City of Phoenix

City of Phoenix

Minutes

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

City Council Formal Meeting

Wednesday, July 1, 2020 **10:00 AM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, July 1, 2020 at 10:05 a.m. in the Council Chambers.

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

The Mayor and Councilmembers attended the meeting virtually. Councilwoman Williams temporarily left the voting body prior to roll call on the ordinance and resolution omnibus motion and returned during Item 20. Councilman Nowakowski temporarily left the voting body prior to roll call of the second motion on Item 36 and returned during Item 43.

Mayor Gallego acknowledged the presence of Mario Barajas, a Spanish interpreter, who was available to the audience.

The City Clerk confirmed that copies of the titles of Ordinances G-6715 through G-6721,S-46798, S-46820 through S-46851, and Resolutions 21845 through 21849 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

MINUTES OF MEETINGS

1 For Approval or Correction, the Minutes of the Formal Meeting on Aug. 28, 2019

Summary

This item transmits the minutes of the Formal Meeting of Aug. 28, 2019, for review, correction and/or approval by the City Council.

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

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

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

No: 0

2 **For Approval or Correction, the Minutes of the Formal Meeting on Sept. 4, 2019**

Summary

This item transmits the minutes of the Formal Meeting of Sept. 4, 2019, for review, correction and/or approval by the City Council.

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

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

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

No: 0

3 **For Approval or Correction, the Minutes of the Formal Meeting on Sept. 18, 2019**

Summary

This item transmits the minutes of the Formal Meeting of Sept. 18, 2019, for review, correction and/or approval by the City Council.

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

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

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

No: 0

BOARDS AND COMMISSIONS

4 Mayor and Council Appointments to Boards and Commissions

Summary

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

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

Human Relations Commission

Appoint Shoshana Tancer, for a term to expire June 30, 2023

Phoenix Business Workforce Development Board

Appoint Fabian Sandez, filling a Labor vacancy, for a term to expire June 30, 2023

Phoenix Sister Cities Commission

Reappoint Sam Gatton, for a second term to expire June 30, 2023
Reappoint Ralph Marchetta, for a second term to expire June 30, 2023
Reappoint Richard Marmor, for a second term to expire June 30, 2023
Reappoint Simer Mayo, for a second term to expire June 30, 2023
Reappoint Bruce Meyerson, for his first full term to expire June 30, 2023
Reappoint Francesca Miller, for a second term to expire June 30, 2023

Reappoint Sebastien Reyes, for a second term to expire June 30, 2023
Reappoint Chiko Swiney, for a second term to expire June 30, 2023

Tourism and Hospitality Advisory Board
Reappoint Robert Hayward, for a fifth term to expire Sept. 30, 2021
Reappoint Jeff Moloznik, for a fourth term to expire Sept. 30, 2021

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

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

No: 0

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

Mayor Gallego requested a motion on liquor license items. A motion was made, as appears below. She noted one individual submitted a request to speak on Item 10, but was not on the line.

An electronic comment was submitted for the record in favor of Item 17.

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Stark, that Items 5-16 be recommended for approval and continuing Item 17 to the Aug. 26, 2020 City Council Formal Meeting. The motion carried by the following voice vote:

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

No: 0

5 Liquor License - Maskadores Taco Shop & Wings

Request for a liquor license. Arizona State License Application 109478.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 12 - Restaurant

Location
9822 N. 7th St., Ste. 5-8
Zoning Classification: C-2
Council District: 3

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

The 60-day limit for processing this application is July 10, 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:
“We as owners are both qualified based on our reputation and desire to improve ourselves by contributing to the community. We as owners and employees will attend certified liquor law training to be knowledgeable in Arizona Liquor Law identification, identifying underage customers, identifying intoxicated customers and proper procedures to get them home safely. We look forward to having a business in the great city of Phoenix and will abide by all city and state laws.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“This is an existing restaurant. It use to sell alcohol with a State liquor license but the previous owner left the business. Prior to COVID-19 out clientele has been asking if we will be getting a liquor license to complement the service of our food. Therefore, we decided to apply for a liquor license as a convenience for our customers.

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Maskadores Taco Shop & Wings
Liquor License Map - Maskadores Taco Shop & Wings

This item was recommended for approval.

6 Liquor License - Los Sombreros

Request for a liquor license. Arizona State License Application 012070008659.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

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

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

The 60-day limit for processing this application is July 17, 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:
“Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service.”

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

7 Liquor License - Canteen LLC

Request for a liquor license. Arizona State License Application 110110.

Summary

Applicant
Ryan Strand, Agent

License Type
Series 12 - Restaurant

Location
3619 E. Indian School Road
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application is July 17, 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 a part of several organizations where a high level of compliance was required. I was directly responsible for managing and putting in place, systems and procedures to ensure all regulations were adhered to, both from an accounting and finance perspective, but also the in-person 'front of house' interactions."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"There is an increasing demand for places for people to work from an easily accessible, come and go, meeting/ co-work locations such as coffee shops or co-work spaces. As such it is vital for those spaces to offer the items people desire. This includes offices amenties like wifi, but also coffee, food, and alcoholic beverages."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Canteen LLC
Liquor License Map - Canteen LLC

This item was recommended for approval.

8 Liquor License - Latitude Wines

Request for a liquor license. Arizona State License Application 110080.

Summary

Applicant

Camila Alarcon, Agent

License Type
Series 4 - Wholesaler

Location
2440 W. Lincoln St., #165LW
Zoning Classification: A-2
Council District: 7

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

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

Latitude Wines (Series 4)
2820 S. 18th Place, Ste. 100, Phoenix
Calls for police service: 5
Liquor license violations: None

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
“Applicant's members have interests in importer and wholesaler licenses in 12 other states. They have held a wholesaler license in Phoenix without incident since 2016, as well as an Out-of-State Producer's license in Arizona since 2005. The applicant will continue to be committed to adhering to all applicable liquor laws.”

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

9 Liquor License - Blanco Tacos & Tequila

Request for a liquor license. Arizona State License Application 98774.

Summary

Applicant
Samuel Fox, Agent

License Type
Series 12 - Restaurant

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

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently under construction with plans to open in November 2020.

The 60-day limit for processing this application was May 31, 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
This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have operated multiple restaurants in Maricopa County for more than 20 years."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"It will enhance the public's enjoyment of dining services at this downtown Phoenix restaurant."

Staff Recommendation
Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements,

and be in compliance with the City of Phoenix Code and Ordinances.

Attachments
Liquor License Data - Blanco Tacos & Tequila
Liquor License Map - Blanco Tacos & Tequila

This item was recommended for approval.

10 Liquor License - Quiktrip #1435

Request for a liquor license. Arizona State License Application 110020.

Summary

Applicant
Perry Huellmantel, Agent

License Type
Series 10 - Beer and Wine Store

Location
3550 W. Happy Valley Road
Zoning Classification: S-1 (Approved C-2 PCD)
Council District: 1

This request is for a new liquor license for a convenience store that sells gas. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently under construction with plans to open in March 2021.

The 60-day limit for processing this application is July 27, 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
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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

I have the capability, reliability and qualifications to hold a liquor license because:
"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 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 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 and 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 responsibility sell alcohol in its stores and it will provide consumers in the area with more options and better pricing."

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

Attachments
Liquor License Data - Quiktrip #1435
Liquor License Map - Quiktrip #1435

This item was recommended for approval as revised.

11 Liquor License - QuikTrip #1415

Request for a liquor license. Arizona State License Application 110022.

Summary

Applicant
Perry Huellmantel, Agent

License Type
Series 10 - Beer and Wine Store

Location
2834 W. Bell Road
Zoning Classification: C-2
Council District: 1

This request is for a new liquor license for a convenience store that sells gas. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently under construction with plans to open in February 2021.

The 60-day limit for processing this application is July 25, 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
At the time this agenda was finalized, no protest or support letters have been received, however the 20-day public comment period had not yet concluded.

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

I have the capability, reliability and qualifications to hold a liquor license because:
"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 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 all our employees comply with state laws. QuikTrip have 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 responsibility sell alcohol in its stores and it will provide consumers in the area with more options and better pricing."

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

Attachments
Liquor License Data - QuikTrip #1415
Liquor License Map - QuikTrip #1415

This item was recommended for approval as revised.

12 Liquor License - Pinspiration Peoria

Request for a liquor license. Arizona State License Application 07070772.

Summary

Applicant
Shellie Small, Agent

License Type
Series 7 - Beer and Wine Bar

Location
6520 W. Happy Valley Road, Ste. 103
Zoning Classification: C-2
Council District: 1

This request is for an ownership and location transfer of a liquor license for a bar. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in August 2020.

The 60-day limit for processing this application is July 28, 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
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
“I have managed and led several start-up companies and corporations successfully. I have taken the necessary liquor license training. I previously served as a wine consultant and am well educated with the liquor license requirements.”

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 creating a space for the community to come together. It is a non-stress space for the community to enjoy as a family, unwind after a long day /week, and participate in crafting or art therapy.”

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

Attachments
Liquor License Data - Pinspiration Peoria
Liquor License Map - Pinspiration Peoria

This item was recommended for approval as revised.

13 Liquor License - Cafe Margarita

Request for a liquor license. Arizona State License Application 108013.

Summary

Applicant
Tommy Morano, Agent

License Type
Series 12 - Restaurant

Location
16816 N. Cave Creek Road
Zoning Classification: C-2

Council District: 3

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

The 60-day limit for processing this application is July 27, 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.

