CMAR Preconstruction Services Agreement Rescind (146352)/Re-Award Agreement 147763 (Ordinance S-44665) on June 6, 2018.

Location
This project is in the area bounded by:
Camelback Road from 26th to 40th streets
36th Street from Campbell Avenue to Colter Street
40th Street from Hazelwood Street to Camelback Road
Council District: 6

This item was adopted.

92 Cost Participation Agreement for Post-Design Construction Observation and Oversight Services with Roosevelt Irrigation District - ST85100341 (Ordinance S-46679)

Request to authorize the City Manager, or his designee, to enter into a Cost Participation Agreement for post-design construction observation and oversight services with the Roosevelt Irrigation District (RID) for project ST85100341 - 27th Avenue: Lower Buckeye Road to Buckeye Road. Further request the City Controller to disburse all funds related to this item. The estimated total cost participation from the City of Phoenix will not exceed $42,912.70.

Summary
The purpose of this agreement is to allow for post-design construction observation and oversight services to relocate RID facilities to accommodate project ST85100341 - 27th Avenue: Lower Buckeye Road to Buckeye Road. All services by RID shall be completed on a time and material basis, not to exceed $42,912.70. The 27th Avenue Project is a roadway widening project, which includes pavement, curb and gutter, sidewalk, street light, traffic signal and storm drain improvements.

City Council passed Ordinance S-43801 on July 6, 2017, authorizing a Cost Participation Agreement with RID for engineering design and construction services to relocate RID facilities for this project. This request is for a new Cost Participation Agreement for the post-design construction observation and oversight services on the same project.

Financial Impact

The cost participation associated with the agreement will not exceed $42,912.70. Funding is available through the Street Transportation Department's Capital Improvement Program budget using Arizona Highway User Revenue Funds (HURF).

Concurrence/Previous Council Action

On July 6, 2017, City Council passed Ordinance S-43801 authorizing a Cost Participation Agreement with RID to relocate their facilities for the 27th Avenue: Lower Buckeye Road to Buckeye Road Project.

Location

27th Avenue, Lower Buckeye Road to Buckeye Road
Council District: 7

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.

This item was adopted.

93 Salt River Project Land Use License - Grand Canal Pathway Westwood - ST87600126 (Ordinance S-46680)

Request to authorize the City Manager, or his designee, to enter into a land use license with Salt River Project (SRP) for a City of Phoenix street improvement project, ST87600126, Grand Canal Pathway Westwood. There is no financial impact to the City of Phoenix.

Summary

The land use license is necessary for improvements along the Grand Canal near 23rd Avenue south of Indian School Road. The license will allow for the construction of pathway improvements, including a concrete pathway, curb, gutter, driveways, lighting, and landscaping along the Grand Canal, and will be consistent with and shall not interfere with U.S. Bureau of Reclamation fee property.

Indemnification

The SRP license agreement includes authorization pursuant to Phoenix City Code section 42-20, for waiver of Phoenix City Code section 42-18,

to indemnify, release and hold harmless SRP for (A) acts of omissions of the City, its agents, officers, directors or employees; (B) the City's use of occupancy of the licensed property for the purposes contemplated by the license, including but not limited to claims by third parties who are invited or permitted onto the license property, either expressed or implied by the City or by nature of the City's improvement or other use of the licensed property pursuant to this license; and (C) the City's failure to comply with or fulfill its obligations established by the license or by laws. Per City of Phoenix Code, indemnification of another public entity requires approval from the City Council.

Contract Term
The term of the license shall be for 25 years beginning July 1, 2020, and ending June 30, 2045. The license may be renewed upon written agreement by both parties.

Financial Impact
There is no financial impact to the City of Phoenix.

Location
Grand Canal, 23rd Avenue south of Indian School Road
Council District: 4

Responsible Department
This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.

This item was adopted.

94 Val Vista Transmission Main Rehabilitation 2018 - Construction Administration and Inspection Services - WS85500438 (Ordinance S-46683)

Request to authorize the City Manager, or his designee, to enter into an agreement with Wilson Engineers, LLC (Wilson) to provide Engineering Services that include construction administration and inspection (CA&I) services for the Val Vista Transmission Main Rehabilitation 2018 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 $1 million.

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

Summary

The purpose of this project is to rehabilitate segments of the Val Vista Transmission Main that includes slip-lining approximately 9,000 linear feet (LF) of 96-inch transmission main. There are two segments in this project with approximately 4,500 LF of main to be rehabilitated in FY 2020-21 and approximately 4,500 LF of water main to be rehabilitated during FY 2022-23.

Wilson’s services include, but are not limited to: participating in final design meetings and review of construction plans and specifications; reviewing and providing recommendations regarding cost models and Guaranteed Maximum Price proposals provided by the contractor; general project administration, construction inspections and special pipeline inspections; daily interaction with contractors to clarify job requirements; representing the City at meetings as appropriate with contractor, City staff, impacted third parties, utilities, and regulatory agencies as required; monitoring of job progress, issuing and providing weekly status updates; authorizing changes as necessary due to construction or other issues arising from the work; issuing interpretations and clarifications of the construction documents; and reviewing shop drawings and test results.

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

Procurement Information

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

Selected Firm
Rank 1: Wilson Engineers, LLC

Additional Proposer
Rank 2: Stanley Consultants, Inc.

Contract Term
The term of the agreement is 27 months from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for Wilson Engineers, LLC will not exceed $1 million, including all subconsultant and reimbursable costs.

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

Location
Horne and Sun Circle Trail, and Jensen Street and Forest Street
Council District: Out of City

This item was adopted.

95 Closed Circuit Television Expansion - Design-Bid-Build Services - ST89360025 (Ordinance S-46690)

Request to authorize the City Manager, or his designee, to accept CS Construction, Inc. as the lowest-priced, responsive and responsible bidder and to enter into an agreement with CS Construction, Inc. for Design-Bid-Build Services for the Closed Circuit Television (CCTV) Expansion project. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed $774,842.

Summary

The purpose of this project is to provide, as part of a continuing transportation management program, the expansion of the current closed circuit television system. A total of 59 intersections will be upgraded with the CCTV equipment.

CS Construction, Inc.'s services include, but are not limited to furnishing and installing new camera-mounted poles at 10 intersections and modifying existing signal poles to accommodate new cameras at 49 intersections. Work also includes removal of existing poles and foundations, furnishing and installing a fiber optic system, installing new conduit at new pole locations, furnishing and installing CCTV field equipment, relocating traffic signal equipment to new poles, and other miscellaneous work items as required to complete the project. This project will utilize federal funds and is subject to the requirements of 49 Code of Federal Regulations Part 26 and the U.S. Department of Transportation Disadvantaged Business Enterprise (DBE) Program.

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

Procurement Information

The selection was made using an Invitation for Bids procurement process set forth in section 34-201 of the Arizona Revised Statutes. Five bids were received on April 14, 2020, and were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and contractor responsiveness in demonstrating responsiveness to DBE program requirements.

The Engineer's Estimate and the four lowest-priced, responsive and responsible bidders are listed below:

Engineer's Estimate: $1,104,050
CS Construction, Inc.: $774,842
AJP Electric, Inc.: $895,200
Talis Construction Corporation: $946,730
Roadway Electric, LLC: $965,290

Bidders who were deemed non-responsive are listed below:
Contractors West, Inc.: $1,498,290

The bid award amount is within the total budget for this project.

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

Financial Impact
The agreement value for CS Construction, Inc. will not exceed $774,842, including all subcontractor and reimbursable costs.

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.

This item was adopted.

96 Water Main Replacement Quarter Sections: 10-33, 10-24 and 2-29 - Construction Manager at Risk Preconstruction Services - WS85509026, WS85509029 and WS85509061 (Ordinance S-46694)

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

separate agreements with three contractors listed below, to provide Construction Manager at Risk (CMAR) Preconstruction Services for the Water Main Replacement: QS 10-33, QS 10-24, QS 2-29 project. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for services will not exceed $60,000.

Summary

The purpose of this project is to evaluate and replace aging water mains within the City of Phoenix. The primary focus of the program is currently water mains in alleys and easements which have historically had high break rates and are difficult to repair. Work for this project will include installation of new 6-inch to 12-inch water mains, multiple cut and plugs, and installation or relocation of fire hydrants.

B & F Contracting, Inc. (B & F), Achen-Gardner Construction (Achen-Gardner), and Sundt Construction, Inc. (Sundt) will begin in an agency support role for CMAR Preconstruction Services. The Contractors will assume the risk of delivering the project through a Guaranteed Maximum Price agreement.

The Contractors' services include, but are not limited to: reviewing design plans and specifications; developing cost models through detailed cost estimating and knowledge of marketplace conditions; advising the City on ways to gain efficiencies in project delivery; project planning and scheduling; construction phasing and scheduling that will minimize interruption to the City; alternate systems evaluation and constructability studies; long-lead procurement studies and initiating procurement of long-lead items; assisting in permitting processes; and protecting the Owner's sensitivity to quality, safety, and environmental factors. A Small Business Enterprise goal will be established for this project upon substantial completion of Preconstruction Services and prior to the start of construction.

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

Procurement Information

The selections were made using a qualifications-based selection process set forth in section 34-604 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. Twelve firms submitted proposals and are listed in **Attachment A.**

Contract Term

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

Financial Impact

The agreement value for each Contractor will not exceed $20,000, including all subcontractor and reimbursable costs. The total fee for services will not exceed $60,000.

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

Concurrence/Previous Council Action

The City Council approved:

Professional Services Agreements 151696, 151697, and 151698 (Ordinance S-46394) on March 4, 2020.

Location

WS85509026: QS 10-33 - Washington to Van Buren streets from 20th to 36th streets

WS85509029: QS 10-24 - Buckeye Road to Van Buren Street from 19th to 23rd avenues

WS85509061: QS 2-29 - Southern Avenue to Vineyard Road from 7th to 12th streets

Council Districts: 7 and 8

This item was adopted.

98 Sanitary Sewer and Storm Drain Cleaning and Inspection Services Contract (Ordinance S-46660)

Request to authorize the City Manager, or his designee, to enter into an agreement with Pipeline Video Inspection, LLC dba AIMS Companies to provide Sanitary Sewer and Storm Drain Cleaning and Inspection Services for the Water Services, Street Transportation and Aviation departments. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total agreement value will not exceed $4,163,125.

Summary

This agreement will provide sanitary sewer and storm drain cleaning and inspection services for the Water Services, Street Transportation and Aviation Departments. The work includes but is not limited to: cleaning and debris removal; closed circuit television inspections; manhole inspections; lift station wet well cleaning; 3-D optical pipeline and manhole scanning; and laser/sonar profiling.

Procurement Information

The selection was made using a Request for Proposal procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

Proposals were received from three proposers and one was deemed non-responsive.

Selected Contractor:
Pipeline Video Inspection, LLC dba AIMS Companies

Contract Term

The term of the agreement is five years and will begin on or about July 1, 2020.

Financial Impact

The agreement value for Pipeline Video Inspection, LLC dba AIMS Companies will not exceed a total value of $4,163,125. Funding is available in the Water Services, Street Transportation and the Aviation Departments' operating budgets.

This item was adopted.

99 Agreement with Valley Metro Rail, Inc. for South Central Light Rail Train Extension Project Utility Relocation Services - WS85500330 and WS90500224 (Ordinance S-46661)

Request to authorize the City Manager, or his designee, to enter into an agreement with Valley Metro Rail, Inc. (METRO), to procure services to relocate Water and Wastewater facilities that are near the South Central Light Rail Train Extension (LRT) Project. Further request to authorize the City Controller to disburse all funds related to this item. The total value of this agreement will not exceed $12.6 million.

Summary

The Water Services Department (WSD) owns Water and Wastewater infrastructure throughout the LRT Project Area which require relocation to meet METRO and City of Phoenix standards. METRO standards require infrastructure within 10 feet of the centerline of the track to be relocated. These relocations are paid for as part of the LRT Project using Proposition 400 or Transit 2050 funds. WSD established an additional standard to review and relocate infrastructure within 16 feet of the centerline of the track on a case-by-case basis. Infrastructure relocations outside of the METRO standard are paid for by WSD using Capital Improvement Program funds.

Based on the LRT Project’s current design, there is existing Water and Wastewater infrastructure within the impacted construction area of the project which must be relocated in conformance with the LRT Project schedule, to meet these standards.

METRO will relocate the affected facilities through the use of a procured contractor, and the City will reimburse METRO for construction costs associated with the relocations.

Agreement Term

The term of this agreement is through June 30, 2026.

Financial Impact

The total value for this agreement will not exceed $12.6 million. Funding for the project is available in the Water Services Department Capital Improvement Program budget.

Location

The LRT Project is located along Central Avenue from Washington Street to Baseline Road. The construction area also includes McKinley Street between Central and 1st Avenues, and the area between Monroe and Grant Streets from 3rd Avenue to 5th Street.
Council Districts: 7 and 8

This item was withdrawn.

100 Authorization to Enter Into Agreement with Enel X North America, Inc. and Enroll in Salt River Project Business Demand Program (Ordinance S-46689)

Request to authorize the City Manager, or his designee, to enter into an agreement with Enel X North America, Inc., and enroll in the Salt River Project (SRP) Business Demand Program. Further request for the City Treasurer to accept all funds related to this item. There is no financial obligation to the City of Phoenix.

Summary

The SRP Business Demand Program compensates customers for reducing electrical load during demand response events, most commonly during peak hours as needed. Enel Ex North America, Inc. is contracted through SRP to administer the program and provide compensation to customers enrolled in the SRP Business Demand Program. During the course of this agreement, participating departments will receive compensation for reducing the electrical load at specific sites during a demand response event at $40 per kW. At contract signing, only accounts from the Water Services Department will be included, however, it is anticipated that accounts from other departments will be added in the future.

Contract Term

The term of this agreement is for one year, with a one-year option for renewal.

Financial Impact

There is no cost to the City to enter into this agreement. Based on the electrical load anticipated to be reduced, staff estimates this agreement may generate between $5,000 and $20,000 annually for the Water Services Department. Departments will receive compensation each month of the participating program year.

This item was adopted.

101 HVAC Maintenance and Repair Services for Water Services Department (Ordinance S-46664)

Request to authorize the City Manager, or his designee, to enter into separate agreements with ABM Building Services LLC, Adobe Insulation, Inc. dba Adobe Energy Management, Artic Air Heating & Cooling, Goliath Mechanical LLC., and HACI Services LLC., to provide HVAC maintenance and repair services for the Water Services Department (WSD). Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total value of the agreements will not exceed $7.5 million.

Summary

WSD owns 804 HVAC units located at 61 different locations. These agreements will replace the existing agreements which expire in June 2020. Maintenance and repairs include scheduled preventive maintenance, repairs for existing units that may break down, and installing new units when one fails and needs to be replaced.

Procurement Information

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

Selected Vendors:
ABM Building Services LLC
Adobe Insulation, Inc. dba Adobe Energy Management
Artic Air Heating & Cooling

Goliath Mechanical LLC
HACI Services LLC

Contract Term
The term of each agreement is five years effective July 1, 2020.

Financial Impact
The agreement value for ABM Building Services LLC, Adobe Insulation, Inc. dba Adobe Energy Management, Artic Air Heating & Cooling, Goliath Mechanical LLC., and HACI Services LLC., will not exceed a total aggregate value of $7.5 million.

Funding is available in the Water Services Department's Operating and Capital Improvement Program budgets.

This item was adopted.

102 Supply of Sodium Chlorite 25% Solution - Invitation for Bids (Ordinance S-46666)

Request to authorize the City Manager, or his designee, to enter into an agreement with Evoqua Water Technologies, LLC to provide a supply of Sodium Chlorite 25% Solution on an as-needed basis. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total agreement value will not exceed $12.5 million.

Summary
The purpose of this agreement is to provide the Water Services Department (WSD) Water Production division with a supply of Sodium Chlorite 25% Solution. This chemical is used during the disinfectant process for potable water production. Evoqua Water Technologies, LLC's services include, but are not limited to, the supply and delivery of Sodium Chlorite 25% Solution to WSD's water treatment plants.

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

Two vendors submitted responses to the IFB. The vendors are listed below:

Evoqua Water Technologies, LLC: $1,835,537.60
Brenntag Pacific, Inc.: $2,011,831.12

Contract Term
The term of the agreement is five years and will begin on Sept. 1, 2020.

Financial Impact
The agreement value for Evoqua Water Technologies, LLC will not exceed $12.5 million. Funding is available in the Water Services Department's Operating budget.

This item was adopted.

103 Maintenance and Supply Services for Ferrous Chloride Modular Storage and Dosing Systems (Ordinance S-46667)

Request to authorize the City Manager, or his designee, to enter into an agreement with USP Technologies to provide maintenance and supply services for the ferrous chloride modular storage and dosing systems owned by the Water Services Department (WSD). 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 agreement value will not exceed $7 million.

Summary
The purpose of this contract is to provide WSD with maintenance services for the ferrous chloride modular storage and dosing systems which are installed at two WSD locations, as well as provide the required ferrous chloride chemical, which is injected into the sanitary sewer system to control odor and corrosion.

This direct selection is necessary because USP Technologies is the original equipment manufacturer of the modular storage and dosing systems, and is the only Contractor that can provide the necessary patented chemical and maintenance services.

USP Technologies' services include, but are not limited to: maintaining

the modular storage and dosing systems; and providing the ferrous chloride chemical.

Procurement Information
The selection was made using a direct selection process set forth in City of Phoenix Administrative Regulation 3.10. A direct selection was made because USP Technologies' unique modular storage and dosing systems require special maintenance and supplies, and thus would make a competitive process impracticable.

Contract Term
The term of the agreement is for five years and will begin on July 1, 2020.

Financial Impact
The agreement value for USP Technologies will not exceed $7 million. Funding is available in the Water Services Department's operating budget.

Location
Various locations
Council Districts: 1 and 6

This item was adopted.

104 Siemens Non-Contact Level Meters Contract (Ordinance S-46671)

Request to authorize the City Manager, or his designee, to enter into a contract with Siemens Industry, Inc. (Siemens) to provide Siemens non-contact level meters and replacement parts for the Water Services Department (WSD). Further request to authorize execution of amendments to the agreement as necessary within the Council approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total agreement value will not exceed $450,000.

Summary
Siemens non-contact level meters and replacement parts are used at the WSD Water Treatment Plants, Wastewater Treatment Plants and other locations to provide a constant level of measurement on liquids and solids in storage tanks, weirs, digesters and flumes. City staff will be

responsible for installation, maintenance, repairs and replacement of parts.

Procurement Information
Per Phoenix City Code section 43-11(D) and the City's Administrative Regulation 3.10, the competitive process was waived because Siemens is the sole source for these essential Siemens parts. Siemens does not have authorized distributors and therefore all purchases must be made through Siemens.

The WSD requests a waiver from Phoenix City Code section 42-18(B). Siemens seeks a limitation of liability and if approved, it would limit their liability under any theory of recovery to three times the contract price received by Siemens under the contract.

Contract Term
The term of the agreement is six years and will begin on or about July 1, 2020.

Financial Impact
The agreement value for Siemens will not exceed a total value of $450,000 over the life of the contract. Funding is available in the Water Services Department Operating budget.

This item was adopted.

105 Variable Frequency Drives Contracts (Ordinance S-46674)

Request to authorize the City Manager, or his designee, to enter into agreements with Dykman Electrical, Inc. (Dykman) and Graybar Electric Company (Graybar) to provide variable frequency drives for the Water Services Department. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The aggregate value of both agreements will not exceed $919,402.

Summary
Variable Frequency Drives allow for the processes at the Water and Wastewater Treatment Plants, as well as other remote locations to be adjusted, controlled and managed efficiently and automatically. The

functions and uses of variable frequency drives varies depending on the process, location, and environmental factors where the equipment is used.

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

Four bidders submitted bids and all were deemed responsive.

Selected Bidders:
Dykman Electrical, Inc.
Graybar Electric Company

Contract Term
The terms of the agreements are five years and will begin on or about July 1, 2020.

Financial Impact
The agreement value for Dykman will not exceed a total value of $905,402 and the agreement value for Graybar will not exceed a total value of $14,000. Funding is available in the Water Services Department Operating budget.

This item was adopted.

106 Centrifuge Equipment Maintenance Contract - Amendment 1 (Ordinance S-46678)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 147866 with GEA Mechanical Equipment US Inc., to purchase additional Centrifuge Equipment for the Water Services Department (WSD). Further request to authorize the City Controller to disburse all funds related to this item. The additional fee for services will not exceed $475,000.

Summary
The GEA Westfalia Scroll is a critical centrifuge part, housed within the 91st Avenue Wastewater Treatment Plant centrifuges. These centrifuges separate up to 90 percent of the liquids from biological sludge in the treatment process. To maintain operations, as existing centrifuges are

being repaired, this additional scroll will be used to replace the existing scrolls, while they are being repaired.

Procurement Information
The selection was made using a direct selection process set forth in the City of Phoenix Administrative Regulation 3.10. A direct selection was made because GEA Mechanical Equipment US Inc. is the sole source provider due to the unique nature of the equipment. A contract amendment will be done to add the scroll to the existing contract.

Contract Term
The existing contract term is effective through June 30, 2025.

Financial Impact
The initial agreement was authorized for a fee not-to-exceed $10.5 million. This amendment will increase the agreement by an additional $475,000, for a new total not-to-exceed agreement value of $10,975,000.

Funding for this amendment is available in the Water Services Department's Capital Improvement Program budget.

Concurrence/Previous Council Action
The City Council approved Centrifuge Equipment Maintenance Agreement (Ordinance S-44765) on June 20, 2018.

Location
91st Avenue Wastewater Treatment Plant
Council District: 7

This item was adopted.

107 Calcium Hypochlorite Contract (Ordinance S-46681)

Request to authorize the City Manager, or his designee, to enter into an agreement with SCP Distributors dba Lincoln Aquatics to provide Calcium Hypochlorite for the Water Services Department. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided

below, and for the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed $32,000.

Summary

The Water Services Department uses calcium hypochlorite as part of its water treatment process for disinfection of water and is seeking a five-year contract to ensure the safety of its water distribution system reuse applications.

Procurement Information

The selection was made using an Request for Quotes procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

Selected Vendor:
Lincoln Aquatics: $32,000

Contract Term

The five-year contract shall begin on or about July 1, 2020, and expire on June 30, 2025.

Financial Impact

The total cost will not exceed $32,000. Funds are available in the Water Services Department's Operating budget.

This item was adopted.

108 Intergovernmental Agreement with City of Scottsdale - Reciprocal Emergency Backup Water Service - Amendment 3 (Ordinance S-46687)

Request to authorize the City Manager, or his designee, to execute an amendment to Intergovernmental Agreement (IGA) 125120 with the City of Scottsdale (Scottsdale) to allow Scottsdale the option to have the City of Phoenix (Phoenix) divert, treat and deliver water supplied by Scottsdale. Further request to authorize City Treasurer to accept all funds related to this item.

Summary

IGA 125120 was approved by City Council on Oct. 1, 2008 and amended Dec. 31, 2011. Under this agreement, Phoenix can provide Scottsdale emergency water service. Amendment 3 will allow Scottsdale

the option to use their water resources for delivery to a Phoenix treatment facility. Phoenix will divert, treat, and transport the water to existing Scottsdale delivery locations specified in the agreement. For this service, Scottsdale will pay the wholesale "treat and transport" rate based on a cost of service study. All other terms and conditions of the agreement remain unchanged.

Financial Impact

This amendment has no financial impact.

Concurrence/Previous Council Action

The City Council approved:

Reciprocal Emergency Backup Water Service IGA 125120 on Oct. 1, 2008; and

Reciprocal Emergency Backup Water Service IGA 125120 - Amendment 1 on Dec. 31, 2011.

Location

Outside of City

This item was adopted.

109 Odor Scrubber Media Contract (Ordinance S-46691)

Request to authorize the City Manager, or his designee, to enter into an agreement with Copper State Supply, Inc., to provide Odor Scrubber Media for the Water Services Department. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed $235,000.

Summary

The 23rd and 91st Avenue Wastewater Treatment Plants require odor scrubber media to maintain State and County regulatory compliance. The media are used to remove hydrogen sulfide from the air in the wastewater treatment process.

Procurement Information

The selection was made using an Invitation for Bid procurement process in accordance with the City of Phoenix Administrative Regulation 3.10

Selected Vendor:
Copper State Supply, Inc.

Contract Term
The term of this agreement is five years effective July 1, 2020.

Financial Impact
The agreement value for Copper State Supply, Inc. will not exceed a total aggregate value of $235,000.

Funding is available in the Water Services Department's Operating and Capital Improvement Program budgets.

Location
23rd and 91st Avenue Wastewater Treatment Plants
Council District: 7

This item was adopted.

110 (CONTINUED FROM MARCH 18, 2020) - Modification of Stipulation Request for Ratification of Feb. 19, 2020 Planning Hearing Officer Action - Z-180-04-7 - Southwest Corner of the 65th Avenue and South Mountain Avenue Alignments

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Feb. 19, 2020. This ratification requires formal action only.

Summary
Application: PHO-2-19--Z-180-04-7
Existing Zoning: S-1 (Approved R1-8), S-1 (Approved R-2)
Acreage: 175.93

Applicant: Sara Andrews, Meritage Homes
Owner: Williams Family Living 1996 Trust
Representative: Jorge Villasenor, EPS Group Inc.

Proposal:
Modification of Stipulation 1 regarding development of the project site.

Modification of Stipulation 1.A regarding the site plan date stamped Dec. 22, 2004.
Modification of Stipulation 1.B regarding the land use table dated Dec. 1, 2004.
Modification of Stipulation 1.C regarding the landscape master plan dated Dec. 1, 2004.
Modification of Stipulation 1.D regarding the open space amenitites plan dated Dec. 1, 2004.
Modification of Stipulation 2 regarding general conformance to the site plan date stamped Dec. 22, 2004.
Modification of Stipulation 2.A regarding setbacks on the west boundary.
Modification of Stipulation 2.B regarding cul-de-sacs along Dobbins Road.
Modification of Stipulation 2.C regarding perimeter wall offsets.
Modification of Stipulation 3 regarding the school site.
Review and approval of residental and commercial elevations by the Planning Hearing Officer per Stipulation 4.
Modification of Stipulation 5 regarding master plans.
Deletion of Stipulation 5.H. regarding the master lighting plan.
Modification of Stipulation 7 regarding a comprehensive sign plan.
Modification of Stipulation 19 regarding rear yard setback variation.
Modification of Stipulation 22.C regarding split rail fences.
Technical corrections to Stipulations 2.D, 2.E, 6, 8, 9, 14, 15, 22.B, and 25.

Concurrence

Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee heard this case on Feb. 10, 2020 and recommended approval with modifications and additional stipulations by an 8-2 vote.

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Feb. 19, 2020, and recommended denial as filed and approval with modifications and additional stipulations. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location

Southwest corner of the 65th Avenue and South Mountain Avenue

Alignments
Council District: 7
Parcel Address: N/A

This item was withdrawn.