Tommy's Place (Series 12)
2827 E. Bell Road, Phoenix
Calls for police service: 4
Liquor license violations: None

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

Applicant’s Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
“I have been in the restaurant & bar industry for the past 30 years & have never been involved or caused any issues with safety & responsibility.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“Yes, this community will be better served by the issuance of a liquor license as there will be a location where individuals & the community can ensure a staff Where Safety, responsibility, and effecitivley.”

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

Attachments
Liquor License Data - Cafe Margarita
Liquor License Map - Cafe Margarita

This item was recommended for approval as revised.

14 Liquor License - RJ Liquors

Request for a liquor license. Arizona State License Application 09070672.

Summary

Applicant
Samira Jabbar, Agent

License Type
Series 9 - Liquor Store

Location
5897 W. Indian School Road
Zoning Classification: C-2

Council District: 5

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

The 60-day limit for processing this application is July 10, 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:
"I previously owned the business for 15 years. I have taken both the required Title 4 Basic and Management Liquor Law training. The public convenience will continue because this business has been operating at this location, serving the community, for the last 50 years."

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

This item was recommended for approval as revised.

15 Liquor License - Wingstop

Request for a liquor license. Arizona State License Application 110094.

Summary

Applicant
Thomas Aguilera, Agent

License Type
Series 12 - Restaurant

Location
3430 W. Bethany Home Road, Ste. 101
Zoning Classification: C-2
Council District: 5

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in October 2020.

The 60-day limit for processing this application is July 25, 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
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet

concluded.

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I 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 nationwide. We provided the public with an easily accessible dining option with reasonable prices."

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

Attachments
Liquor License Data - Wingstop
Liquor License Map - Wingstop

This item was recommended for approval as revised.

16 Liquor License - Matty G's

Request for a liquor license. Arizona State License Application 109791.

Summary

Applicant
Matthew Gorman, Agent

License Type
Series 12 - Restaurant

Location
6025 N. 16th St.
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application is July 26, 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.

Matty G's (Series 12)
1958 E. Brown Road, #103, Mesa
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Matty G's (Series 12)
6107 N. Scottsdale Road, #110, Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been an owner of 7 restaurants in my past/present and have had zero violations in regards to alcohol laws/rules. I have also been a bartender for over 20 years and know the state's liquor laws well."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Matty G's is a family restaurant with award winning food. Having the alcohol license allows adults to enjoy an adult beverage with their food under controlled family environment."

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

Attachments
Liquor License Data - Matty G's
Liquor License Map - Matty G's

This item was recommended for approval as revised.

17 Liquor License - Cool VYBZ Jamaican Restaurant

Request for a liquor license. Arizona State License Application 108560.

Summary

Applicant
Jessica White-Raymond, Agent

License Type
Series 12 - Restaurant

Location
2340 W. Northern Ave.
Zoning Classification: C-2
Council District: 5

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

The 60-day limit for processing this application was June 15, 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
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 Responsible, mature and knows the value of my business and the license which I'm applying for. I will also maintain the standards of the license that is required."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I will maintain a safe community in which I work and serve."

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

Attachments
Liquor License Data - Cool VYBZ Jamaican Restaurant
Liquor License Map - Cool VYBZ Jamaican Restaurant

This item was continued to the Aug. 26, 2020 City Council Formal Meeting.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

Electronic comments were submitted for the record on the following items:

Item 40: one in opposition
Item 60: one in opposition and one in favor
Item 69: one in favor

Item 70: one in favor
Item 72: 31 in opposition and one with no position
Item 73: 93 in opposition, 41 in favor, 1 neutral and 7 with no position

NOTE: Councilwoman Williams temporarily left the voting body prior to roll call.

Discussion
Following the omnibus motion, Councilwoman Stark stated she could not support the motion as she wanted to vote on Items 73.1-73.3.

Mayor Gallego requested staff explain how those items were placed on the agenda, how they were withdrawn and what that meant going forward.

City Attorney Cris Meyer advised Items 73.1-73.3 were added by a memo from three Councilmembers as provided under the Rules of Council Proceedings which allows three councilmembers to place an item on the agenda. He conveyed those councilmembers could also withdraw that item, noting these items were withdrawn in writing to the City Manager prior to this meeting so they were not on the agenda, similar to other withdrawn items.

City Manager Ed Zuercher wanted clarification that those items were not part of the motion as they were already withdrawn, so Councilwoman Stark's vote on the omnibus motion would not be one way or the other on Items 73.1-73.3.

Mr. Meyer replied that was correct, noting those items were not part of the withdrawal motion.

Councilwoman Stark indicated she had not seen that letter and asked who signed it and if that letter was sent to Council.

Mr. Meyer responded the letter was submitted by the three Councilmembers who placed those items on the agenda.

Mr. Zuercher added the withdrawal letter was submitted right at 10:00 a.m. so it was understandable that she had not seen it yet.

Mayor Gallego announced for those who were online for the hospitality ordinance that those items had been withdrawn and would not be heard today.

Mr. Zuercher stated since those items were withdrawn, staff would go back to Council's original direction and have stakeholder meetings. He indicated Community and Economic Development Director Chris Mackay had held one and would schedule two more stakeholder meetings. He conveyed staff would pull that information together and provide it to Council and then await further direction.

NOTE: Councilwoman Williams temporarily left the voting body.

A motion was made by Vice Mayor Guardado, seconded by Councilman Nowakowski, that Items 18 through 77 be approved or adopted, except Items 19, 20, 25-34, 36, 43-45, 49-50, 71, and 77; continuing Item 72 to the Aug. 26, 2020 City Council Formal Meeting; and noting that Items 40, 51, 73.1, 73.2, and 73.3 are withdrawn. The motion carried by the following vote:

Yes:	8 -	Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Guardado and Mayor Gallego
No:	0	
Absent:	1 -	Councilwoman Williams

Items 18 and 21-24, Ordinance S-46820 was a request to authorize the City Controller to disburse funds, up to amounts indicated, for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

18 **Lee R. Bays Concrete & Cool Decking, Inc.**

For $41,000.00 in payment authority for the one-time purchase of four Occupational Health Dynamics Quantifit instruments and kits for the Police Department. Officers are required to wear respiratory masks for their safety and proper fit is crucial. By fitting masks individually, it protects officers from hazardous material in the air, allowing them to continue performing their jobs in potentially unsafe conditions. The equipment satisfies the Occupational Safety and Health Administration requirement for properly fitted respiratory equipment by directly

measuring face piece leakage during the fit test. The Quantifit has been proven to measure up to 98 percent of known calibrated leaks and guarantees masks perform in order to protect officers.

This item was adopted.

21 CCR Furniture Upholstery Cleaners, Inc.

For $30,000.00 in additional payment authority for Contract 144927 for cleaning and repair services for upholstered and wood furniture located throughout the Phoenix Convention Center, Symphony Hall, Orpheum Theater and Herberger Theater. The contract is used on an as-needed basis and includes all labor and materials needed to repair furniture including upholstery and wood surfaces and to clean plastic, leather and vinyl fabrics for The Phoenix Convention Center Department.

This item was adopted.

22 State of Arizona, Office of the Auditor General

For $75,000.00 in payment authority for the State of Arizona Auditor General's annual Economic and Fiscal Impact Analysis of the Phoenix Convention Center (PCC). The study will be conducted by Hotel Valuations & Appraisals Convention Sports and Entertainment - Northstar (HVS-Northstar). The Auditor General contracts with HVS-Northstar on the annual study. The analysis is required under Arizona Revised Statutes 9-626 to measure the effects of direct, indirect and induced economic activity of the PCC expansion project and to meet obligations to qualify for the state's payment for its debt service. The payment is for work to be completed in 2020 and 2021.

This item was adopted.

23 Salt River Valley Water Users' Association

For $2,200,000.00 in payment authority for Contract 59580 for the Water Transportation Agreement to transfer water from the Salt River Valley Water Users' Association (Association) to the City and for Salt and Verde Rivers water delivery pursuant to water rights held by the City for Fiscal Year 2020-21 for the Water Services Department (WSD). WSD treats and delivers water for lands within the Salt River Reservoir District which have rights to the water stored and developed by the Association.

This item was adopted.

24 State of Arizona doing business as Arizona Department of Water

Resources

For $36,400.00 in payment authority for Fiscal Year 2020-21 to pay fees associated with water storage permit applications, groundwater withdrawal, groundwater production, long-term storage credit recovery, and dewatering for the Water Services and Parks and Recreation departments.

This item was adopted.

35 Amendment to Public Transit Furniture Advertising Revenue Contract 143744 Due to COVID-19

Request to authorize the City Manager, or his designee, to amend Contract 143744 with Lamar Advertising (Lamar) for advertising on Phoenix's transit furniture by charging percent revenue share (68.25 percent) only in lieu of the Minimum Annual Guarantee (MAG) from April 1, 2020, through Sept. 30, 2020.

Summary

Due to the COVID-19 national pandemic, many local and national businesses have significantly reduced advertising, resulting in an estimated 46 percent decrease of Phoenix bus furniture advertising revenue in April 2020, as compared to the same month for the previous year.

Lamar reports that due to the impacts of COVID-19, active advertising contracts are being cancelled as events are called off and businesses are closed; advertising campaign renewals are stagnant, with increasing attrition rates; and new business development is virtually nonexistent. As a result, Lamar has experienced delinquencies and non-payments of invoices for services rendered, and made arrangements for suspension of billing with some advertisers while their businesses are closed or operating under government restrictions. Many of these advertisers are small, locally-owned businesses.

The Public Transit Department is requesting to provide relief under this contract through Sept. 30, 2020 due to many businesses remaining closed, or reopening at significantly lower activity levels, and the continued economic downturn. This relief for Lamar and its advertisers will mitigate the effects of decreases in advertising revenue related to

COVID-19.