111 Final Plat - Norterra PUD Parcel 20 - 190057 - Southwest Corner of Jomax Road and 19th Avenue

Plat: 190057
Project: 15-3108
Name of Plat: Norterra PUD Parcel 20
Owner(s): US Relp Norterra East I, LLC
Engineer(s): Wood Patel & Associates, Inc.
Request: A 110 Lot Residential Plat
Reviewed by Staff: Feb. 20, 2020
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 V190004A, and both must be recorded before Plat 190092. The sequence of recording to be followed is that the resolution is recorded first, then Plat 190057 is recorded second, and Plat 190092 is recorded third. Recording information from Plat 190057 must be added to Plat 190092 prior to recordation.

Location

Generally located at the southwest corner of Jomax Road and 19th Avenue.
Council District: 1

This item was approved.

112 Final Plat - Norterra PUD Parcel 21 - 190092 - Southwest Corner of Jomax Road and 19th Avenue

Plat: 190092
Project: 15-3108
Name of Plat: Norterra PUD Parcel 21
Owner(s): US Relp Norterra East I, LLC
Engineer(s): Wood Patel & Associates, Inc.

Request: A 114 Lot Residential Plat
Reviewed by Staff: Feb. 21, 2020
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 Plat 190057 and Abandonment V190004A. The sequence of recording to be followed is that the resolution is recorded first, then Plat 190057 is recorded second, and Plat 190092 is recorded third. Recording information from Plat 190057 must be added to Plat 190092 prior to recordation.

Location

Generally located at the southwest corner of Jomax Road and 19th Avenue.
Council District: 1

This item was approved.

113 Final Plat - Stetson Village Two - 190114 - West of 35th Avenue and North of Happy Valley Road

Plat: 190114
Project: 18-1622
Name of Plat: Stetson Village Two
Owner(s): 35th and Happy Valley, LLC
Engineer(s): HilgartWilson
Request: a 5 Lot Commercial Plat
Reviewed by Staff: April 27, 2020
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 west of 35th Avenue and north of Happy Valley Road.
Council District: 1

This item was approved.

114 Final Plat - 23rd Street Development - 190094 - East of 23rd Street and South of Avenida Del Sol Avenue

Plat: 190094
Project: 18-1822
Name of Plat: 23rd Street Development
Owner(s): Additional Option, LLC
Engineer(s): Keogh Engineering, Inc.
Request: A 4 Lot Residential Plat
Reviewed by Staff: May 6, 2020
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 east of 23rd Street and Avenida Del Sol Avenue.
Council District: 2

This item was approved.

115 Final Plat - The Willo Residences Subdivision - 190087 - 2650 N. 1st Ave.

Plat: 190087
Project: 14-650
Name of Plat: The Willo Residences Subdivision
Owner(s): Equus Willo Limited Partnership
Engineer(s): Four Peaks Design Group
Request: A 28 Lot Residential Plat
Reviewed by Staff: April 23, 2020
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 is associated with Abandonment V190005A. The sequence of

recording with the Maricopa County recorder to be followed is that the abandonment resolution is recorded first, then the plat is recorded second. The two items do not need to be recorded concurrently on the same day; however this plat must be recorded after the resolution of abandonment.

Location
2650 N. 1st Ave.
Council District: 4

This item was approved.

116 Final Plat - Lot 1 Banyan Washington Apartments - 200513 - East of Loop 202 and South of Washington Street

Plat: 200513
Project: 19-1832
Name of Plat: Lot 1 Banyan Washington Apartments
Owner(s): Mountain Banyan Qualified Opportunity Zone Business, LLC
Engineer(s): Ysmael A. Vega, RLS
Request: A 1 Lot Commercial Plat
Reviewed by Staff: April 23, 2020
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 east of the Loop 202 and south of Washington Street.
Council District: 6

This item was approved.

117 Final Plat - Nirvana at Colter - 190066 - South of Colter Street East of 13th Place

Plat: 190066
Project: 18-3225
Name of Plat: Nirvana at Colter
Owner(s): Nirvana at Colter, LLC
Engineer(s): Bowman Consulting

Request: A 29 Lot Residential Subdivision Plat
Reviewed by Staff: May 6, 2020
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 south of Colter Street, east of 13th Place.
Council District: 6

This item was approved.

118 Final Plat - Sunland Ranch - 190060 - East of 13th Avenue and North of Southern Avenue

Plat: 190060
Project: 18-1708
Name of Plat: Sunland Ranch
Owner(s): Copper Sky Holdings, LLC
Engineer(s): EPS Group, Inc.
Request: A 62 Lot Residential Subdivision Plat
Reviewed by Staff: April 29, 2020
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 east of 13th Avenue and north of Southern Avenue.
Council District: 7

This item was approved.

119 Final Plat - Tracts L, M & Lots 71-73 of Tierra Montana, Phase 1, Parcel 17 - 190112 - Southeast Corner of Farmhand Drive and 55th Avenue

Plat: 190112
Project: 05-4228

Name of Plat:Tracts L, M & Lots 71-73 of Tierra Montana-Phase 1 Parcel 17
Owner(s): Taylor Morrison/Arizona, Inc.
Engineer(s): Hubbard Engineering
Request: A 3 Lot Residential Plat
Reviewed by Staff: April 22, 2020
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 V190084A.

Location

Generally located at the southeast corner of Farmhand Drive and 55th Avenue.
Council District: 8

This item was approved.

120 Abandonment of Right-of-Way - V190004A - Southwest Corner of Jomax Road and 19th Avenue (Resolution 21831)

Abandonment: V190004A
Project: 15-3108
Applicant: AWH Construction, Inc.
Request: To abandon one drainage easement (Doc # 2017-0464524, Dedication 170002) and two access easements (Doc # 2017-0464533, Dedication 170001); as referenced on the recorded Final Plat, "Norterra PUD Phase 1"; recorded in Book 1334, Page 40, Maricopa County Recorder.
Date of Decision: March 18, 2019

Summary

The resolution of the abandonment and the subdivision plat Final Plat for "Norterra PUD Parcel 20," Plat 190057, are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

Location

Southwest Corner of Jomax Road and 19th Avenue
Council District: 1

Financial Impact

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

This item was adopted.

121 Abandonment of Easement - V190084A - Southeast Corner of Carver Road and 55th Avenue (Resolution 21833)

Abandonment: V190084A
Project: 05-4228
Applicant: Zach Hill; Kimley-Horn
Request: To abandon 1-foot vehicular non-access easement on lots 71-73; APN's 300-03-609, 300-03-610, 300-03-611, of Tierra Montana Parcel 17. Vehicular non-access easement will be rededicated following new lot line associated with proposed re-plat.
Date of Decision: Jan. 13, 2020.

Summary

The resolution of the abandonment and the residential subdivision plat Final Plat for "Tracts L, M & Lots 71-73 of Tierra Montana, Phase 1, Parcel 17", 190112, 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.

Financial Impact

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

consideration in this matter.

Location
Southeast Corner of Carver Road and 55th Avenue
Council District: 8

This item was adopted.

122 Partial Conservation Easement Release for Temple Beth Israel - 122 E. Culver St. (Ordinance S-46698)

Request to authorize the City Manager, or his designee, to enter into necessary agreements and conveyances related to the conservation easement for Temple Beth Israel, located at 122 E. Culver St., to allow a 1957 addition to the historic temple building and a detached 1920s bungalow to be released from the City's conservation easement to eventually allow their demolition.

Summary
Temple Beth Israel is located at the northwest corner of 2nd and Culver streets, adjacent to the Burton Barr Library. The parcel includes the temple building itself, a Bungalow-style house (historically unrelated to the synagogue) and site features such as parking and outdoor use areas. The Temple consists of the original 1921 synagogue and two additions, built in 1936 and 1957. The 1936 addition is a front classroom wing, which includes a hallway linking it to the original building; it is designed in the same style as the main building and utilizes the same brick and stucco construction and large wood windows. The 1957 addition is at the rear of the property and consists of a concrete block Fellowship Hall (with a semi-detached restroom building). Temple Beth Israel is architecturally significant as one of the few religious buildings--and the only synagogue--designed by the prolific Arizona architectural firm of Lescher & Mahoney. The property is also an excellent local example and late survivor of the Romanesque Revival style. See **Attachment A**.

In 2002, the Arizona Jewish Historical Society (AJHS) purchased the property to convert it to a Jewish Heritage Center and give it historic recognition. It was subsequently listed on the Phoenix Historic Property Register in 2006 and the National Register of Historic Places in 2011. The AJHS also received an Arizona Heritage Fund grant in 2007 and City of Phoenix Historic Preservation (HP) Bond Funds in 2008 to rehabilitate

the property. In exchange for the grant funds, both the Arizona State HP Office and the City of Phoenix HP Office received conservation easements on the property, which remain in effect today. In April 2010, the rehabilitation project was completed, and the Cutler-Plotkin Jewish Heritage Center officially opened to the public as a museum, educational center and event venue.

On April 6, 2020, staff received a request from Robert Graham of Motley Design Group, LLC, on behalf of the AJHS, requesting a partial release of the conversation easement that was recorded on the property in conjunction with the City's grant project (**Attachment B**). The purpose of the partial release would be to allow the demolition of the 1957 addition and the noncontributing bungalow. The letter states that the AJHS is currently in the planning stages of a major expansion project that would replace these features with approximately 16,000 square feet of new museum space for the "Center for Hope, Humanity, and Holocaust Education." The letter notes that the Arizona State HP Office has already concurred that removal of the 1957 addition and bungalow would have no adverse effect on the historic property and will be permissible under their easement.

Staff does not object to the removal of the 1957 addition (and, in fact, had already approved its demolition in 2007, prior to the recordation of the conservation easement), as it lacks the architectural character of the original building and 1936 addition. Staff also does not object to the removal of the bungalow, due to its lack of historical association with the synagogue.

Financial Impact

Payment records from the 2008 grant show that $40,785 of the $200,000 in grant funds were specifically used to rehabilitate the bungalow. This amount should be repaid to the City before the partial release is granted.

Staff Recommendation

Staff recommends that the partial release of the conservation easement (**Attachment C**) on the historic Temple Beth Israel property, located at 122 E. Culver St., be approved subject to the following stipulations: (1)

that the applicant repay the City the amount of $40,785, which, based on payment records, is the minimum amount of grant funds expended on the bungalow; and (2) that the Deed of Conservation Easement be amended to extend the term of the easement an additional 20 years to further protect the property and to recover the cost of any additional unidentified expenses from the 2008 grant.

Concurrence/Previous Council Action

The Historic Preservation Commission recommended approval, subject to modified stipulations on April 20, 2020, by a vote of 8-0. The modifications are as follows:

That the applicant repay the City the amount of $40,785 for the amount of grant funds expended on the bungalow with the flexibility to allow repayment in multiple installments as long as payment is made in full prior to issuance of a demolition permit for the bungalow; and

That the Deed of Conservation Easement be amended to extend the term of the easement an additional 50 years; and

That no demolition permit be issued until a building permit has been issued for the new construction.

The City Council Land Use and Livability Subcommittee heard the item on May 20, 2020 and recommended approval of the Historic Preservation Commission recommendation, by a vote of 3-0.

Location

122 E. Culver St.
Council District: 7

This item was adopted.

123 Warehouse and Threatened Building Grant - 324 W. Lynwood St. (Ordinance S-46696)

Request to authorize the City Manager, or his designee, to enter into necessary agreements and conveyances with Michael Kosse, related to a Historic Preservation Warehouse and Threatened Building Grant of up $60,000 for the historic residence located at 324 W. Lynwood St. in the Roosevelt Historic District. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The historic home at 324 W. Lynwood St. is a Craftsman bungalow constructed ca. 1922. The architect and builder of the house are unknown. The house has a poured concrete foundation, which includes a 336-square-foot partial basement. The first floor of the home is approximately 2,500 square feet built of double wall brick with a painted stucco finish original to the home. The second story is a small stuccoed frame sleeping porch with original windows on all four walls. At the rear of the house is a guest quarters addition that was built in 1956. A detached brick and stucco two-car garage is in the rear yard, along with a fiberglass pool. Because of a tall, non-historic wall constructed in front of the house, the property is not currently classified as a contributor to the historic district.

The original owner of the home, Dr. Lloyd C. Mason, was a prominent dentist in Phoenix and lived in the home until the 1950s. The previous owners purchased the property in 1984 but were unable to maintain it and it has fallen into severe disrepair. In January 2020, the current owner, Michael Kosse, acquired the property. On Feb. 10, 2020, Mr. Kosse submitted a grant request to the Historic Preservation Office seeking funding assistance to rehabilitate the property.

The grant funds will be utilized for the following eligible work items: selective demolition (including removal of non-historic front yard wall), roof repair, structural repairs (including new helical piers for foundation), window repair and replacement, new stucco, and repainting. The cost of the eligible work items is approximately $126,976, with the total cost of rehabilitation estimated to be $346,220. The proposed work will result in the property being reclassified as contributing to the Roosevelt Historic District.

Financial Impact

The amount requested for the Warehouse and Threatened Building Grant is $60,000. The grant funds will be disbursed to the applicant as evidence is provided of work completed. The applicant will be required to provide evidence of a dollar-for-dollar match, which may include previously completed work items. In exchange for the grant funds, the city will receive a 25-year conservation easement on the property. The easement will require preservation of the property and that it be insured

and maintained in good repair. Funding is available in the Historic Preservation Capital Improvement Program Budget using General Obligation Bond funds.

Concurrence/Previous Council Action

The Historic Preservation Commission recommended approval of this item on April 20, 2020, by a vote of 7-0, with one member abstaining.

The City Council Land Use and Livability Subcommittee heard the item on May 20, 2020 and recommended approval of the Historic Preservation Commission recommendation, by a vote of 3-0.

Location

324 W. Lynwood St.
Council District: 7

This item was adopted.

124 Warehouse and Threatened Building Grant - Arizona Building Company House #9 - 816 S. 3rd Ave. (Ordinance S-46697)

Request to authorize the City Manager, or his designee, to enter into necessary agreements and conveyances with David Berrey, related to a Historic Preservation Warehouse and Threatened Building Grant of up $60,000 for the historic residence located at 816 S. 3rd Ave. in the Grant Park neighborhood. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The house at 816 S. 3rd Ave. is a Victorian-era cottage built ca. 1900. It is one of five remaining original homes on the block, which represents the earliest known speculative tract development in Phoenix. The Arizona Building Company purchased the entire block from subdivider John Montgomery in 1899 for $1,250. The company then constructed twelve nearly identical homes. The first sale occurred in April of 1900 and the development was sold out by April of 1903.

The simplified Queen Anne styling of the home was likely inspired by a builder’s plan book, a popular resource for construction ideas in the 1890s. The Arizona Building Company repeated the same plan with all twelve homes, varying roof shapes to provide minimal distinction. Character-defining features include brick construction; the vertical

massing and scale of the buildings; the high-sloping, hipped roof; the simple one-over-one wood framed windows; and the modest “L” shape of the home’s footprint.

Like most of the remaining homes, this building has experienced several alterations that have affected its historic integrity. These include an enclosed front porch and stucco sheathing over the original brick walls. The property is currently in very poor condition, with major damages to the foundation, exterior wall, windows, doors, and roof. The current owner, David Berrey, acquired the property in 2012 with the intent of rehabilitating it for use as a single-family residence.

The grant request is to complete the following eligible work items: return house to original footprint (including removal of front porch enclosure), selective demolition and bracing of exterior walls, new foundation, new load-bearing walls, roof repair, window and door repair and replacement, and reconstruction of original brick walls. The cost of the eligible work items is approximately $229,490, with the total cost of rehabilitation estimated to be $498,490. The grant funds will be disbursed to the applicant as evidence is provided of work completed, per program guidelines. The applicant will be required to provide evidence of a dollar-for-dollar match, which may include previously completed work items.

Financial Impact

The amount requested for the Warehouse and Threatened Building Grant is $60,000. In exchange for the grant funds, the city will receive a 25-year conservation easement on the property. The easement will require preservation of the property and that it be insured and maintained in good repair. Funding is available in the Historic Preservation Bond Funds. Funding is available in the Historic Preservation Capital Improvement Program Budget using General Obligation Bond funds.

Concurrence/Previous Council Action

The Historic Preservation Commission recommended approval of this item on April 20, 2020, by a vote of 8-0.

The City Council Land Use and Livability Subcommittee heard the item on May 20, 2020 and recommended approval of the Historic

Preservation Commission recommendation, by a vote of 3-0.

Location
816 S. 3rd Ave.
Council District: 8

This item was adopted.

125 Amend City Code - Ordinance Adoption - Rezoning Application PHO-5-19--Z-50-08-5- Northeast Corner of 23rd Avenue and Royal Palm Road (Ordinance G-6704)

Request to authorize the City Manager, or his designee, to approve the Planning Hearing Officer recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on March 20, 2019. This case was heard and ratified at the April 17, 2019 formal; the prior formal action was done in error.

Summary
Application: PHO-5-19--Z-50-08-5
Existing Zoning: R-3A
Acreage: 19.35
Applicant: Taylor C. Earl, Earl, Curley and Lagarde P.C.
Owner: West Royal Development III LLC
Representative: Taylor C. Earl, Earl, Curley and Lagarde P.C.

Proposal:
Modification of Stipulation 1 regarding elevations for the residential portions of the site.
Modification of Stipulation 1a regarding orientation of building entries.
Modification of Stipulation 2b regarding residential building design and a Tree Preservation Plan.
Technical corrections to Stipulations. 2, 3, 5, 6, 7 and 8.

Concurrence
Village Planning Committee (VPC) Recommendation: The North Mountain Village Planning Committee heard this case on Feb. 20, 2019 and recommended approval by a 11-0 vote.
PHO Action: The Planning Hearing Officer heard this case on March 20, 2019 and recommended approval with modifications and an additional stipulation.

Location
Northeast corner of 23rd Avenue and Royal Palm Road
Council District: 5
Parcel Address: N/A

This item was adopted.

128 Public Hearing - Amend City Code and Ordinance Adoption - Off-Premise Signs for Schools Text Amendment - Z-TA-1-19 (Ordinance G-6703)

Request to hold a Public Hearing on a proposed text amendment Z-TA-1-19 and to request City Council approve Z-TA-1-19 as proposed which amends Chapter 7, Section 705.2. (Off-Premise Signs) of the Phoenix Zoning Ordinance to allow off-premise advertising within Planned Unit Developments located on publicly owned land used for a school as recommended by the Land Use and Livability Subcommittee.

Summary
Application: Z-TA-1-19
Proposal: Request to amend Chapter 7, section 705.2.A.2. and 705.2.A.5. (Location Restrictions) of the Phoenix Zoning Ordinance to allow off-premise advertising within Planned Unit Developments, with a minimum of 15 gross acres and located on publicly owned land used for a school.

Applicant: Creighton Elementary School District and Creighton Community Foundation
Representative: Gammage & Burnham, Michael Maerowitz

This item was continued to the June 24, 2020 City Council Formal Meeting

41 Public Hearing on the 2020-25 Capital Improvement

As required by the City Charter, this item requests the City Council conduct a public hearing on the 2020-25 Capital Improvement Program for purposes of receiving public comments.

Discussion
Mayor Gallego declared the public hearing open.

Noting no requests to speak were submitted on Item 41, Mayor Gallego

closed the public hearing.

The hearing was held.

42 Adoption of the 2020-25 Capital Improvement Program (Resolution 21835)

Request City Council approval of a resolution adopting a 2020-25 Capital Improvement Program (CIP) for the City of Phoenix. This resolution does not appropriate or commit any public funds, but represents an endorsement of the proposed capital improvements and the five-year plan of expenditure as a reasonable and desirable plan to be accomplished by the City. A five-year capital plan is considered a best financial practice.

Summary

The Five-Year CIP is a plan for the replacement, expansion and improvement of city infrastructure, facilities and technology used to deliver community services. It is financed from pay-as-you-go funds, property tax and revenue supported bond proceeds, federal and state participation funds, passenger facility charges, customer facility charges, participation by other governmental entities in certain projects, development impact fees, capital grants, capital reserves, solid waste remediation funds and other capital funding sources.

The Preliminary Five-Year CIP was transmitted to the City Council on March 12, 2020. The 2020-25 CIP proposed for adoption includes adjustments to reflect carryovers and known cost changes.

The City Charter requires that the Five-Year CIP be adopted by resolution immediately following the advertised public hearing, which this year will take place at the Formal meeting on June 3, 2020.

Adoption of the resolution (**Attachment A**) does not commit any funds, but represents an endorsement of the CIP as a desirable plan to be accomplished over the next five years. The first year of the CIP is adopted by ordinance as part of the annual budget adoption process, which provides the only authority to commit funds.

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

Yes: 8 - Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Vice Mayor Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 1 - Councilman Waring

43 **Public Hearing on Adoption of the Tentative 2020-21 Annual Budget Ordinances**

As required by the City Charter and State statute, this item requests the City Council conduct a public hearing on the adoption of the tentative 2020-21 Annual Budget ordinances (see **Attachments A and B** for additional information).

Discussion

Mayor Gallego declared the public hearing open and noted there were several requests to speak submitted on Item 43.

Anne Ender stated her support of the current public safety budget and opposed any funding for the Office of Accountability and Transparency.

Mayor Gallego stated there were eight individuals speaking on the budget items and noted an overwhelming majority of requests to speak were submit on Item 44.

City Manager Ed Zuercher clarified Item 43 was a public hearing for Item 44 and explained they could hear comments on Items 43 and 44 all at once during the public hearing.

Mayor Gallego announced that is what they would do unless any Councilmembers objected.

Ms. Ender continued her commenting and discussed her opposition to the Office of Accountability and Transparency.

Mayor Gallego clarified Item 43 was the public hearing.

Mr. Zuercher recommended hearing the individuals who requested to speak on Item 43 and then move to Item 44, make a motion for

comment, and hear the individuals who requested to speak on Item 44.

Mayor Gallego thanked Council and staff for their feedback and thanked Devin Allen for his patience.

Devin Allen stated his opposition to passing a budget that did not fund the Civilian Review Board and Office of Accountability and Transparency.

Lily Montgomery stated her support for funding the Civilian Oversight Board.

Omar Alvarez Perez asked Council to reconsider the proposed budget and to reappropriate funds to better serve the city.

Randy Pasket requested Council develop the funds in a different way and noted the importance of community development and the need to focus on environmental services, transportation, and criminal justice.

AJ Marsden stated she supported the City budget as presented and discussed the balanced budget. She further discussed talking to various staff and Councilmembers regarding the budget.

Mayor Gallego closed the public hearing.

There were a total of 33 electronic comments submitted for Item 43:
4 comments in support.
25 comments in opposition.
1 comment marked as neutral.

The hearing was held.

44 Adoption of the Tentative 2020-21 Annual Budget (Ordinance S-46650)

An ordinance (**Attachment A)** adopting the tentative estimates of the amounts required for public expense for operating funds for the City of Phoenix for the fiscal year 2020-21; adopting a tentative budget; setting forth the receipts and expenditures and the amounts estimated as collectible for the fiscal year, and the amount proposed to be raised by direct property taxation for primary and secondary purposes; giving

notice of the time and place for hearing taxpayers and for adoption of the budget and fixing the tax levies.

Concurrence/Previous Council Action

This reflects the budget approved by the Council on May 19, 2020 and complies with the requirements set forth in the City Charter and Code and State Statutes. Final adoption is scheduled for June 17, 2020.

Discussion

Mayor Gallego stated Item 44 was the adoption of the Tentative 2020-21 Annual Budget.

City Manager Ed Zuercher stated the budget proposed at the meeting reflected the vote of the Council from two weeks ago and noted Deputy City Manager Jeff Barton's availability to answer questions.

Councilmember Garcia thanked people who were present outside the Council Chambers for Black Lives Matter. He asked Mr. Barton if it were possible to fully fund the Civilian Review Board and Office of Accountability and Transparency.

Councilmember Garcia motioned to add $2.5 million to the budget to fully fund the Civilian Review Board and Office of Accountability and Transparency.

Councilwoman Williams asked Councilmember Garcia to repeat his motion.

Councilman DiCiccio asked if the motion was to add $2.5 million to the proposed budget.

Councilmember Garcia answered the motion was to approve the proposed budget and add $2.5 million for the Office of Accountability and Transparency.

Mayor Gallego clarified Councilmember Garcia's motion.

Councilwoman Stark asked staff how they would find an additional $2.5 million for the budget. She also inquired if Council would be able to

approve the budget as it was and then make an amendment to the budget when they find the additional money.

Mr. Zuercher explained they couldn't approve a budget where they added money, but it was his understanding they would be able to reallocate money within the proposed budget and put it towards funding the Office of Accountability and Transparency. He recommended talking with Mr. Barton on what they would need to do to within the existing resources.

Mr. Barton stated Mr. Zuercher was correct and clarified the proposed budget was balanced as required by state statute and city charter. He explained they would have to take the money from somewhere else and stated the easiest place to take money from without having to harm another department would be to take it out of the contingency fund. He further explained they would need to then replenish the contingency to its current level at some point in the fiscal year.

Councilwoman Stark asked how long it would take to replenish it.

Mr. Barton answered he would have to look at the end of the fiscal year for any unanticipated savings over and above what was already estimated.

Councilwoman Stark recalled doing a budget amendment to give funds to Council offices for additional staffing and asked if they could give that money back.

Mr. Barton answered they could but stated he did not know if each Councilmember would do that collectively.

Councilwoman Stark said she would be happy to do that.

Mayor Gallego asked if there were any additional Council comments.

Councilwoman Pastor asked Mr. Barton how much was in the contingency fund.

Mr. Barton answered there was about four percent of the total operating

budget and that is where they try to maintain it. He noted the Council did establish a goal to increase it to five percent. He emphasized the contingency fund was at four percent and $56 million was not that large given the size of the budget. He explained if there was a financial difficulty or situation that required them to use the contingency on an indefinite period that it would not last long.

Mr. Barton explained according to best practices the amount of contingency funds should be higher and noted the size of the contingency fund is something him and CFO Denise Olson battle about with the rating agencies.

Councilwoman Pastor asked if taking the $2.5 million from the $56 million would be okay as long as they replaced it in the future.

Mr. Barton stated that was correct.

Councilwoman Stark asked Mr. Barton if it would be easier to adopt the budget as it was but commit to working diligently to find an additional $2.5 million.

Mr. Barton responded that would be easier from an administrative standpoint.

Mayor Gallego talked about being able to speak to some individuals in the philanthropic world who heard from people in the business community, and stated the community was taking this seriously and wanted to be part of the solution. She explained the individuals she spoke with indicated if the City made a contribution the businesses and philanthropic community would also step up. She noted the strong support from the community.

Councilwoman Williams stated she was not going to support the motion because it was important to stick with the balanced budget. She stated changing the contingency fund could impact their borrowing rating. She stated she would be willing to look for more funding elsewhere

Councilman DiCiccio stated he was not going to support the motion because he thought it was a bad idea. He talked about police and

police-involved shootings. He stated the Phoenix Police Department had been doing an amazing job, and commented the measures being discussed would harm police, and he was in opposition to it.

Councilwoman Pastor stated for the record that what she was hearing from the people outside of the Council Chambers, while sitting in the meeting, is that Black Lives Matter.

Mayor Gallego announced there was a robust interest from the community and stated they would begin with public comment.

City Clerk Denise Archibald requested verification on a second to the motion.