Under the amended contract, Lamar will be required to adhere to specific requirements as follows:

Passing financial relief on to clients/advertisers, where applicable;
Submitting weekly sales reports;
Giving notice of any Coronavirus Aid Relief and Economic Security (CARES) Act funds received;
Recalling and/or re-employing furloughed or laid off employees, where applicable;
Providing two months of medical benefits for furloughed or laid off employees;
Working with Community Economic Development on other relief and employment opportunities, where necessary; and
Complying with all other terms and provisions of the contract, which will remain in effect.

Public Transit staff will continue to evaluate quarterly sales revenue and other relevant sales data. Council approval will be required to authorize any subsequent proposed extensions.

Contract Term
This amendment will allow percent revenue share (68.25 percent) only in lieu of the MAG for a period beginning (retroactive to) April 1, 2020 through Sept. 30, 2020. The contract's term will remain unchanged, ending on Dec. 31, 2021.

Financial Impact
Public Transit staff estimates that the proposed amendment to the Lamar public transit advertising contract will result in approximately $100,000 in reduced revenue for Public Transit for the time period of April 1, 2020, through Sept. 30, 2020. The Federal Transit Administration funds provided to the City of Phoenix through the federal CARES grant are expected to offset the reduced advertising revenue.

This item was approved as revised.

37 Elections Tabulation System Services - Maricopa County Contract

190265 (Ordinance S-46829)

Request to authorize the City Manager, or his designee, to enter into a cooperative participating agreement through Maricopa County Contract 190265 for elections tabulation system equipment, maintenance and support services with Dominion Voting Systems. The aggregate contract value shall not exceed $1,336,116 (including applicable taxes), with an estimated annual expenditure of $267,223. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract will provide a centralized ballot tabulation system, including maintenance and support services, for the tabulation of Early Ballots, Voting Center Ballots, and Provisional Ballots for City elections. The City's voter registration count is over 797,000, with over 580,000 of those registered voters on the Permanent Early Voting List (PEVL). PEVL voters automatically receive a ballot in the mail approximately 27 days before an election.

The City has 125 voting precincts and uses 28 voting centers to conduct in-person voting. With voting centers, voters can go to any location to cast their ballot over a three-day period (Saturday, Monday and Election Day Tuesday).

The current elections tabulation system, purchased in 1995, has become obsolete and parts of the system are no longer supported. This authorization would ensure that city voters will continue to benefit from reliable voting services without interruption, by proving a high speed central count solution for processing the volume of ballots the City expects to receive based on anticipated voter turnout.

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 process consistent with the City’s procurement processes, as set forth in

the Phoenix City Code, Chapter 43. The contract was awarded on June 26, 2019.

Contract Term
The five-year contract term will begin on or about July 1, 2020.

Financial Impact
Expenditures against this contract shall not exceed $1,336,116, including applicable taxes, with an estimated annual expenditure of $267,223. Funds are available in the City Clerk Department's budget.

This item was adopted.

38 Acceptance and Dedication of Easements for Sidewalk and Public Utility Purposes (Ordinance S-46826)

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

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

Easement (a)
Applicant: GTT Bell Canyon, LLC, its successor and assigns
Purpose: Sidewalk
Location: 2710 W. Bell Road
File: FN 200538
Council District: 1

Easement (b)
Applicant: Dunlap Coffee, LLC, its successor and assigns
Purpose: Sidewalk
Location: 8847 N. 7th Ave.
File: FN 200532
Council District: 3

Easement (c)
Applicant: Davis Enterprises Indian School Plaza, LLC, its successor

and assigns
Purpose: Sidewalk
Location: 725 W. Indian School Road
File: FN 200533
Council District: 4

Easement (d)
Applicant: And Go Concepts, LLC, its successor and assigns
Purpose: Sidewalk
Location: 3233 E. Indian School Road
File: FN 200535
Council District: 6

Easement (e)
Applicant: Dora Garcia, its successor and assigns
Purpose: Public Utility
Location: 606 W. Wier Ave.
File: FN 200530
Council District: 7

This item was adopted.

39 Authorization to Amend License Agreement with 19 North Community Alliance, Inc. to Extend Term (Ordinance S-46827)

Request to authorize the City Manager, or his designee, to amend License Agreement 145223 with 19 North Community Alliance, Inc. (19 North) to extend the term for one year, with five additional one-year options to further extend the term. Rent during the first year of the extended term will be $100 per year, plus applicable taxes. Further request authorization for the City Treasurer to accept all funds in accordance with the terms of the License Agreement.

Summary

19 North has operated a community garden since 2017 on approximately 19,266 square feet of City-owned land located along the east side of 19th Avenue between Las Palmaritas and El Caminito drives. The licensed area is a remnant site with limited development potential that was originally acquired as part of the Northwest Extension of the Light Rail Project. 19 North has improved the remnant site with necessary infrastructure and elements for a community garden. The garden benefits

the surrounding area by fostering community collaboration and nearby school participation, enhancing green space, and contributing to a community food bank.

Rent during the first year of the extended term will be $100 per year, plus applicable taxes, which is within the range of market rents as determined by the Finance Department's Real Estate Division. Rent will be adjusted to market rent at the beginning of each option period.19 North is responsible for the funding, maintenance, utility services, security, and all other costs related to improvement and use of the site. 19 North will provide insurance and indemnification acceptable to the City's Risk Management Division and the Law Department. The License Agreement is subject to cancellation pursuant to Arizona Revised Statute 38-511 or upon a 60-days' prior written notice by either party.

Contract Term
This amendment will extend the three-year License Agreement's term by one year, with five additional one-year options to extend the term further.

Financial Impact
Revenue during the first year of the extended term will be $100, plus applicable taxes.

Concurrence/Previous Council Action
License Agreement 145223 was authorized by Ordinance S-42885, adopted by City Council on Sept. 21, 2016.

Location
Along the east side of 19th Avenue between Las Palmaritas and El Caminito drives, identified by Maricopa County Assessor parcel numbers 158-08-071 and 158-08-009A.
Council District: 5

This item was adopted.

40 Computer Hardware and Support - State of Arizona (Ordinance S-46841)

Request to authorize the City Manager, or his designee, to amend the following computer hardware and support citywide cooperative contract

participating agreements to extend the term through July 31, 2021 for these vendors: Dell Marketing LP (Contract 141429); Hitachi Data System Corporation (Contract 141428); Transource Services Corp. (Contract 141426); NetApp, Inc. (Contract 141425); Lenovo, Inc. (Contract 141427); Hewlett Packard, Inc. (Contract 141424); International Business Machines Corporation (Contract 141430), Sirius Computer Solutions (IBM Reseller), QCM Technologies, Inc. (IBM Reseller); Hewlett Packard Enterprises (Contract 141424); and Apple Computer, Inc. (Contract 147287). Additionally, request the City Council to grant an exception to Phoenix City Code section 42-18 to authorize inclusion of indemnification and assumption of liability provisions consistent with the State of Arizona cooperative contracts with each of these vendors. Further request to authorize the City Manager, or his designee, to add additional expenditures in an amount of $4 million utilizing existing excise tax bond proceeds for a data storage hardware replacement project. Further request for the City Controller to disburse all funds related to this item.

Summary

The computer hardware and support contracts provide a wide variety of technology needs for all city departments. The additional amount of $4 million will allow the Information Technology Services Department (ITS) to replace the City's current storage infrastructure, which is in the last stage of its lifecycle, is no longer supported by the manufacturer, and cannot support expansion of data storage which will be necessary to operate City systems and applications. The current storage infrastructure hosts the majority of enterprise and departmental data and applications, including key financial, security, customer-facing, and departmental business systems. Data storage is a critical service provided to the enterprise by ITS. This funding will allow ITS to replace existing unsupported storage systems with a system capable of supporting current data needs as well as projected growth. The purchase will include the required equipment and professional services for installation, configuration, and data migration from the legacy storage environment to the new environment. It will also include training and three-years of annual maintenance and support. The new solution will satisfy current and projected storage needs, provide resiliency necessary for business continuity, and can be configured to support varying workloads and enterprise and departmental needs for data and application storage.

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 State of Arizona cooperative contracts were awarded on July 1, 2015, through a competitive process consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43. The State of Arizona cooperative contracts were extended through July 31, 2021. Utilization of cooperative contracts allows the City to benefit from national government pricing and volume discounts.

Financial Impact

This request is to approve additional funds through July 31, 2021. With the $4 million in additional funds added to the remaining funds for these contracts, the revised aggregate value is now $45,052,500 (including applicable taxes). Funds for the data storage project are available from existing excise tax bond proceeds.

Concurrence/Previous Council Action

These State of Arizona Citywide contracts were approved by Formal Council action on Sept. 9, 2015, Oct. 19, 2016, March 31, 2017, April 4, 2018, and Sept. 4, 2019.

This item was withdrawn.

41 Polymer Modified Master Seal and Tire Rubber Modified Surface Sealer - RFA 18-133A (Ordinance S-46838)

Request to authorize the City Manager, or his designee, to approve additional expenditures under Agreement 146879 with Musgrove Enterprises LLC, dba SealMaster Arizona, for the purchase of asphalt sealant materials for the Street Transportation Department. Further request authorization for the City Controller to disburse all funds related to this item in an amount not to exceed $3 million.

Summary

The Street Transportation Department regularly uses emulsified asphalt surface sealers for the maintenance of City streets. The current contract

to provide these paving materials, including its capacity, was executed prior to the Council-approved Accelerated Pavement Maintenance Program, which significantly increased the pace of street maintenance projects and the need for these products. These additional funds are needed to continue with currently planned street maintenance paving projects, while a new contract solicitation is completed. The new solicitation is expected to be complete no later than June 2021.

Contract Term

The five-year contract term for Agreement 146879 began on Feb. 1, 2018.

Financial Impact

Upon approval of additional funds, the contract value will be increased by $3 million for a total not to exceed amount of $4.5 million. Funds are available in the Street Transportation Department's budget.

Concurrence/Previous Council Action

City Council approved the Agreement 146879 on Jan. 24, 2018.

This item was adopted.

42 Acquisition of Real Property for Installation of a Traffic Signal at 7th Street and Orangewood Avenue (Ordinance S-46843)

Request to authorize the City Manager, or his designee, to acquire real property and related property interests by donation, purchase within the City's appraised value, or by the power of eminent domain required for traffic signal installation at 7th Street and Orangewood. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Acquisition of real property at the northwest and southeast corners of the intersection is required for the placement of traffic control equipment to install a new traffic signal.

The parcels affected by this project and included in this request are identified by Maricopa County Assessor's parcel number (APN) 160-38-068 located at 632 E. Orangewood Ave., APN 160-19-083 located at the southeast corner of 7th Street and Orangewood Avenue,

and APN 160-19-062 located at 7356 N. 7th Place.

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
Intersection of 7th Street and Orangewood Avenue
Council District: 6

This item was adopted.

46 Amendment to Intergovernmental Agreement between State of Arizona and City of Phoenix for the Margaret T. Hance Park Joints Repair Project (Ordinance S-46835)

Request to authorize the City Manager, or his designee, to enter into an amendment to Intergovernmental Agreement (IGA) 151563 with the State of Arizona Department of Transportation (ADOT) to administer the construction of waterproofing and joints repair work at Margaret T. Hance Park; and to revise project costs and add waterline relocation to the project work, pending authorization of additional funding from the Maricopa County Association of Governments (MAG). Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item. The amendment will add $560,000 to the project costs.

Summary
The purpose of this project is to repair the tunnel joints beneath Margaret T. Hance Park ahead of the next phases of the revitalization project, which will transform the identity of Margaret T. Hance Park. The City has been coordinating efforts of needed repairs with ADOT; and at ADOT’s request, the City will be receiving funds from ADOT to fund these repairs.

Subsequent to the approval of the waterproofing and joints repair IGA 151563, ADOT requested to add relocation of a waterline under the same stipulations contained in the IGA. Execution of this amendment will be contingent upon MAG's approval of funding to ADOT.

Procurement Information

The City will utilize Haydon Building Corp to complete the construction of the relocation of the waterline. Haydon Building Corp is under contract to the City for Margaret T. Hance Park.

Contract Term
The amendment does not change the term of the agreement, which will remain in effect until completion of the waterproofing and joints repair work.

Financial Impact
The relocation of the waterline adds $560,000 to the Margaret T. Hance Park waterproofing and joints repair project. Total project costs will not exceed $4,534,000, less City administration costs and ADOT inspection costs; and will be reimbursed by ADOT. Funding is budgeted in the Parks and Recreation Capital Improvement Program budget.

Concurrence/Previous Council Action
Margaret T. Hance Park Joints Repair and Waterproofing IGA 151563 (Ordinance S-46304) on Jan. 8, 2020.

Location
Margaret T. Hance Park, 67 W. Culver St.
Council District: 7

This item was adopted.

47 Authorization to Enter into Performance Audit Requirements Contract (Ordinance S-46822)

Request to authorize the City Manager, or his designee, to enter into a contract with fsStrategy, Inc. to audit the performance of Aramark, dba Aventura Catering (Aventura), the exclusive in-house caterer for the Phoenix Convention Center Department (PCCD). It is anticipated that this contract will result in $214,500 in expenditures over the five-year term of the contract.

Summary
In accordance with the terms and conditions of the contract between PCCD and Aventura, a performance auditor will be utilized to conduct an annual assessment of the performance of Aventura. The performance auditor will be responsible for developing an audit plan to measure the

performance of Aventura in several areas including but not limited to food quality, food presentation, service timing, adherence to approved operating procedures, food safety and HACCP, sanitation practices, employee training, sales and marketing effectiveness, and financial performance.

Procurement Information
RFP 19-002 was conducted in accordance with Administrative Regulation 3.10. There were five proposals received by the PCCD Financial and Procurement Services section on Feb. 12, 2020. The proposals were evaluated on price, responsiveness to specifications, and responsibility to provide the required services. The price was determined to be fair and reasonable. The solicitation notification was publicly posted and available for download from the City's website.

The proposals were scored as follows:

fsStrategy, Inc.	830.00
William Caruso and Partners, LLC	680.00
JHsports plus, LLC dba JHsolutions plus, LLC	565.40
Food Service Matters Partners, LLC	557.00
The Bigelow Companies, Inc.	338.00

Contract Term
The five-year contract term will begin on or about Aug. 3, 2020.

Financial Impact
It is anticipated that this contract will result in $214,500 in expenditures over the five-year term of the contract. The contract will be paid by Aramark, dba Aventura Catering (Aventura). No additional PCCD funds are required.

Location
Council District 7:
Phoenix Convention Center, 100 N. 3rd St.
Symphony Hall, 75 N. 2nd St.
Orpheum Theatre, 203 W. Adams St.

Council District 8:
Phoenix Convention Center, 100 N. 3rd St.
Phoenix Convention Center, 33 S. 3rd St.

This item was adopted.

48 Maintenance of Parking Access and Revenue Control Systems (Ordinance S-46830)

Request to authorize the City Manager, or his designee, to enter into a contract with Souder Corporation to provide goods and services necessary to maintain parking access equipment and revenue control systems in seven City owned parking garages for the Phoenix Convention Center Department (PCCD). The agreement is for five years with one option to extend for five years and the aggregate value of the contract will not exceed $300,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

PCCD recently installed new TIBA parking access equipment in the Heritage, 305, Adams, East, West, and North parking garages. Souder Corporation dba Mountain Parking is the sole authorized service and maintenance provider for TIBA parking equipment. Mountain Parking will provide all necessary parts, administration, labor, training, preventative and remedial maintenance, diagnosis, infrastructure modifications, repair, replacement, installation, telephone support, updates and improvements to maintain efficient operation of the TIBA parking systems on an as needed basis.

Procurement Information

The recommendation is in accordance with City of Phoenix Administrative Regulation 3.10, following the Request for Agreement procurement process.

Contract Term

The contract term is for five years, with one option to extend for five years.

Financial Impact

The aggregate value will not exceed $300,000 over the life of the 10-year contract. Funds are available in the Phoenix Convention Center's

operating budget.

This item was adopted.

51 (CONTINUED FROM JUNE 17 AND JUNE 24, 2020) - Confirmation from Transdev of its Joint Venture Partnership Structure with Regards to Fixed Route Transit Service for North and South Transit Facilities in the City of Phoenix

Vice Mayor Betty Guardado and Councilmembers Sal DiCiccio and Michael Nowakowski requested the City Manager place an item on the June 17, 2020 Formal agenda for "Confirmation from Transdev of its Joint Venture Partnership Structure with regards to Fixed Route Transit Service for North and South Transit Facilities in the City of Phoenix" (**Attachment A**). This complies with the Rules of Council Proceedings, Council Rule 2c, regarding placement of items on an agenda.

This item was withdrawn.

52 91st Avenue Wastewater Treatment Plant Solids Rehabilitation Phase 1 - Engineering Services - WS90100111 (Ordinance S-46821)

Request to authorize the City Manager, or his designee, to enter into an agreement with Arcadis U.S., Inc. (Arcadis), to provide Engineering Services that include design and construction administration and inspection (CA&I) services for the 91st Avenue Wastewater Treatment Plant Solids Rehabilitation Phase 1 project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $5,430,000.

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 the facilities and equipment used to treat and process solids at the 91st Avenue Wastewater Treatment Plant including replacement of equipment throughout the solids treatment process. This equipment includes, but is not limited to: centrifuges, pumps, motors, heat exchangers, cake pumps, sludge hoppers, piping, control instruments and panels, and electrical equipment including panels, variable frequency drives, transformers, and motor control centers.

Arcadis' services include, but are not limited to: preparation of complete sets of construction documents and any necessary special documents for the 91st Avenue Wastewater Treatment Plant Solids Rehabilitation Phase I project, performance of engineering services required to gather data, conduct evaluations, perform analyses, to rehabilitate and make improvements to Digester Mixing Systems, Digester Control Buildings, Hot Water System and Boiler Buildings, Primary and Waste Activated Solids Thickening Systems, Biosolids Dewatering Systems, Solids Area Odor Control Systems, and Solids Area Electrical Power Distribution.

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

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

Procurement Information

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

Selected Firm

Rank 1: Arcadis U.S., Inc.

Additional Proposers
Rank 2: Greeley and Hansen LLC
Rank 3: Stantec Consulting Services, Inc.
Rank 4: Carollo Engineers, Inc.
Rank 5: Hazen and Sawyer, P.C.

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 Arcadis U.S., Inc. will not exceed $5,430,000, including all subconsultant and reimbursable costs.

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

Concurrence/Previous Council Action
The SROG Advisors authorized the project on June 10, 2020.

Location
91st Avenue Wastewater Treatment Plant
Council District: 7

This item was adopted.

53 91st Avenue Wastewater Treatment Plant Solids Rehabilitation Phase 1 - Construction Manager at Risk Preconstruction Services - WS90100111 (Ordinance S-46823)

Request to authorize the City Manager, or his designee, to enter into an agreement with PCL Construction, Inc. (PCL) to provide Construction Manager at Risk (CMAR) Preconstruction Services for the 91st Avenue

Wastewater Treatment Plant Solids Rehabilitation Phase 1 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 $640,000.