Alyssa Peralta addressed Councilmember Garcia's viewpoint of police and police brutality, and spoke about some of the issues in her community, such as crime, that she felt were not being properly addressed by Councilmember Garcia and were addressed by the Police Department. She stated defunding police would be a great disservice to impoverished communities.

Martha Winkler mentioned an incident involving herself and a police officer, and added the incident stressed the need for a Civilian Review Board.

Symon Levenberg stated his opposition to the police budget and asked Council to consider the reallocation of funds.

Vik Peer discussed the police presence in schools, the environment it created for students, and asked Council to defund the police and to reallocate those funds by investing in things that promote the safety and survival of young people.

Mayor Gallego noted Anne Ender spoke on Item 42.

Leah Vaidya asked Council to defund the police and to redirect funds that helped the community.

Robert Doyle asked for the budget to be postponed, and expressed support for the motion made by Councilmember Garcia to add $2.5 million in funds for OAT or a Civilian Review Board.

Alana Varner voiced her opposition to the budget, and called for defunding the police and reallocating those funds into other services.

Muktar Sheikh thanked Mayor Gallego for her leadership and addressed wanting change in the Police Department.

Mary Hillis asked Council to move 25 percent of the Police Department budget into programs that support the community.

Monique Kelson stated her opposition to the proposed budget and asked to heal the community by calling to defund the police and divesting funds into areas that matter.

Ash Uss opposed the budget and requested change to the Police Department.

Michael Blunt talked about the policy budget and encouraged the Council to reject the adoption of the proposed budget.

Jake Friedman suggested maintaining the police budget from last year and funding the Office of Accountability and Transparency.

Kevin As addressed what the Phoenix constituents needed and asked for regulation, oversight, and education for police.

Briana Burroughs stated it was unacceptable to wait longer to fund the Civilian Review Board and told Council they needed to fund it now.

Joseph Mulkern urged Council to reconsider the proposed budget and the money being allocated to the Police Department. He asked Council to put money towards helping the community.

Zoe Scott asked Council to postpone the adoption of the proposed budget and to redirect funds from the public safety department for

community development and community enrichment.

Anna Hernandez stated her opposition to the funding for the police and asked for funds to be allocated for the Civilian Review Board and to community programs.

Alma Perez asked Council to defund the police.

A member of the public asked Council to defund the police.

Lorenza Valdez talked about the incident between her son Paco and police. She asked for justice, for the collaboration between police and ICE to stop, and for no more funding for police.

Councilmember Garcia also talked about the incident between Paco and police. He thanked Ms. Valdez for testifying and stated Council had an opportunity to make sure this would not happen again.

Marcia Florian spoke in favor of the Police Department budget as proposed.

An individual read the comments of Alexis Delgado Garcia to Council. Mr. Garcia asked to invest more into public education, head start programs and oversight programs.

Elisa Flores requested Council defund the Police Department and put more money towards the community.

A member of Trans Queer Pueblo named Sonja spoke and asked Council to invest in community development and enrichment and to denounce police and ICE collaboration.

Michael Moynihan from Mass Liberation Arizona spoke about the proposed increase to the police budget and stated the money needed to go back into the community.

Shanisa Roland addressed the proposed increase to the police budget and stated no criminal record justifies death.

Murphy Bannerman thanked Councilmember Garcia for his motion and stated she would not accept anything less than full-funding for the Civilian Review Board and Office of Accountability and Transparency.

LaShae Brown listed names of people killed by the Police Department since 2013. She demanded a 25 percent decrease for the Police Department budget.

Shawn Severud talked about his experience at protests in Phoenix and asked Council to vote against the proposed budget.

Rowdy Thiering stated his opposition to the proposed budget and asked Council to defund the Police Department.

Viri Hernandez demanded Council to defund the Police Department.

Gabby Garcia asked Council to reconsider the proposed budget and reallocating funds towards new policies and programs that will create and sustain a safe community.

Marcus Reid talked about a personal experience with Phoenix Police.

Madison Stratford stated her opposition to the proposed budget and asked to see a portion of the funds reallocated to community development and enrichment.

Adan Pulido asked Council to redirect funds from Phoenix Police to programs that will heal, educate, and nourish the community.

David Portugal compared reactive and proactive solutions and talked about funding a proactive solution.

Oscar M. agreed with previous speakers about defunding law enforcement.

Aj Torrez asked Council to redirect funds to programs that heal and educate and to increase the proposed budgets for community

development and community enrichment.

Erica Weiss asked for the Police Department budget to be decreased by 25 percent to increase social services, improve policies and improve procedures.

Permpreet Gill proposed reallocating 25 percent of the public safety funding and putting it towards housing, employment and healthcare to target the true problems of public safety.

Virginia Miller asked Council to defund police and allocate $3 million to the Civilian Review Board.

Josh Bacopulos spoke in opposition to additional funding for the Police Department. He asked Council to defund the police, move money into social programs, and demanded the end of the collaboration between the Police Department and ICE.

Cherilyn Walley asked Council to defund the police by 25 percent, fully fund the Office of Accountability and Transparency, and fund the Civilian Review Board.

Jules Hogan stated her opposition of the proposed budget due to the increased funding for the Police Department.

Robert Nichols urged Council to reject the budget and to fully empower the Office of Accountability and Transparency.

Cecilia Nguyen spoke in opposition to the proposed budget and asked Council to redistribute funds to the civilian oversight department.

Christopher Martinez recalled a personal experience with the Phoenix police and asked Council to defund the police and reallocate the money.

Zulema Payan spoke in opposition to the proposed budget, and talked about the police incident involving Dion Johnson. She asked for investment in the community to bring change to Phoenix.

Matthew Tanner spoke in opposition of the budget, and stated Phoenix had a chance to lead nationally on a critical issue at this time.

Kyle Klein asked Council to oppose the budget, and asked for a reduction of 25 percent in regards to the Police Department budget

Will Knight said he had been directly impacted by the justice system, and added that was why he became a lawyer. He stated he opposed the budget.

Mariah Bouthiller spoke in opposition to the increase in the Police Department budget, and suggested any cuts to public safety should not come from the Fire Department or EMT services.

Dana Carey advocated for fully funding the Citizen Review Board and Office of Accountability and Transparency, and requested the City remove officers who do not keep the community safe.

Aaron Kane spoke in opposition in the budget, and requested that $3 million be allocated to the Office of Accountability and Transparency. He asked for 25 percent of the Police Department budget be reallocated to community development and enrichment.

Joy Ivy stated as an educator, grad student and a black Phoenician, she opposed the budget.

Katie Ares stated she was representing the Arizona Coalition to End Sexual and Domestic Violence, and mentioned they were standing in solidarity with Black Lives Matter to call on the City to pass a budget that prioritizes healthy communities and to not increase the Police Department funding.

Blythe Marks spoke in opposition to the budget.

Yaritza Flores stated she opposed the proposed budget, and asked for the Police Department to stop working with Immigration Customs Enforcement (ICE).

Cecalie Fort mentioned she was a teacher at Growth Leaders Academy of Arizona. She asked for oversight of police officers to hold them accountable, and said there should be more training for police officers.

Michelle Hornstien stated she was a proud member of Unite Here Local 11, and said she expressed solidarity with those speaking out against police violence across the country. She advocated for a fully-funded Office of Accountability and Transparency and Citizen Review Board in Phoenix.

Matt Bridges mentioned he was a resident of Council District 6, and added he opposed the proposed budget. He asked for full funding of the Office of Accountability and Transparency and the Civilian Review Board, and commented the money to fund this should come from the Police Department funds.

Hailey Williams spoke in opposition to the budget.

Wil Meister spoke in opposition to the budget.

Nicholas Pesch stated he opposed the budget, and asked for a 25 percent reduction in funding for the Police Department to be redistributed to other programs specifically in community development and enrichment.

Ashlynne Pesh noted she wanted the Council to reconsider the proposed funds for the Police Department budget for fiscal year 2020-21. She suggested the money would be better used to serve the community, and asked for a 25 percent reduction in funding for the Police Department that could be reallocated to programs such as housing, enrichment, etc.

Amirah Loury stated she opposed the budget, and asked for a decrease in the Police Department budget by 25 percent. She requested the Citizen Review Board and Office of Accountability and Transparency be fully funded.

Nitya Aggarwal asked Council to reconsider the proposed budget allocated for public safety to redirect those funds towards programs that

heal and educate the community.

Bruce Ironheart spoke in opposition to the budget.

Niharika Jain spoke in opposition of the budget. She requested 25 percent of the funds allocated for the Police Department be moved to community development and enrichment.

Brian Mecinas spoke in opposition to the budget, and suggested investing in the homeless population, environmental programs, community enrichment and development, job assistance, health care and education would be better for Phoenix. He asked for the Police Department to stop working with ICE.

Greta Young said she opposed the proposed budget, specifically with underfunding the accountability and oversight measures.

Cole Sesa spoke in opposition, and asked Council to defund the Police Department.

Tara Rojas spoke in opposition and requested the proposed budget be reduced by 25 percent for public safety and be reallocated towards mental health services, crisis services and housing. She also requested for $3 million to be allocated for the Civilian Review Board.

Manuel Saldana spoke in opposition and stated he wanted to defund the Police Department.

Abigail Verdugo spoke in opposition of the budget.

Henry Montalvo spoke in opposition to the budget. He stated he was against funding the Police Department any further until the Civilian Review Board is established.

Saachi Poddar spoke in opposition to the proposed budget, and expressed support for the Civilian Review Board.

Sandy Villatoro Poroj spoke in opposition to the budget for the Police

Department.

Ciara Vc spoke in opposition to the budget.

Alana Vehaba stated the City needed to defund the Police Department by 25 percent, and asked for that funding to go towards homeless services, undocumented relief funds, educational programming and after school care.

Sedona Urias-Ramonett spoke in opposition to the proposed budget allocation for public safety.

Amanda Tuitavuki noted she lived in south Phoenix working as a social worker and her husband worked for the county crisis line. She stated there were many effective ways to keep people safe besides policing them, and expressed her support for fully funding the Civilian Review Board and Office of Accountability and Transparency. She commented she was in opposition to the current budget proposal because her primary concerns were with underfunding of community development and enrichment programs.

Elizabeth Gaynor thanked Council for the opportunity to be heard, and stated Council had heard the facts from those who spoke earlier for over four hours. She said she echoed the earlier statements made by speakers, and added citizens should not have to beg for the bare minimum.

Anthony De La Vina stated he had been advocating for a Citizen Review Board for over three years because of a home invasion that happened at his house, and was left out of the investigation.

Mayor Gallego asked if there were additional speakers online.

Ms. Archibald replied there were no additional speakers.

Mayor Gallego requested Ms. Archibald read the motion on the floor.

Ms. Archibald responded Councilmember Garcia made a motion to adopt

Item 44 and to add full funding for the Office of Accountability and Transparency in the amount of $2.5 million. She noted there needed to be a seconder to the motion.

Councilwoman Williams asked if there was a second on the motion.

Ms. Archibald clarified there was no second for the motion.

Vice Mayor Guardado seconded the motion.

Councilman Nowakowski asked Deputy City Manager Jeff Barton if Council was required to adopt the balanced budget.

Mr. Barton replied yes, the City was required by both the City Charter and State statute to adopt a balanced budget.

Mr. Zuercher clarified with the motion the $2.5 million would be within the balance, and added the funds would come from the contigency fund moved to the general government side where the Office of Accountability and Transparency would reside.

Councilman Nowakowski inquired what would happen if Council did not approve a budget.

Mr. Barton answered first the City was required by statute and Charter to adopt the budget, and if a budget was not passed, the City would be in violation of State statute where the City would be exposed to a potential 1487 claim that would potentially cause the City to lose state-shared revenue which would be around $400 million. He said the City would be in violation of home rule because there would be no adopted budget, which would expose the City to losing about one-third of state-shared income tax that amounts to about $80 million. He commented another consequence would be the City could not levy a property tax because there would be no adopted budget, and mentioned the City would not be able to spend the money allocated in the strategic plan for COVID-19 because the City would not have legal appropriation or authority to spend those dollars in the current year or next year.

Councilman Nowakowski asked if the City had received the April tax revenue yet.

Mr. Barton responded the City would not receive the April tax revenue actuals until the end of the following week at the earliest, and noted the City had the March sales tax collections but those only had a week's worth of impairment with the emergency orders in place. He mentioned hotel, motel, restaurant and bar revenues were down anywhere from 30 to 60 percent.

Councilman Nowakowski questioned what the estimated revenues were.

Mr. Barton replied he did not have an exact number, and said he would give an estimated number. He mentioned the City receives direct City sales tax from hotel, motel, restaurants and bars as well as state shared sales tax that was approximately $86 million between those major categories.

Councilman Nowakowski asked Mr. Barton how much he estimated because of COVID-19, and if the City would run a deficit.

Mr. Barton answered in March he provided four budget scenarios for Council ranging from $26 to $128 million in deficit, and added that was focused on the General Fund. He noted contained within those numbers revenue losses ranged anywhere from $50 to $200 million and mentioned that number is doubled when considering other funding sources, as well as the enterprise funds that would also experience some form of revenue loss.

Councilman Nowakowski stated the April and May revenue numbers had a big impact on the City, and noted the City asked departments to cut 15 to 20 percent of their budgets because of COVID-19. He inquired if there would be future staff cuts or a possibility of cutting programs.

Mr. Barton replied that was a possibility because the City did not have those revenue numbers, and mentioned those numbers would not be received until June or July. He stated the City asked every department to identify a potential 25 percent reduction, and added he was going through

a list of potential reductions to be shared with the Mayor and Council as well as the community. He noted it was a possibility there would be cuts to programs and staff.