Summary

The purpose of this project is to rehabilitate the facilities and equipment used to treat and process solids at the 91st Avenue Wastewater Treatment Plant including the replacement of equipment throughout the solids treatment process. This equipment includes, but is not limited to: centrifuges, pumps, motors, heat exchangers, cake pumps, sludge hoppers, piping, control instruments and panels, and electrical equipment including panels, variable frequency drives, transformers, and motor control centers.

PCL Construction, Inc. will begin in an agency support role for CMAR Preconstruction Services. PCL will assume the risk of delivering the project through a Guaranteed Maximum Price agreement.

PCL's services include, but are not limited to: detailed cost estimating; project planning and scheduling; providing alternate systems evaluation and constructability studies; advising the City on ways to gain efficiencies in project delivery; providing long-lead procurement studies and initiating procurement of long-lead items; and assisting with permitting process. A Small Business Enterprise goal will be established for this project upon substantial completion of Preconstruction Services and prior to the start of construction.

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

This agreement is essential to the health, safety, and welfare of the public and critical 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 (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 Firms
Rank 1: PCL Construction, Inc.

Additional Proposers
Rank 2: McCarthy Building Companies, Inc.
Rank 3: Archer Western Construction, LLC
Rank 4: Kiewit Infrastructure West Co.

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

Financial Impact
The agreement value for PCL Construction, Inc. will not exceed $640,000, 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 SROG Advisors authorized the project on June 10, 2020.

Location
91st Avenue Wastewater Treatment Plant
Council District: 7

This item was adopted.

54 Glendale Metering Station Upgrades GL03 Improvements Engineering Services - WS90160098 (Ordinance S-46824)

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 condition assessment, design, and construction administration and inspection (CA&I) services for the Glendale Metering Station Upgrades GL03 Improvements project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $400,000.

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 design a new metering station located out of the street for safety and ease of access and with an improved hydraulic regimen for accurate flow measurement. Wilson’s services include, but are not limited to: review of the existing structure, conducting a structural condition assessment, and designing repairs.

Design engineering services will include, but not be limited to: detailed design of a parallel pipeline of undetermined length but sufficient to locate the new meter station out of the roadway and behind the back of the sidewalk; a new meter structure; sewage quality monitoring; obtaining permits; and interface with multiple governmental agencies.

Construction Administration and Inspection (CA&I) services by the engineering firm will include, but are not limited to the following: conduct preconstruction conference and progress meetings; perform on-site

examination of materials, equipment, and workmanship; provide quality control services during the course of construction; conduct and coordinate special inspections for structural, mechanical, and electrical work; update the WAM system: review operations and maintenance manuals for completeness and adherence to City standards and requirements; and provide start-up assistance and training services.

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 (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. Three firms submitted proposals and are listed below.

Selected Firm
Rank 1: Wilson Engineers, LLC

Additional Proposers
Rank 2: GHD, Inc.
Rank 3: Primatech, LLC

The City of Glendale SROG GL03 Metering Station is owned by the Sub-Regional Operating Group (SROG) and operated by the City of Phoenix.

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

Financial Impact
The agreement value for Wilson Engineers, LLC will not exceed

$400,000, including all subconsultant and reimbursable costs.

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

Concurrence/Previous Council Action
The SROG Advisors authorized the project on May 21, 2020.

Location
Near 99th Avenue and Camelback Road
Council District: Out of City

This item was adopted.

55 Water Main Replacement Program Right-Of-Way - Job Order Contracting Services - 4108JOC193 (Ordinance S-46839)

Request to authorize the City Manager, or his designee, to enter into separate master agreements with three contractors to provide Citywide Job Order Contracting (JOC) services for the Water Main Replacement Right-of-Way program. 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 $120 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

The JOC contractors' services will be used on an as-needed basis to provide Water Main Replacement Program Right-Of-Way Job Order Contracting services for the replacement of water mains citywide. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements. These JOC services are for rehabilitation and replacement of water mains over large areas such as an entire neighborhood. This work is considered horizontal construction for purposes of Arizona Revised Statutes Title 34; individual construction projects performed under this JOC are those that exceed monetary limits for work that can be self-performed. The projects do not entail the work currently performed by Water Services Department employees in the waterline leak and break crews, which primarily consists of repair of waterlines at the site of the leak or break.

This agreement is 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. Fifteen firms submitted proposals and are listed in **Attachment A.**

Contract Term

The term of each master agreement is for up to five years, or up to $40 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 values for each of the three contractors will not exceed $40 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed $120 million. The value for each job order agreement performed under these master agreements

will be up to $4 million. 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 adopted.

56 Foundations and Conduit Installation for Traffic Signals - 2-Step Job Order Contract Services Amendment 3 - 4108JOC160 (Ordinance S-46837)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 145617 with Kimbrell Electric, Inc. to provide additional Job Order Contract Services for the Foundations and Conduit Installation for Traffic Signals. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed $2 million.

Summary

The purpose of this project is to install new, or remove and replace existing traffic signal poles and conduit to junction boxes at various locations on City streets. Some projects may require multiple foundations and direction boring across streets. All foundations, conduit, and junction boxes for traffic signal equipment will be installed or removed per the latest City of Phoenix standard details and specifications or as required by local utility companies. Work is performed on an as-needed basis by the Street Transportation Department.

This amendment is necessary because the current contract capacity is nearing its limit and contract services need to continue until a new procurement is completed and a new contract is in place. The new procurement has begun and new contracts are anticipated to be in place in fall 2020. This amendment will provide additional funds to the agreement.

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

Contract Term

There is no change to the five-year term of the Agreement. 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 Foundations and Conduit Installation for Traffic Signals Job Order Contract Services Agreement was initially executed for a three-year base term and a fee not-to-exceed $1.8 million, including all subconsultant and reimbursable costs.

Amendment 1 executed the Agreement's two-year, $1.2 million contract option to increase the term to five years and a total not-to-exceed of $3 million, including all subconsultant and reimbursable costs.

Amendment 2 increased the Agreement's value by $2 million, for a total not-to-exceed of $5 million, including all subconsultant and reimbursable costs.

Amendment 3 will increase the Agreement's value by $2 million, for a new total not-to-exceed of $7 million, including all subcontractor and reimbursable costs.

Funding for this amendment 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 the execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action

The City Council approved:

Job Order Contract Agreement 145617 (Ordinance S-43792) on July 6, 2017; and

Job Order Contract Agreement 145617 Amendment 2 (Ordinance

S-46001) on Sept. 4, 2019.

This item was adopted.

57 Employee Safety Training for Opacity Method 9 (Ordinance S-46828)

Request to authorize the City Manager, or his designee, to enter into an agreement with Compliance Assurance Associates, Inc., to provide safety training for Opacity Method 9 for City of Phoenix employees. 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 $31,250.

Summary

The purpose of this contract is to provide training to City employees who are required to conduct visible emission observations. The Maricopa County Air Quality Department (MCAQD) enforces a limit of 20 percent opacity for sources of visible emissions, which include generators, flares, boilers, bulk material handling and construction activities. To maintain compliance with MCAQD regulations, employees must attend an initial training class and refresher training classes every six months.

Procurement Information

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

Selected Vendor

Compliance Assurance Associates, Inc.

Contract Term

The term of the agreement is five years and will begin on Oct. 18, 2020.

Financial Impact

The agreement value for Compliance Assurance Associates, Inc., will not exceed $31,250. Funding is available in the Water Services and Public Works departments' operating budgets.

This item was adopted.

58 Quantifit Fit Testing Equipment (Ordinance S-46831)

Request to authorize the City Manager, or his designee, to enter into a letter of agreement with Occupational Health Dynamics LLP (OHD), to provide services for repair and calibration of Quantifit Fit Testers and to provide new Fit Testers on an as-needed basis 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 agreement value will not exceed $35,000.

Summary

The Fit Testers measure respiratory masks and equipment to ensure there are no leaks that would allow particles, vapors, or gases into self-contained breathing apparatus masks (SCBA). Verification of compliance with the Occupational Safety and Health (OSHA) Respiratory Standards is a mandatory requirement for this equipment.

OHD's services include but are not limited to: new OHD Quantifit Fit Testers to include any required software and component parts in order to maintain functionality; repair and calibration services of existing and any new Fit Testers; and annual service and calibration requirements in accordance with OSHA standards.

Procurement Information

The selection was made using a direct selection process set forth in City of Phoenix Administrative Regulation 3.10. The competitive process was waived because OHD is the sole source provider for Quantifit Fit Testers and maintenance services. OHD is the authorized distributor and purchases must be made through OHD.

Contract Term

The term of the agreement is five years effective July 1, 2020.

Financial Impact

The agreement value for OHD will not exceed a total aggregate value of $35,000. Funding is available in the Water Services Department

operating budget.

This item was adopted.

59 Membrane Diffusers Contract Amendment (Ordinance S-46832)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 141065 with Xylem Water Solutions USA, Inc., to provide additional Membrane Diffusers for the Water Services Department. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority provided below, and for the City Controller to disburse all funds related to this item. The additional fees for goods and services included in this agreement will not exceed $100,000.

Summary

The Water Services Department currently uses a contract with Xylem Water Solutions USA, Inc. to purchase Membrane Diffusers at the 91st Avenue and 23rd Avenue Wastewater Treatment Plants. The membrane diffusers increase the concentration of dissolved oxygen in the aeration basins. Dissolved oxygen is an important parameter because the micro-organisms require oxygen for respiration and for oxidation of organic matter.

This amendment is necessary to allow sufficient time to complete a competitive process to award a multi-year contract for these goods and services. This amendment will provide additional funds and time to the agreement.

Contract Term

The term of this agreement will be extended from July 1, 2020 through June 30, 2021.

Financial Impact

The initial agreement and its exercised options to extend were executed for a fee not-to-exceed $750,000. This amendment will increase the agreement value by an additional $100,000, for a new total not-to-exceed agreement value of $850,000. Funding is available in the Water Services Department Capital Improvement Program budget.

Concurrence/Previous Council Action
The City Council approved agreement 141065 (Ordinance S-41939) on July 1, 2015.

This item was adopted.

60 Gated Alley Program Pilot - Expansion (Ordinance S-46833)

This report requests City Council approval to expand the Gated Alley Program (GAP) Pilot to include 10 additional alleys and 20 gates, enter into any necessary agreements to implement the expanded pilot, and use $98,100 in Neighborhood Block Watch Grant Program (NBWGP) funds for the costs associated with the installation of gates. Further request authorization for the City Controller to disburse all funds related to this item. There is no impact to the General Fund.

Staff is working to further expand the GAP to include more neighborhoods to address needs throughout the City. A multi-departmental effort is underway to identify ways to expand the process and potential funding. Staff will return to the Council with a proposal for a broader GAP.

Summary
On March 18, 2020, the City Council approved staff's proposal to expand the GAP Pilot citywide and include 10 alleys in each council district with a stipulation that staff return to the Neighborhood Block Watch Fund Oversight Committee and request additional funding to gate 10 additional alleys around the Human Services Campus and the surrounding neighborhood. Therefore, this request is to approve using NBWGP funds to gate 10 additional alleys in the area surrounding the Human Services Campus and neighborhood.

The neighborhoods surrounding the Human Services Campus have experienced ongoing issues with illegal dumping, graffiti, homeless encampments and criminal activity occurring in the alleys. Residents have expressed interest in gating their alleys, as it is a tool that could reduce the number of alley clean-ups required and increase safety.

Concurrence/Previous Council Action
At its June 4, 2020 meeting, the Neighborhood Block Watch Fund

Oversight Committee approved a recommendation to reallocate $98,100 in NBWGP funds to cover the expense to install gates at the ends of alley segments located within neighborhoods defined as part of the expansion of the GAP Pilot by a vote of 7-4 with 1 member abstaining.

The Public Safety and Justice Subcommittee did not hear this request as the June meeting was cancelled.

This item was adopted.

61 Final Plat - 7th Avenue & Pinnacle Peak Road - PLAT 200542 - Northeast Corner of 7th Avenue and Pinnacle Peak Road

Plat: 200542
Project: 06-495
Name of Plat: 7th Ave. & Pinnacle Peak Road
Owner(s): Lapour D.C. One, LLC
Engineer(s): Hunter Engineering, Inc.
Request: A 2 Lot Commercial Subdivision Plat
Reviewed by Staff: June 10, 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 at the northeast corner of 7th Avenue and Pinnacle Peak Road.
Council District: 1

This item was approved.

62 Final Plat - Desert Ridge Super Block 1 Southwest Phase 1 - PLAT 190103 - Deer Valley Road, East of 56th Street

Plat: 190103
Project: 06-657
Name of Plat: Desert Ridge Super Block 1 Southwest Phase 1
Owner(s): D.R. Horton, Inc.
Engineer(s): Wood Patel & Associates, Inc.
Request: A 234 Lot Residential Plat

Reviewed by Staff: June 4, 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 at Deer Valley Road and east of 56th Street.
Council District: 2

This item was approved.

63 Final Plat - Harmony at Hurley Farms- 200514 - South of Lower Buckeye Road and East of 91st Avenue

Plat: 200514
Project: 02-4732
Name of Plat: Harmony at Hurley Farms
Owner(s): Harmony at Hurley Farms LLC
Engineer(s): Harvey Land Survey LLC
Request: A 1 Lot Plat
Reviewed by Staff: June 4, 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 Lower Buckeye road and east of 91st Avenue
Council District: 7

This item was approved.

64 Abandonment of Right-of-Way - V190032A - 11402 N. Cave Creek Road (Resolution 21846)

Abandonment: V190032A
Project: 02-2468
Applicant: Philip Gershkovich
Request: To abandon the excess right-of-way, beyond the 50-foot south

of and adjacent to Lots 38 (APN 166-21-039) and Lot 39 (APN 166-21-040), per final plat "Abels Acres Amended"; Book 044, Page 10, recorded with Maricopa County Recorder.
Date of Hearing: June 13, 2019

Location
11402 N. Cave Creek Road
Council District: 3

Financial Impact
A fee was also collected as part of this abandonment in the amount of $2,085.

This item was adopted.

65 Abandonment of Right-of-Way - V190027A - 2629 N. 7th St (Resolution 21848)

Abandonment: V190027A
Project: 18-3964
Applicant: Mark Glock; City of Phoenix Street Transportation Department
Request: To abandon a portion of Windsor Ave right-of-way, north of and adjacent to the lot addressed 2629 N. 7th St.
Date of Hearing: June 13, 2019

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 as sufficient and appropriate consideration in this matter, as memorialized in the separate "Settlement Agreement" executed under City Contract 152153 between the City and the owner of 2629 N. 7th St. (APN 117-29-162A).

Location
2629 N. 7th St.
Council District: 4

This item was adopted.

66 Abandonment of Right-of-Way - V190071A - 3233 E. Camelback Road (Resolution 21847)

Abandonment: V190071A
Project: 19-93
Applicant: Stephen C Earl; Earl & Curley
Request: To abandon a portion of 32nd Street right-of-way, south of Camelback Road
Date of Hearing: Nov. 21, 2019

Financial Impact
A fee was also collected as part of this abandonment in the amount of $28,000.

Location
3233 E. Camelback Road
Council District: 6

This item was adopted.

67 Abandonment of Right-of-Way - V190091A - Northeast Corner of 3rd Street and Keim Drive (Resolution 21845)

Abandonment: V190091A
Project: 02-1233
Applicant: Aryeh and Madi Bleeman
Request: To abandon 16-foot alleyway of adjacent to lots 1 - 22; located in the northeast corner of 3rd Street and Keim Drive; recorded on Subdivision Plat " Ty Dean Place," Book 065, Page 18, Maricopa County Recorder.
Date of Hearing: Feb. 06, 2020.

Location
Northeast corner of 3rd Street and Keim Drive
Council District: 6

Financial Impact
A fee was also collected as part of this abandonment in the amount of $1,775.80.

This item was adopted.

68 Abandonment of Right-of-Way - V190067A - Southwest Corner of Estes Way and 39th Avenue (Resolution 21849)

Abandonment: V190067A
Project: 04-1564

Applicant: Bela Flor Communities; Hud Hassel
Request: To abandon 30 foot right-of-way and the public utility easements along APN's 300-11-013G, 300-16-813, 300-16-814, and the western boundary of 300-16-815; per Plat 110048, Book 1147, Page 07.
Date of Hearing: Nov. 19, 2019

Location
Southwest corner of Estes Way and 39th Avenue
Council District: 8

Financial Impact
A fee was also collected as part of this abandonment in the amount of $4,041.

This item was adopted.

69 Amend City Code - Ordinance Adoption - Rezoning Application Z-15-19-1 (Francis and Sons PUD) - Northeast Corner of 35th Avenue and Thunderbird Road (Ordinance G-6715)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-15-19-1 and rezone the site from C-1 (Neighborhood Retail District) and R1-8 (Single-Family Residence District) to PUD (Planned Unit Development) for C-1 commercial uses and a car wash.

Summary
Current Zoning: C-1 (Neighborhood Retail District) and R1-8 (Single-Family Residence District)
Proposed Zoning: PUD (Planned Unit Development)
Acreage: 3.26 acres
Proposal: C-1 commercial uses and a car wash

Owner: Francis & Sons I, LLC and FNS Ventures I
Applicant: Brian Greathouse/Burch & Cracchiolo, PA
Representative: Brian Greathouse/Burch & Cracchiolo, PA

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The North Mountain Village Planning Committee heard this case on May 20, 2020, and recommended approval per the staff recommendation by a 15-2 vote.

PC Action: The Planning Commission heard this case on June 4, 2020, and recommended approval per the North Mountain Village Planning Committee recommendation with an additional stipulation by a 9-0 vote.

Location
Northeast corner of 35th Avenue and Thunderbird Road
Council District: 1
Parcel Addresses: 3434, 3448, and 3460 W. Thunderbird Road

This item was adopted.

70 Amend City Code - Ordinance Adoption - Rezoning Application Z-61-19-2 (Embrey Kierland North PUD) - Approximately 350 Feet North of the Northwest Corner of Scottsdale Road and Tierra Buena Lane (Ordinance G-6717)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-61-19-2 and rezone the site from C-2 PCD to PUD for multifamily residential and commercial uses.

Summary
Current Zoning: C-2 PCD
Proposed Zoning: PUD
Acreage: 2.41
Proposed Use: Multifamily and commercial uses

Owner: Bridge Enterprises, LLC
Applicant: Jimmy McCloskey
Representative: Nick Wood, Esq., Snell and Wilmer, LLP

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Paradise Valley Village Planning Committee heard this case on June 1, 2020, and recommended denial by an 8-5 vote.
PC Action: The Planning Commission heard this case on June 4, 2020, and recommended approval per the staff recommendation by a 9-0 vote.

Location
Approximately 350 feet north of the northwest corner of Scottsdale Road and Tierra Buena Lane
Council District: 2

Parcel Address: 15826 N. Scottsdale Road

This item was adopted.