Councilman Nowakowski said he was asking these questions because he went through the 2010 budget and these questions are ones that he wished he would have known to ask ahead of time before voting on different things. He stated he was concerned about staff because he remembered 2010 when staff came together to take furlough days and other cuts to help with the budget. He stated the City needed to be good stewards with tax revenues, and mentioned the goal of the rainy-day fund was to be at 5 percent so the City would not be in that position again. He commented what saved the City in 2010 was that many jobs were available but not filled, and asked if that was the same situation the City was in now. He inquired about one-time sales of buildings and facilities to help with the budget.

Mr. Barton responded the City at the start of the budget process had a $28 million surplus, and as a result of COVID and the economic downturn, that surplus turned into the four deficit scenarios mentioned earlier. He noted the Council adopted a methodical process that would not over correct right now. To balance the $26 million deficit, the value of all the vacant positions that were currently on the books were taken out. Therefore, there were no more vacancies that can be used, unlike 2010. He talked about how the situation in 2010 was different than now because in 2010 there were more vacancies that could be credited, unlike the situation now because the City could not account for those employment vacancies. He concluded those positions had already been accounted for in the budget today.

Councilman Nowakowski discussed how Council decided to allocate extra funding for 911 operators and for the Office of Accountability and Transparency for $400,000, even though there was a freeze of hiring throughout all departments. He noted a majority of the Council felt it was important to fund this program and said it was decided that the $400,000 would be used until after the crisis is over. He mentioned Councilwoman Williams had commented that the program could be looked at in December to see what other resources the City had available. He

repeated there were cuts throughout all departments and a hiring freeze, and stated there was a commitment to the community to fully fund this program in the future.

Councilwoman Pastor asked for clarification there was no hiring freeze on essential workers.

Mr. Zuercher responded that was correct.

Councilwoman Pastor inquired if there was funding for these essential workers.

Mr. Zuercher answered that was correct.

Councilwoman Pastor questioned what could be spent with the dollars related to COVID-19.

Mr. Barton replied the City did not have authority to spend those dollars if there was an absence of a budget. He explained the budget by comparing it to a box, everything inside the box is legally approved to be spent where COVID-19 monies were outside that box because the budget was already adopted and the COVID monies came in mid-year. He said in order to spend COVID-19 dollars next year, the box would need to be opened and a budget would need to be approved for next year. In order to spend COVID dollars this year, the Council would need to open the box a little bit more to create the funding plan that Council would approve on June 17, and added if the budget is not approved then the box stays shut and those monies would stay outside of legal appropriation and COVID monies could not be spent otherwise it would cause the City to be in violation of State statute for exceeding the City's appropriation. He mentioned the guidance from the federal government was vague in how to spend those dollars, and listed examples of where that money could be spent currently. He noted staff was continuing to work with different areas in the federal government to get clarification on where this money could be spent.

Councilwoman Pastor asked if those dollars could be spent on the protests because of the timing with COVID-19 and the extra men and

women employed for public safety.

Mr. Barton answered those protests were not related to COVID-19, so those dollars could not be spent that way.

Councilwoman Pastor talked about how what Council approves in a plan can be different than what is spent because there might be an uptick in COVID-19 that might change plans.

Mr. Barton explained the Coronavirus Relief Fund portion of COVID-19 dollars received was $293 million directly from the Treasury, and added Council took action and strategically allocated that money into three areas; $75 million in community services for rent, refugee programs and vulnerable populations; $75 million for City services that were directly impacted as a result of COVID-19 that covered personal protective equipment and facility retrofits; and $143 million in reserve to offset expenses related to public safety or to offset lost revenue. He noted that reserve was created specifically in case the Treasury changes their guidance on how to use those funds.

Vice Mayor Guardado mentioned Council met a year ago to hear voices in the community that were in a similar situation today, and added they called for change, accountability and transparency. She noted Council voted to add the Office of Accountability and Transparency and the volunteer Civilian Review Board, and said if the City's financial officers believed they could find resources to fully fund these, then the City should do so. She stated Council needed to show commitment, and said there needed to be prioritization from the City as well as the public joining in for meaningful dialogue. She mentioned on Saturday Police Chief Williams, Mayor Gallego and Councilman Nowakowski spoke to the press about the need for policy change to address community needs and concluded fully funding these programs would fill one of those community needs and that was why she supported this.

Councilwoman Williams said she had been involved in many budgets over the years, and talked about the importance of the process especially for this year with COVID-19 money in the budget so people could get food, housing, transportation and all other services needed. She stated if

Council held this up, this would not happen and talked about how this could jeopardize the City's budget rating and bond rating by taking money out of the discretionary fund set aside. She talked about the affect COVID-19 had on the economy, and stated Council voted for the Office of Accountability and Transparency so that would happen. She said the money set aside for that would be enough for the City to start that for the first year, and made a secondary motion to adopt the budget as presented today.

Councilman Nowakowski seconded the motion.

Councilman DiCiccio expressed appreciation for how Mayor Gallego handled the meeting, and congratulated Mr. Barton because it was one of the best budgets he had ever seen. He noted he never voted for a budget, and said he would support the motion made by Councilwoman Williams for multiple reasons. He stated Mr. Barton was the best Budget and Research Director the City ever had, and mentioned that did not happen anywhere in the country how accurate the budget was. He stated the City would not end the relationship with ICE, and acknowledged how the protesters and police officers have handled the protests over the past two days. He mentioned the curfew set by Governor Ducey, and suggested it had worked really well. He noted there had been zero arrests over the past two days, and talked about an incident involving four police officers who were ambushed in St. Louis and other instances of attacks against police officers. He said police officers were good people who protected the community, and noted the City defended and believed in police officers. He mentioned the population of Phoenix and said a majority of residents were unable to speak today. He criticized the vote for the Office of Accountability and Transparency, and said he was sorry for the police officers and their families that have had to go through this. He suggested some councilmembers did nothing to protect police officers, and said the public supported police officers.

Councilwoman Stark asked if the vote would be for the substitute motion.

Ms. Archibald explained the vote was for a substitute motion made by Councilwoman Williams to adopt Item 44 as presented, and was seconded by Councilman Nowakowski.

Prior to his vote, Councilmember Garcia suggested this vote would ignore over 2,700 people who submitted comments and over 1,000 people outside the Chambers and over 100 comments from residents during the meeting. He stated the Council had the opportunity to spend less than half a percent of the budget to address the issues faced, and added Council would be ignoring the crisis in the community. He said he voted no, and concluded by saying black lives matter.

Prior to her vote, Councilwoman Pastor talked about how culture in the community has changed yet the system had not changed. She said she had been affected by what has happened to those in the community, and added the community deserved equity. She mentioned she could not vote for the motion on the table, and suggested the way this was handled was unfair and privileged.

Prior to his vote, Councilman Waring said he would not vote for a budget that has the Office of Accountability and Transparency in it, which this budget did. He stated he would vote no.

Prior to her vote, Vice Mayor Guardado mentioned she was not sure how the vote would go today, and said she did not want the Council to be in the same situation they were in last year. She noted she was committed to making change, and stated as a former organizer she hoped to bring people together to take on more leadership and come together to find a resolution to everything going on. She commented these conversations can be difficult, and added they needed to be inclusive about this process. She said there were things the City did not have control over, and concluded she hoped Council could be more unified after this vote to make decisions and show more leadership to citizens. She stated she would vote no.

Prior to her vote, Mayor Gallego stated the community was hurting, and added she would like the chance to vote on Councilmember Garcia's motion. She said she believed in the need for the Office of Accountability and Transparency to bring this community together. She commented she believed in City employees and the work they did, and added she would

like it if everyone could come together to build trust and transparency with the community. She said she wanted there to be mediation and the ability for people to come together and talk with one another. She stated she would vote no.

An original motion was made by Councilmember Garcia that this item be adopted with $2.5 million added to fully fund the Office of Accountability and Transparency.

A substitute motion was made by Councilwoman Williams, seconded by Councilman Nowakowski, that this item be adopted. The motion failed by the following vote:

Yes:	4 -	Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark and Councilwoman Williams
No:	5 -	Councilmember Garcia, Vice Mayor Pastor, Councilman Waring, Vice Mayor Guardado and Mayor Gallego

Mayor Gallego asked if any councilmembers had additional comments before the vote on the original motion. She requested City Clerk Denise Archibald repeat the motion.

Ms. Archibald said the motion was made by Councilmember Garcia to adopt Item 44 and add full funding for the Office of Accountability and Transparency in the amount of $2.5 million, and was seconded by Vice Mayor Guardado.

Councilmember Garcia's motion to adopt this item with $2.5 million added to fully fund the Office of Accountability and Transparency was seconded by Vice Mayor Guardado. The motion failed by the following vote:

Yes:	4 -	Councilmember Garcia, Vice Mayor Pastor, Vice Mayor Guardado and Mayor Gallego
No:	5 -	Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Waring and Councilwoman Williams

Discussion

Mayor Gallego asked if there was an opportunity to offer an additional motion.

City Manager Ed Zuercher said he would ask Assistant City Attorney Julie

Kreigh to answer that question.

Ms. Kriegh responded Council could offer an additional motion as long as it was different than the motion already presented.

Councilwoman Stark inquired if she could make a motion and directive to staff.

Mayor Gallego noted she could proceed.

Councilwoman Stark made a motion to adopt the budget and direct staff to start looking immediately at ways to find funding as quickly as possible for the Civilian Review Board.

Councilwoman Williams seconded the motion.

Councilwoman Pastor questioned where Deputy City Manager Jeff Barton would find that money.

Mr. Barton answered if Council adopted the budget as is, then any savings the City had at the year end would go towards funding the Office of Accountability and Transparency when needed. He noted based on the conversation he had with Councilmember Garcia and Councilwoman Pastor, the Office of Accountability and Transparency would not need the full $2.5 million for day one. He said this way it would not affect the budget by cutting the budget or affecting the bond rating.

Councilwoman Pastor asked how much in savings Mr. Barton thought the City would have.

Mr. Barton replied it was hard to answer that question because the City was spending money that was not budgeted with the protests and staff costs. He noted he could not say specifically how much the City would have, but he was counting on some of it to balance the budget. He talked about the hiring freeze and department budget cuts generating savings, and suggested the revenue numbers would influence the amount of savings at year end.

Councilwoman Pastor said her understanding related to COVID-19 funds and public safety was when those funds are used for public safety they could be considered to be used in other departments too. She asked if money would be moving where the Office of Accountability and Transparency could be funded.

Mr. Barton clarified if the City was able to use the Coronavirus Relief Fund dollars on public safety, it would allow the City to reduce the amount of cuts that would be made to essential programs that were discussed. He noted that was the way those funds would be utilized and once the City received guidance then they could go through with it.

Councilwoman Pastor inquired if the City would be trying to minimize having any cuts.

Mr. Barton replied he wouldn't say any cuts, but to minimize cuts if possible.

Councilwoman Pastor noted she wanted that on the record, noting the cuts could be lower not just 15 or 25 percent. She said that was what the City was looking at going forward.

Mr. Barton responded that was what he would do.

Councilman Nowakowski asked with the left over COVID-19 money, would there still be layoffs in the future.

Mr. Barton stated he could not say definitively that there would not be layoffs but the COVID-19 relief funds along with reserve funds could go a long way in helping to offset the City's deficit.

Councilman Nowakowski questioned when the City would expect the April tax revenue report to come in, and commented it would be good to look at to see what the future numbers would look like for the City with May and June coming up.

Mr. Barton explained the State collects sales tax for the City, so they would be waiting on them, and added it usually takes a couple days to

receive that info and a couple days for staff to review. He stated within two weeks he would know what those numbers are in time for Council to vote on the final budget.

Councilman Nowakowski asked for confirmation that Council would have that info by the time they vote on the final budget.

Mr. Barton replied hopefully yes.

Prior to his vote, Councilman DiCiccio commented he would be voting no and suggested there would not be additional money at the end of the year anyways. He said the City would be cutting because there would be no extra money.

Prior to his vote, Councilmember Garcia stated he would be voting no because this did not assure police accountability and transparency.

Prior to his vote, Councilman Nowakowski said he would vote yes and noted he would be waiting for the tax revenue report for the June 17, 2020 City Council Formal Meeting.

A motion was made by Councilwoman Stark, seconded by Councilwoman Williams, that this item be adopted with direction for staff to immediately look at ways to find funding for the Civilian Review Board. The motion failed by the following vote:

Yes:	4 -	Councilman Nowakowski, Councilwoman Stark, Councilwoman Williams and Mayor Gallego
No:	5 -	Councilman DiCiccio, Councilmember Garcia, Vice Mayor Pastor, Councilman Waring and Vice Mayor Guardado

Note:
Electronic comments were submitted for the record on Item 1 - Mayor and Council Appointments to Boards and Commissions, but the electronic comments were intended for Item 44:
Opposed: 27
No Position: 6
Neutral: 2

Electronic comments were submitted for the record on Item 2 - Appointment of Municipal Court Judge, but the electronic comments were intended for Item 44:
No Position: 2
Neutral: 1

Electronic comments were submitted for the record on Item 3 - Reappointment of Municipal Court Chief Presiding Judge, but the electronic comments were intended for Item 44:
No Position: 2
Neutral: 1

Electronic comments were submitted for the record on Item 19 - Zero Point Incorporated, but the electronic comments were intended for Item 44:
Opposed: 5
No Position: 1

Electronic comments were submitted for the record in opposition of Item 44:
Oppose: 1742
In Favor: 228
No Position: 109
Neutral: 22

Discussion
Mayor Gallego announced Council would take a recess, and convene in 20 minutes.

The Council convened in a 20-minute recess.

The Council reconvened the meeting after the 20-minute recess.

Discussion
Mayor Gallego made a motion to continue Items 45-46 to a June 5, 2020 City Council Special Formal Meeting to be held at 1 p.m.