72 Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application PHO-1-19--Z-165-06-7(8) - Northwest Corner of 35th Avenue and Carver Road (Ordinance G-6718)

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

Summary

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

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

Proposal:

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

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

Deletion of Stipulation 19 regarding conditional development approval.

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

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

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

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

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

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

Concurrence

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

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

This item was continued to the Aug. 26, 2020 City Council Formal Meeting.

73.1 ADD-ON - Phoenix Healthy Tourism and Hospitality Measures (Ordinances G-6719)

Vice Mayor Betty Guardado and Councilmembers Laura Pastor and Carlos Garcia requested the City Manager place an item (**Attachment A**) to "add the three attached Phoenix Healthy Tourism and Hospitality ordinances (**Attachment B**), which propose amendments to the City Code, to the Formal Council Meeting agenda on July 1, 2020." This complies with the Rules of Council Proceedings, Council Rule 2c, regarding placement of items on an agenda.

This item was withdrawn.

73.2 ADD-ON - Phoenix Healthy Tourism and Hospitality Measures -

Supplemental Paid Sick Leave for Tourism and Hospitality Workers (Ordinance G-6720)

Vice Mayor Betty Guardado and Council members Laura Pastor and Carlos Garcia requested the City Manager place an item (**Attachment A**) to "add the three attached Phoenix Healthy Tourism and Hospitality ordinances (**Attachment B**), which propose amendments to the City Code, to the Formal Council Meeting agenda on July 1, 2020." This complies with the Rules of Council Proceedings, Council Rule 2c, regarding placement of items on an agenda.

Since the three ordinances are G-ordinances amending the City Code, the CIty Code requires the items to be listed as separate items. Item 73 has been renumbered as Item 73.1, Ordinance G-6719, Right of Recall for Tourism and Hospitality Workers; Item 73.2, Ordinance G-6720, Supplemental Paid Sick Leave for Tourism and Hospitality Workers; and Item 73.3, Ordinance G-6721, Public Hygiene and Handwashing for Tourism and Hospitality Workers.

This item, Item 73.2, Ordinance G-6720, Supplemental Paid Sick Leave for Tourism and Hospitality Workers, amends the City Code by adding new sections to new Chapter 17, Business and Wage Regulation, to require the hospitality employers not already covered by the provisions for expanded paid sick leave under the Family First Coronavirus Response Act (FFCRA), to make available to each hospitality worker in its employ 80 hours of supplemental paid sick leave, with no accrual period required. The employee is eligible for the leave for the same reasons related to the coronavirus as provided in the FFCRA. The ordinance provides for reduction of the 80 hours and other exceptions for certain circumstances as described in the ordinance.

This item was withdrawn.

73.3 ADD-ON - Phoenix Healthy Tourism and Hospitality Measures - Public Hygiene and Handwashing for Tourism and Hospitality Workers (Ordinance G-6721)

Vice Mayor Betty Guardado and Councilmembers Laura Pastor and Carlos Garcia requested the City Manager place an item (**Attachment A**) to "add the three attached Phoenix Healthy Tourism and Hospitality

ordinances (**Attachment B**), which propose amendments to the City Code, to the Formal Council Meeting agenda on July 1, 2020." This complies with the Rules of Council Proceedings, Council Rule 2c, regarding placement of items on an agenda.

Since the three ordinances are G-ordinances amending the City Code, the City Code requires the items to be listed as separate items. Item 73 has been renumbered as Item 73.1, Ordinance G-6719, Right of Recall for Tourism and Hospitality Workers; Item 73.2, Ordinance G-6720, Supplemental Paid Sick Leave for Tourism and Hospitality Workers; and Item 73.3, Ordinance G-6721, Public Hygiene and Handwashing for Tourism and Hospitality Workers.

This item, Item 73.3, Ordinance G-6721, Public Hygiene and Handwashing for Tourism and Hospitality Workers, amends the City Code by adding sections to new Chapter 17, Business and Wage Regulations, requiring the City to establish a Public Hygiene Training Program and conduct a procurement process to select organizations that satisfy the requirements to administer the program and issue certificates to hospitality employees who successfully complete the training program and an examination. Hospitality employers cannot hire an individual for more than 120 days who does not present a valid certificate. The ordinance also requires that hospitality employers provide paid 15-minute breaks for hospitality workers for every four hours worked and establishes performance standards as provided in the attached ordinance.

This item was withdrawn.

74 ADD-ON - Laboratory COVID-19 Testing Services (Ordinance S-46848)

Request to authorize the City Manager, or his designee, to enter into an agreement with Family Tree Health, Inc., to provide on-site laboratory testing. Funding is available through the Coronavirus Aid Relief and Economic Security (CARES) Act, with an aggregate spend of $100,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Family Tree Health is offering to conduct sample collection and testing

services for the COVID-19 virus. This nonexclusive contract does not preclude the City from forming additional partnerships to deliver testing services. The initial proposed testing sites include Metrocenter Mall, El Reposo Park, and El Prado Park. Testing dates are being formalized for July 2020 and additional sites and dates may be added through mutual agreement of the parties.

Contract Term

This contract will begin on or about July 1, 2020. The initial contract term is for 90 days but may be extended 30 days beyond the last scheduled testing event with renewal at the direction of the Assistant City Manager, or his designee.

Financial Impact

This contract will have an aggregate spend of $100,000. Funding is available through the CARES Act. There is no impact to the General Fund.

Location

Metrocenter Mall, 9617 N. Metro Pkwy W.
El Reposo Park, 502 E. Alta Vista Road
El Prado Park, 6428 S. 19th Ave.
Council Districts: 1, 7 and 8

This item was adopted.

75 ADD-ON - COVID-19 Laboratory Testing for Summer Months (Ordinance S-46849)

Request to ratify contracts executed by the City Manager, or his designee, during the summer months of 2020 for additional COVID-19 citywide testing events open to the public with costs not to exceed $250,000. Further request additional funds of $70,000 be added to existing contracts with Equality Health Foundation, Sonora Quest Laboratories, LLC, and Equality Care Center to provide on-site testing events. Funding is available through the Coronavirus Relief and Economic Security Act, with an aggregate spend of $320,000. 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 City Council declared a local emergency due to the COVID-19 pandemic on March 20, 2020. Due to limited COVID-19 testing available to City residents, the City entered into partnership contracts to host testing events on May 23, 2020 at Steele Indian School Park, and June 20 and June 27, 2020 at Desert West Sports Complex. More than 1,000 participants attended the June 20, 2020 testing event and the June 27, 2020 testing event reached capacity several days in advance of the event, demonstrating a need for the City to offer additional testing events. The City can assist the public with summer testing by expanding existing partnerships and entering into new partnerships as needed to schedule additional COVID-19 testing events.

Contract Term
The agreements will begin upon execution and will continue until 30 days after the date of the testing events.

Financial Impact
Funding up to $320,000 will be provided through the City of Phoenix's Coronavirus Relief Fund. There is no impact to the General Fund.

Location
Steele Indian School Park, 300 E. Indian School Road
Desert West Sports Complex, 6602 W. Encanto Blvd.
Council Districts: 4 and 7

This item was adopted.

76 ADD-ON - Authorization for Issuance of Excise Tax Funded Obligations to Acquire and Improve Phoenix Fire Department Facilities and Equipment (Ordinance S-46850)

Request City Council adopt the ordinance for issuance of bonds previously authorized by the City Council on April 15, 2020 for funding the Fire Computer Aided Dispatch (Fire CAD) Upgrade Project and acquiring and improving Phoenix Fire Department facilities and equipment including a Records Management System (RMS). The principal amount of the bonds authorized by the City Council is $20 million.

Request an ordinance authorizing the City Manager to cause the issuance of obligations of or by a municipal property corporation, including execution and delivery of one or more ground leases, leases, purchase

agreements or financing agreements and the taking of any, and the taking of all actions necessary or appropriate to finance or reimburse a principal amount not exceeding $20 million of costs for acquiring and improving Phoenix Fire Department facilities and equipment plus related financing costs; authorizing a pledge if deemed appropriate, of excise taxes or other lawfully available funds; authorizing the execution and delivery of other appropriate agreements in connection therewith, including but not limited to any official statements and bond purchase agreements and certificates necessary or appropriate for the financing and associated financing costs; authorizing the City Manager to take any and all other necessary or desirable actions in connection with such bonds; and authorizing the City Controller to expend all necessary funds therefor.

Summary

On April 15, 2020 the City Council authorized the city to issue bonds as funding for the Fire CAD for the Phoenix Fire Department (PFD). However, due to a technical error related to the official record, staff is requesting City Council adopt the ordinance for the issuance of $20 million in Excise Tax Bond obligations. PFD currently relies on a NG CAD system that provides regional dispatch management for 26 jurisdictions and two private ambulance companies. When PFD acquired the NG CAD in 1994, they secured access to the source code, enabling the PFD to customize the application's functionality to meet the unique requirements of the PFD and its partner agencies (Fire CAD).

The Fire CAD system typically has a lifespan of 10 to 15 years, primarily due to technical and functional obsolescence. PFD has significantly elongated the current Fire CAD system's lifecycle by introducing continuous technical and functional enhancements. Nevertheless, the underlying application programming language (COBOL1) and operating system (OpenVMS2) are obsolete, precluding substantive technical and functional improvements.

To keep pace with the growing demand for services, PFD must upgrade the Fire CAD system in order to maintain service levels and meet response time standards established by the National Fire Protection Association. Additionally, acquisition of a modern Fire RMS to replace the existing Fire RMS implemented in 1994 will allow for the reconciliation of all PFD incident, equipment and management data.