Councilwoman Stark seconded the motion.

Councilwoman Williams questioned if all councilmembers could make that meeting.

Mayor and Council discussed dates and times that worked to hold a City Council Special Formal Meeting.

Mayor Gallego amended her motion to continue Items 45-46 to a June 8, 2020 City Council Special Formal Meeting to be held at 11 a.m.

Councilwoman Stark seconded the motion.

Councilman DiCiccio asked if the Council would hear more citizens speak on these items for Monday.

Mayor Gallego responded the Council heard from citizens already, and said the vote would be just on the budget.

Councilmember Garcia questioned if Council could continue the remaining agenda items to Monday as well.

Councilwoman Stark stated there were people online waiting patiently to speak.

Councilman DiCiccio said he was good with continuing the remaining agenda items.

Mayor Gallego mentioned there would be a roll call for the motion on Items 45-46, then after the vote the Council could decide on the remaining agenda items.

Electronic comments were submitted for Item 45:
Support: 1
Oppose: 4

Electronic comments were submitted for Item 46:
No Position: 2

A motion was made by Mayor Gallego, seconded by Councilwoman Stark, that Items 45 and 46 be continued to the June 8, 2020 City Council Formal

Meeting. The motion carried by the following vote:

Yes:	8 -	Councilman DiCiccio, Councilmember Garcia, Vice Mayor Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	0	
Absent:	1 -	Councilman Nowakowski

45 Adoption of the Tentative 2020-21 Capital Funds Budget (Ordinance S-46700)

An ordinance (**Attachment A**) adopting the tentative Capital Funds Budget for the City of Phoenix for the fiscal year 2020-21.

Summary

This adopts the tentative 2020-21 Capital Funds Budget for the fiscal year beginning July 1, 2020, and ending June 30, 2021. The Capital Funds Budget will be funded by property tax and revenue supported bond proceeds, federal and state participation funds, passenger facility charges, customer facility charges, participation by other governmental entities in certain projects, development impact fees, capital grants, capital reserves, solid waste remediation funds and other capital funding sources.

Final adoption is scheduled for June 17, 2020.

Concurrence/Previous Council Action

The 2020-21 Capital Funds Budget is included in the Five-Year Capital Improvement Program resolution also requested for Council approval on the June 3, 2020 Formal Agenda and complies with requirements set forth in the City Charter and Code and State Statutes.

This item was continued to the June 8, 2020 City Council Formal Meeting.

46 Adoption of the Tentative 2020-21 Reappropriated Funds Budget (Ordinance S-46651)

An ordinance (**Attachment A**) adopting the tentative Reappropriation Budget for items of expenditure previously adopted as part of the 2019-20 fiscal year Operating and Capital Funds Budgets of the City of

Phoenix but remaining as unexpended funds as of June 30, 2020.

Summary

This adopts the tentative budget of the City of Phoenix for encumbrance (outstanding contracts) balances at June 30, 2020, to allow for liquidation of those balances during the 2020-21 fiscal year.

This complies with requirements set forth in the City Charter and Code and State Statutes.

This item was continued to the June 8, 2020 City Council Formal Meeting.

Discussion

Note: Councilman Nowakowski reconnected to the voting body.

Councilwoman Stark said there were many people online waiting patiently to speak on the remaining agenda items.

Vice Mayor Guardado made a motion to continue Items 56, 58, 60, 62, 67, 97, 126 and 127 to the June 8, 2020 City Council Special Formal Meeting. She commented people were tired and added there were people who wanted to go home.

Councilmember Garcia seconded the motion.

Councilwoman Stark repeated there were many people waiting online to speak on these items, and said she would be voting no on the motion.

Note: One electronic comment was submitted indicating a neutral position on Item 56.

Electronic comments were submitted for Item 67:
Support: 7

Electronic Comments were submitted for Item 97:
Support: 1
Oppose: 7

One electronic comment was submitted in support of Item 126.

A motion was made by Vice Mayor Guardado, seconded by Councilmember Garcia, that Items 56, 58, 60, 62, 67, 97, 126, and 127 be continued to the June 8, 2020 City Council Formal Meeting. The motion carried by the following vote:

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

No: 2 - Councilwoman Stark and Councilman Waring

56 Public Hearing and Resolution Adopting Legal Findings to Recertify and Update the Downtown Redevelopment Area Boundaries (Resolution 21832)

Public hearing and adoption of Resolution finding the conditions of a slum area in Downtown Phoenix, to recertify and update the Downtown Redevelopment Area boundaries.

Summary

The City Council initially established the Downtown Redevelopment Area (RDA) in January 1979, by the City Council's designation of a slum area. To comply with 2018 amendments to Arizona Revised Statutes (A.R.S.) section 42-6209(F), the City must review each RDA with portions that lie within the City's Central Business District and either renew, modify or terminate each RDA designation every 10 years. This law affects two existing City of Phoenix Redevelopment Areas: the Downtown RDA and Government Mall RDA. In order to meet the State's deadline, the City must complete this RDA review process by Oct. 1, 2020.

PLAN*et Communities LLC (PLAN*et), the City's consultant, completed a survey of the Downtown area, and based on the prevalence of slum and blighted conditions, has proposed an updated RDA boundary (**Attachment A)** that consolidates the following RDAs:

Downtown
Government Mall
Hope VI
7th St/Buckeye

Booker T. Washington
Edison Eastlake
Special
Western portion of the Sky Harbor RDA

PLAN*et's survey (**Attachment B**) indicates the proposed Downtown Phoenix RDA qualifies for a renewed slum or blighted area designation under A.R.S. section 36-1473, because a predominance-50 percent or more-of properties exhibited slum or blight indicators. A total of 7,031 parcels were surveyed to evaluate the potential existence of slum and blight indicators. Of the 7,031 properties surveyed, 4,953 properties, or 71 percent of the properties within the redevelopment survey area, exhibited one or more indicators of slum or blight. The results of PLAN*et's survey, as well as other information on the proposed Downtown RDA, are available at phoenix.gov/econdev/downtown-rda-update.

During the community outreach, property owners of several parcels adjacent to, but not within the proposed boundary requested to revise the updated boundary to include their properties. Each of these property owners has provided the City with a notarized letter waiving any requirement that they receive notice to their property being included in a slum or blighted area by the City Council, and that they agree to indemnify, defend, and hold the City harmless from any future claim arising out of the City choosing to include the property in the proposed RDA. The additional properties are as follows:

949 E. Van Buren St. - APN 116-42-019 (owned by Copper Square, LLC)
Northeast corner of 7th Street and Fillmore Street - APNs 116-32-136 and 116-32-002B (both parcels owned by Mihan Fillmore, LLLP)
819 N. 7th Ave. - APNs 111-39-136, 111-39-138, 111-39-140, 111-39-141, 111-39-143A, 111-39-145A, 111-39-146, 111-39-149 (all parcels owned by McKinley Ventures, LLC)

City staff recommends including these parcels in the revised Downtown RDA boundary.

This consolidated Downtown RDA creates one unified RDA to be used for redevelopment purposes. This action does not modify Phoenix's Central Business District. Upon adoption of the boundary in compliance with A.R.S. 42-6209(F), City staff will bring forward a detailed planning document that will merge several of the existing plans and include significant input from community members. The timing of this activity will depend upon the ability to perform the significant community outreach necessary to update the redevelopment plan.

Public Outreach

Property owners within the proposed updated Downtown RDA boundary were mailed letters on May 1, 2020 to inform them of the proposed change. The letters included a link to the Community and Economic Development Department website where additional information is provided, including:

Interactive map of the proposed boundary
Alphabetized list of the parcels
A history and context of the area
Survey methodology
Community meeting details
Online comment/question form to provide questions

Due to the current COVID-19 pandemic, the public outreach portion of the project has been significantly impacted and all meetings are being offered virtually. Community meetings include the City's Encanto Village Planning Committee on May 4, 2020, the City's Central City Village Planning Committee on May 11, 2020, Planning Commission on May 7, 2020, and two City hosted virtual meetings on May 12, 2020 and May 18, 2020. Staff also provided the opportunity for a virtual presentation to the effected neighborhood associations.

Concurrence/Previous Council Action

This item was recommended for approval by the Land Use and Livability Subcommittee at the May 20, 2020 meeting by a vote of 4-0.

Location

Council Districts: 4, 7 and 8.

This item was continued to the June 8, 2020 City Council Formal Meeting.

58 Additional Federal HOME Investment Partnerships Program Funding for Stepping Stone Phase III (Ordinance S-46673)

Request to authorize the City Manager, or his designee, to increase the federal HOME Investment Partnerships (HOME) Program funding to Stepping Stone Phase III, LP, an Arizona limited partnership, in the amount of $380,000 and enter into or amend any agreements as necessary or appropriate to effectuate the increase. The increased loan funds will result in a total loan amount of up to $1 million, and assist Native American Connections, Inc. (NAC) with the new construction of Stepping Stone Phase III, an affordable multifamily development project. Further request to authorize the City Controller to disburse all funds for the life of the contract. There is no impact to the General Fund.

Summary

On March 21, 2018, City Council approved an award of $620,000 in HOME funds to NAC, a nonprofit Community Housing Development Organization, through Stepping Stone Phase III, LP for the development of Stepping Stone Phase III, a 42-unit permanent housing community targeting very-low income chronically homeless individuals.

Additional HOME funds are being requested to fill a project financing gap identified by NAC which will allow them to utilize funds from the project to assist with a loss of organizational operating income due to the COVID-19 outbreak. All units will serve chronically homeless individuals with incomes at or below 60 percent of Area Median Income (AMI) with seven units serving 50 percent AMI. Supportive services will be provided by NAC and will include benefits assistance, educational and vocational opportunities, family reunification, medical care, recreational and social programs, life skills, support groups and access to NAC's outpatient services. The total development budget is $11,454,012. Other funding for this project includes Low Income Housing Tax Credit equity, seller carryback note, deferred developer fee and various other sources.

Financial Impact

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

Concurrence/Previous Council Action

Original funding was approved on March 21, 2018 by City Council through Ordinance S-44398.

This item was recommended for approval at the Land Use and Livability Subcommittee meeting on May 20, 2020 by a vote of 3-0.

Location

1325 N. 14th St.

Council District: 8

This item was continued to the June 8, 2020 City Council Formal Meeting.

60 Request Authorization to Enter into Contracts with the Arizona Community Foundation and International Rescue Committee for COVID-19 Microbusiness Grant Funds and Technical Assistance (Ordinance S-46710)

Request to authorize the City Manager, or his designee, to enter into contracts and take other actions as necessary or appropriate to implement the Refugee Microbusiness Assistance Program with the Arizona Community Foundation (ACF) and the International Rescue Committee (IRC) to fund COVID-19 Refugee Microbusiness grants, service fees and technical assistance to business owners who are refugees. Total funding for this grant program will not exceed $300,000. Further request authorization for the City Controller to disburse all funds related to this item. Funding is available through the City of Phoenix's Coronavirus Relief Fund. There is no impact to the General Fund.

Summary

On May 9, 2020, City Council approved allocating $300,000 for Refugee Microbusiness Assistance. Of this amount, $250,000 will be available for grants and $50,000 for servicing ($4,750 for ACF) and technical assistance support ($45,250 for IRC). ACF will administer this grant fund, including hosting the website for grant application, submittals, notifying applicants of grant application status, and distributing funds to eligible refugee microbusinesses. IRC will provide technical assistance, translation and application verification for refugee-owned microbusinesses. Under this agreement, IRC will work with other refugee

resettlement agencies and other organizations that assist and provide support to refugees and asylees. The term of the contract will begin on or about June 3, 2020 through Dec. 30, 2020.

Refugee Microbusiness Assistance

If approved, a grant funding agreement will be executed with ACF and IRC for direct funding of $250,000 towards the Refugee Microbusiness Assistance fund for refugee-owned microbusinesses, up to $5,000 each. Applicants will be required to meet the following business criteria:

In operation since Jan. 1, 2019

Five or fewer employees

Less than $1 million in sales

25 percent reduction in gross sales in March and April of 2020 to the same period in 2019

Procurement Information

ACF was selected as a sole source provider given its experience administering the Phoenix IDA's Small Business Relief Grants and other Resiliency Grants, the infrastructure already in place, and its long-standing reputation in the community for financial stewardship and integrity. IRC was selected as a sole source provider given its experience in providing technical support to the refugee business community. The two vendors were identified in accordance with Administrative Regulation 3.10 to implement and administer the COVID-19 Refugee Microbusiness Assistance Program.

Contract Term

The term of these contracts will begin on or about June 3, 2020 through Dec. 30, 2020. This contract may be extended for an additional year based on continuous need and available funding, which may be exercised by the City Manager or his designee.

Financial Impact

The aggregate value of this contract shall not exceed $300,000. Funding will be provided through the City of Phoenix's Coronavirus Relief Fund. There is no impact to the General Fund.

This item was continued to the June 8, 2020 City Council Formal Meeting.

62 Request Authorization to Enter into Contracts with LISC Phoenix and Local First Arizona Foundation (Ordinance S-46712)

Request to authorize the City Manager, or his designee, to enter into contracts with LISC Phoenix ($1,100,000) and Local First Arizona Foundation ($600,000) to provide emergency food assistance to vulnerable populations impacted by COVID-19. The term of the contracts will begin on or about June 30, 2020 through Dec. 30, 2020 with an aggregate amount not to exceed $1,700,000. Further request authorization for the City Controller to disburse all funds related to this item. One-time funding is provided through the Coronavirus Aid, Relief and Economic Security (CARES) Act. There is no impact to the General Fund.

Summary

In response to the COVID-19 pandemic, the Office of Environmental Programs (OEP) teamed with the Human Services Department (HSD) to develop a food assistance plan to address the food needs of vulnerable populations and communities impacted by COVID-19. The plan addresses: (a) access to healthy foods for impacted populations, (b) infrastructure assistance regarding transportation and delivery with a focus on home delivery and storage of food, (c) support for food banks and community agencies with increased operational costs. This plan is aligned with the City Council's guiding principles and strategic plan to deploy CARES Act funding.

This report focuses on the $1.7 million Other Community Needs funding to access healthy foods for impacted populations, to equitably support existing organizations serving residents, recognize the work already being done in diverse communities, encourage partnerships, and promote innovation. Entities eligible for the funding include: public schools/school districts, nonprofit organizations, health organizations, social service providers, community and grassroots organizations, farmers, community-supported agriculture, food hubs, mobile markets, and restaurants and catering (including event venues). Funds will be distributed through an open grant application process and awarded based on criteria established for organizational capacity, demonstrated need, and eligible costs (must be focused on activities related to preparation and delivery of food boxes, produce, and take out/prepared

meals) with outcomes for the number of COVID-19-impacted individuals/families served and number of meals delivered to COVID-19-impacted vulnerable populations.

Engaging these trusted, local organizations to assist in quickly and efficiently disbursing and managing these funds will augment City staff capacity to manage this effort. Two organizations, LISC (Local Initiatives Support Corporation) Phoenix and Local First Arizona Foundation, are recommended as Subrecipients of the funds to administer and manage the grant process including: receiving applications, selecting applicants, disbursing funds, and collecting compliance monitoring data to provide monthly reports to the OEP and HSD. The contracts executed with each organization will detail the Subrecipient's responsibilities, grantee requirements, schedule, and reporting requirements.

LISC has over 40 years in supporting local and federal government programs as an intermediary. With residents and partners, LISC forges resilient and inclusive communities of opportunity across America - great places to live, work, visit, do business, and raise families, with 35 local offices and a rural program reaching 44 states. LISC has long been known for direct engagement in communities. Annually, it lends approximately $20 million to projects that benefit affordable housing and commercial real estate located in low moderate income (LMI) census tracts; which, in turn, leverages over $115 million in investments into the community. As an intermediary, it has annually released approximately $1 million in grants towards capacity building in local nonprofit organizations. LISC Phoenix deploys support in programs that are community-informed and led. Their strategic investments strive to help build community wealth for the underemployed, employed, and micro business owners alike; acts on economic development strategies that support the vitality of micro-businesses; provides affordable housing; and overall builds healthy communities. This strength will serve well in assisting the City of Phoenix with distribution of grant funds to community organizations that can provide food to Phoenix residents impacted by COVID-19.
Local First Arizona Foundation, headquartered in Phoenix, is a statewide organization focused on community and economic development to build self-sufficient, healthy, and prosperous communities. The Foundation is

the 501(c)(3) nonprofit sister organization to Local First Arizona focusing on healthy local foods, the Fuerza Local Accelerator Program, and rural economic development. In March 2020, Local First Arizona Foundation launched a small business relief fund to provide direct funding to Arizona's smallest businesses who for the most part, were unable to benefit from the federal Payroll Protection Program. Local First, which is the largest local business coalition in the country, received over 1,600 applications in under three weeks from businesses ranging from restaurants and retail to manufacturing and small food producers. To date, $1.3 million has been raised and over $850,000 distributed in $1500-$2500 increments to over 470 family-owned business across Arizona. Local First Arizona Foundation is well positioned to engage and distribute grant funds to farms, ranches, food trucks, farmers markets, grocers, distributors, restaurateurs, and food workers and connect Phoenix residents impacted by COVID-19 to healthy local, low-contact food sources.

Specifically, each agency will:

LISC Phoenix - provide administrative and financial support through grants for organizations city-wide, including grassroots, community, nonprofits, health, social service providers and public schools that demonstrate capacity for food distribution services to vulnerable populations impacted by COVID-19.

Local First Arizona - provide administrative and financial support through grants for citywide restaurants, catering (including event venues with catering services), farmers, community-supported agriculture, food hubs, and mobile markets, that demonstrate capacity for food distribution services to vulnerable populations impacted by COVID-19.

The OEP, in coordination with HSD, will assist LISC Phoenix and Local First Arizona Foundation to connect with social service organizations serving vulnerable populations with listings of organizations and will facilitate those connections.

Procurement Information

Services may be procured, as needed, by using procurement in

accordance with Administrative Regulation 3.10 to implement and administer programs intended to prevent, prepare for and respond to the COVID-19 national pandemic.

Contract Term
The term of the contract will begin on or about June 30, 2020 through Dec. 30, 2020. Contracts may be extended based on continuous need and available funding, which may be exercised by the City Manager or designee.

Financial Impact
The funding breakdown is as follows:
LISC Phoenix $1,100,000
Local First Arizona $600,000

The aggregate value of these contracts shall not exceed $1,700,000. There is no impact to General Fund. One-time funding is provided through the Coronavirus Aid, Relief and Economic Security (CARES) Act.

This item was continued to the June 8, 2020 City Council Formal Meeting.

67 Phoenix Sky Harbor International Airport Concessionaire Financial Relief (Ordinance S-46708)

Request to authorize the City Manager, or his designee, to amend multiple Phoenix Sky Harbor International Airport (PHX) concession leases to provide temporary financial relief to concessionaires by charging percent rent only in lieu of Minimum Annual Guarantees (MAG) from April 1, 2020 through June 30, 2020. This financial relief will be provided to all food and beverage, retail, terminal advertising, valet, and passenger amenity concessions at PHX.

Summary
Due to the COVID-19 national pandemic airline passenger travel is down by over 90 percent at PHX. In direct correlation to the reduced passenger activity, concession sales have plummeted for PHX's concessions. As a result, established rents are unsustainable for the concessionaires in the Terminals. The Aviation Department (AVN) is

requesting to provide some level of financial relief for concessionaires that includes prime operators and Airport Concession Disadvantaged Business Enterprise business partners to mitigate the effects of the decrease in passenger activity related to COVID-19.

All concessionaires who receive this financial relief will be required to adhere to specific requirements as follows: passing financial relief on to all joint venture partners and sub-concessionaires, recall and reemployment of furloughed or laid off employees, two months of medical benefits for furloughed or laid off employees, work with Community Economic Development on other relief and employment opportunities, submission of weekly sales reports, providing notice of any Coronavirus Aid Relief and Economic Security Act relief. All other terms and provisions of the leases will remain in effect.

On April 4, 2020, the Federal Aviation Administration (FAA) provided guidance to airport sponsors encouraging them to consider the business circumstances created by the public health emergency and assist tenants in staying solvent so they can resume normal operations when the emergency ends. In keeping with the spirit of the FAA's guidance and to ensure that continued assistance to our concessionaires does not threaten PHX's financial viability, the Aviation Department Director is authorized to extend the financial relief in 90-day increments based on the enplanement statistics and other relevant sales data. The Aviation Director will seek input from Council and city management prior to extending the financial relief terms for concession leases.

The concession contracts that will be amended to allow for temporary financial relief are Contract Numbers 116300, 116653, 127576, 131410, 132907, 133475, 133475, 135006, 143718, 143719, 143866, 143867, 144047, 144322, 144323, 144324, 145872, 145873, 145977, 146077, 146163, 146458, 146459, 146614, 146676, 147232, 147258, 147279, 147350, 147461, 147735, and 150683.

Contract Term
Financial relief to allow percent rent only in lieu of MAG will occur beginning April 1 through June 30, 2020.

Rental car food and beverage/retail concession lease will be extended for two years.

Terminal 3 concession leases will continue to pay percent rent through Aug. 31, 2020.

Financial Impact
AVN estimates that the proposed financial relief to concessionaires will result in approximately $7 million in reduced rental revenue to PHX from April 1 through June 30, 2020.

Location
Phoenix Sky Harbor International Airport
Council District: 8

This item was continued to the June 8, 2020 City Council Formal Meeting.

97 (CONTINUED FROM MAY 6 AND 20, 2020) - Water Remote Facilities General Construction - Job Order Contracting Services - 4108JOC173 (Ordinance S-46551)

Request to authorize the City Manager, or his designee, to enter into a master agreement with Felix Construction Company, to provide Water Remote Facilities General Construction Job Order Contracting (JOC) Services for the Water Services Department. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $45 million.

Additionally, request to authorize the City Manager, or his designee, to take all action deemed necessary to execute all utilities-related design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project and to include disbursement of funds. Utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads, and other modes of transportation. This authorization excludes any transaction involving an

interest in real property.

Summary

Felix Construction Company's services will be used on an as-needed or emergency basis to provide Water Remote Facilities General Construction JOC services for the Water Services Department. These services include, but are not limited to: installation and/or repair of mechanical equipment, such as well and booster pumps; installation of instrumentation and electrical equipment such as analyzers, meters, sensors, and Supervisory Control and Data Acquisition system components; drilling of water supply wells; general work such as building modifications, painting, specialized maintenance and concrete masonry or steel structural work; emergency repair services; and engineering design services as needed. Additionally, the contractors will be responsible for fulfilling Small Business Enterprise program requirements.

This Agreement is essential to the health, safety, and welfare of the public and critical operations for the City. In an emergency, this agreement provides the Water Services Department the availability of additional resources to ensure continuity of operations.

Procurement Information

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

Selected Firm

Rank 1: Felix Construction Company

Additional Proposers

Rank 2: Hunter Contracting Co.
Rank 3: J.R. Filanc Construction Company, Inc.
Rank 4: MGC Contractors, Inc.
Rank 5: Mortenson Construction Co., Inc.
Rank 6: Archer Western Construction, LLC

Contract Term

The term of the master agreement is for up to five years, or up to $45 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 Felix Construction Company will not exceed $45 million, including all subcontractor and reimbursable costs. The value for each job order agreement performed under this master agreement will be up to $4 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 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 continued to the June 8, 2020 City Council Formal Meeting.

126 Amend City Code - Ordinance Adoption - Rezoning Application Z-60-19-4 - Northwest Corner of 15th Avenue and Indian School Road (Ordinance G-6705)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-60-19-4 and rezone the site from C-1 (Neighborhood Retail) and C-O (Commercial Office) to C-1 (Neighborhood Retail) for a gas station and convenience store.

Summary

Current Zoning: C-1 (Neighborhood Retail) and C-O (Commercial Office)
Proposed Zoning: C-1 (Neighborhood Retail)
Acreage: 1.63 acres
Proposal: Gas station and convenience store

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

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Encanto Village Planning Committee heard this case on May 4, 2020, and recommended approval per the staff recommendation with an additional stipulation by an 11-1 vote.
PC Action: The Planning Commission heard this case on May 7, 2020, and recommended approval per the Encanto Village Planning Committee recommendation with an additional stipulation by an 8-0 vote.

Location
Northwest Corner of 15th Avenue and Indian School Road
Council District: 4
Parcel Addresses: 1502 and 1510 W. Indian School Road; and 4106, 4110, 4112, 4116, and 4118 N. 15th Ave.

This item was continued to the June 8, 2020 City Council Formal Meeting.

127 Public Hearing - Biennial Certified Audit of Land Use Assumptions, Infrastructure Improvement Plan and Development Fees

Request to hold a public hearing regarding the Biennial Certified Audit of Land Use Assumptions, Infrastructure Improvement Plan and Development Fees, as required by State statute.

Summary
Arizona Revised Statute 9-463.05 requires a biennial certified audit of municipalities land use assumptions, infrastructure improvements plans and development fees to be conducted by a qualified professional, and the City is required to conduct a public hearing on the audit within 60 days of posting the findings of the audit on the City's website. Raftelis Financial Consultants (RFC) was retained to perform the biennial audit. The audit reviewed development impact fees and water resource acquisition fees for the period of July 1, 2016, through June 30, 2018. The land use assumptions (LUA), infrastructure improvements plan (IIP) and development fees audited were adopted by Phoenix City Council on Jan. 21, 2015, and took effect on April 6, 2015. The intent of the audit is

to allow stakeholders who pay the impact fees to receive a third party analysis of the assumptions, plans and how fees are spent by each municipality. The next required biennial audit will review the period of July 1, 2018, through June 30, 2020.

The final audit report titled: *City of Phoenix Biennial Certified Audit of Land Use Assumptions, Infrastructure Improvement Plan and Development Fees (July 1, 2016 - June 30, 2018)* is attached (**Attachment A**) and available on the Planning and Development website at : www.phoenix.gov/pdd/devfees/impactfeedocs

Biennial Audit Conclusions

The audit of LUAs found that actual new development in impact fee areas was less than forecasted in the approved LUAs. RFC noted that these trends should be monitored but are not an area of immediate concern as growth often occurs in a non-linear fashion and can be influenced by various external factors.

The revenue audit (review of charges) did not find material discrepancies between adopted development fees and actual charges assessed to permits over the audit period. The following discrepancies were found:

Five Fire Protection fee records were charged an expired fee amount instead of the current fee at the time the permits were purchased. These instances resulted in overcharges that have been refunded to the customer.

32 Water Resources Acquisition Fee (WRAF) records were undercharged. These instances resulted in an under-collection of <1 percent of WRAF charges over the audit period. In accordance with State development fee rules, the Water Services Department completed a funds transfer from an internal account to make up the difference.

18 WRAF records were charged an expired fee amount instead of the current fee at the time the permits were purchased. These instances resulted in overcharges that have been refunded to the customer.

The expense audit found that all costs incurred against impact fee funds went toward projects that are identified in the approved IIPs.

This item was continued to the June 8, 2020 City Council Formal

Meeting.

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

CITIZEN COMMENTS

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 8:20 p.m.

MAYOR

ATTEST:

CITY CLERK

TS

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the formal session of the City Council of the City of Phoenix held on the 3rd day of June, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 6th day of April, 2022.

CITY CLERK