This ordinance provides funding for the acquisition and improvement of both the Fire CAD and RMS systems.

Concurrence/Previous Council Action
The PFD Fire CAD and RMS projects were previously approved by City Council on April 15, 2020. Information for the Fire CAD and RMS projects is included on the April 15, 2020 Formal agenda.

This item was adopted.

Items 19-20, Ordinance S-46820 was a request to authorize the City Controller to disburse funds, up to amounts indicated, for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

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

To make payment of up to $370,000.00 in settlement of claim(s) in *Hernandez v. City of Phoenix*, 19-1015-001 GL PD, for the Finance Department pursuant to Phoenix City Code chapter 42.

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

Yes:	8 -	Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Guardado and Mayor Gallego
No:	0	
Absent:	1 -	Councilwoman Williams

20 Reid West Golf Academies, LLC

For $33,038.00 in additional payment authority for Contract 149668 for Golf instructions services for the Parks and Recreation Department, and to extend the contract term through Feb. 28, 2021. The additional funds are necessary to provide golf instruction services as part of the

recreational services offered by the Parks and Recreation Department to adult, youth, and children. The service will ensure there is a continuity of quality golf instruction services at all City-owned golf course locations.

NOTE: An electronic comment was submitted for the record in opposition of this item. Councilwoman Williams returned to the voting body.

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

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

No: 1 - Councilman Waring

25 Public Hearing on Adoption of Property Tax Levy for 2020-21 Fiscal Year

As required by State statute, request the City Council hold a public hearing prior to the adoption of a property tax levy for the City of Phoenix for 2020-21.

Concurrence/Previous Council Action

The proposed 2020-21 property tax levy reflects actions taken by the Council on the budget at the May 19, 2020 Policy meeting, at the June 8, 2020 Formal meeting to adopt the tentative 2020-21 budget, and at the June 17, 2020 Formal meeting to adopt the final 2020-21 budget. At the June 17, 2020 Formal meeting, a public hearing on the proposed primary property tax levy was held in accordance with statutory truth-in-taxation requirements.

Discussion

Mayor Gallego declared the public hearing open.

Justin McKay inquired if this property tax levy was similar to the ordinance from last year. He also wondered if the City Manager had the authority to decide the budget cuts and, if so, he questioned if other budget cuts had been investigated instead of raising taxes.

An electronic comment was submitted for the record in opposition of this item.

Mayor Gallego declared the public hearing closed.

The hearing was held.

26 Adoption of Property Tax Levy for 2020-21 Fiscal Year (Ordinance S-46825)

An ordinance levying separate amounts to be raised for primary and secondary property tax levies upon each one hundred dollars ($100.00) of the assessed valuation of the property subject to taxation within the City of Phoenix for the fiscal year ending June 30, 2021.

The ordinance (**Attachment A**) provides for a primary property tax rate resulting in a levy of $181,767,192 (a General Fund revenue source) equating to a rate of $1.3055 per $100 of assessed valuation, including $0.08 for maintenance of parks and playgrounds and $0.3055 for the operation and maintenance of libraries; and an estimated secondary property tax levy of $114,740,975 (used only for debt service) equating to a rate of $0.8241 per $100 of assessed valuation. The total rate of $2.1296 is unchanged from 2019-20.

Concurrence/Previous Council Action

The proposed 2020-21 property tax levy reflects actions taken by the Council on the budget at the May 19, 2020 Policy meeting, at the June 8, 2020 Formal meeting to adopt the tentative 2020-21 budget, and at the June 17, 2020 Formal meeting to adopt the final 2020-21 budget. At the June 17, 2020 Formal meeting, a public hearing on the proposed primary property tax levy was held in accordance with statutory truth-in-taxation requirements.

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

Yes:	7 -	Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	2 -	Councilman DiCiccio and Councilman Waring

27 Payment Ordinance For Summer Recess (Ordinance S-46840)

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

Summary

Request to authorize the City Controller to disburse funds, not to exceed $100,000 per vendor, per occurrence, arising or otherwise due and payable during the period commencing on July 1, 2020 through Aug. 25, 2020, for the purpose of continuing payment authority for expenditure of public money for payment of claims against the City of Phoenix for normal, recurring, business operating expenditures.

Discussion

Two electronic comments were submitted for the record, one in favor and one with no position.

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

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

No: 0

28 (CONTINUED FROM JUNE 24, 2020) - Request Authorization to Enter Into a Contract with Crisis Response Network, Inc. for a Web-Based Emergency Shelter Availability Portal Due to COVID-19 Pandemic (Ordinance S-46798)

Request authorization for the City Manager, or his designee, to enter into contract with Crisis Response Network, Inc. (CRN) to design, develop and maintain a web-based emergency shelter availability portal to identify up-to-date shelter accessibility within Maricopa County. The Phoenix Police Department will be the primary group to access the portal. The term of the contract will begin on or about June 9, 2020 through June 30, 2021, with the option to extend through Aug. 31, 2022. The aggregate amount will not exceed $200,000. Further request authorization for the City Controller to disburse all funds related to this item. One-time funding is provided through the U.S. Department of Housing and Urban Development Community Development Block Grant funding.

Summary

The City of Phoenix Human Services and Police departments have joined efforts to address the increase of homelessness due to the COVID-19 pandemic. Human Services has been tasked to secure a web-based portal to track available shelter for individuals and families experiencing homelessness due to COVID-19. CRN will design, develop and maintain a web-based portal to identify accurate and up-to-date emergency shelter availability (including general and emergency shelter, COVID-19 Person Under Investigation, Isolation, and Quarantine Beds) throughout Maricopa County. Accurate shelter availability will aid in the coordination of service for persons experiencing homelessness, prevent the spread of COVID-19, provide easier access to shelter for highly vulnerable populations at risk of death due to COVID-19, and provide necessary documentation for the City of Phoenix. The online emergency shelter availability portal also will allow for better coordination of shelter availability for those experiencing homelessness.

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. The City of Phoenix has or will obtain any and all necessary federal waivers to alleviate the need to comply with federal procurement guidelines.

Contract Term

The term of this contract will begin on or about June 9, 2020 through June 30, 2021, with one option to extend through Aug. 31, 2022. This contract may be extended based on continuous need and available funding, which may be exercised by the City Manager or designee.

Financial Impact

The aggregate value of this agreement shall not exceed $200,000. There is no impact to the General Fund. Funding will be provided with the U.S. Department of Housing and Urban Development, Community Development Block Grant funding.

Discussion

Mayor Gallego conveyed this item was a contract with the Crisis

Response Network for a web-based emergency shelter availability portal and was continued from the last Council meeting.

A motion was made by Vice Mayor Guardado, seconded by Councilman DiCiccio, to approve this item.

Councilmember Garcia stated that Council was being told this was a tool to support those in the city to do outreach to the unsheltered community, but the primary outreach group was the Phoenix Police Department. He expressed that was an issue for him as they should not be the primary group interacting with that community since not having a place to live was not a crime. He emphasized the harm was that the City had failed to build enough affordable housing to provide shelter beds. He said instead of investing into a system that criminalized people for failure of the institutions, he stressed the City should invest in an outreach system that assisted those better trained to care for these people, such as service providers, trained social workers and mental health workers. He wanted to know if there was a way to get a commitment that the Phoenix Police Department was not the primary group, so that people were not criminalized or targeted because of the system.

Human Services Director Marchelle Franklin replied the intent of this portal was to have a way for those who encountered homeless individuals to lead with services at their fingertips when these individuals expressed a desire to go into services. She stated another intention of this portal was to allow the City to track data that was currently not being tracked, such as if an individual wanted services and there was no available shelter bed because they had a pet. She conveyed the City did not have a way to track that type of data which would help staff make informed decisions and recommendations to Council. She remarked the Phoenix Police Department was focused on leading with services when they encountered homeless individuals, noting this would be designed for them as well as CPI, who the City contracted with to provide outreach when they encountered homeless individuals. She reiterated the intent of the portal was to ensure those encountering folks seeking services had information available to facilitate getting them into a shelter as well as provide data for staff to make more informed decisions in the future.

Councilmember Garcia asked if there was a way to get numbers before and after, specifically tickets for camping, to make sure this was not being used for criminalization.

Ms. Franklin responded the portal was not setup to track that type of information, but was designed to track whether an individual seeking shelter was provided that service or not and whether that service was available in a different part of the city from where they were located.

Councilmember Garcia inquired if the system could be used for the purpose of criminalizing people since the Police Department would have primary access to it.

Ms. Franklin replied the portal was not designed to criminalize individuals who experienced homelessness. She emphasized a person could behave in a way that resulted in some type of citation or arrest, but the intent was to allow the Police Department who were on the frontline and engaging with homeless individuals to lead with services. She reiterated this was not designed to be a tool that created enforcement on a homeless individual; however, if someone was trespassing or engaging in another illegal act, there could be some type of enforcement involved. She stressed the intent was to ensure those on the frontline had the ability to quickly ascertain what services were available and facilitate getting individuals into those services.

Councilmember Garcia stated his concern related to the camping citation, so he wanted to make sure citations for camping would not go up.

Councilman Nowakowski thanked Mayor Gallego for her leadership on the homeless plan that started back in March and would hopefully be approved by September. He said one of the key elements of that plan was a team of navigators to help homeless individuals with services. He indicated most calls that involved police officers came from phone calls to the Police Department, noting he confirmed with the police chief that officers were not driving around looking for individuals who were camping. He expressed the City had one of the best plans in the country which would lead through services and provide help. He stated this portal was a tool so when the Police Department received a call about

somebody trespassing or camping on private property, police officers could look up and find availability. He added many homeless individuals had pets which most shelters did not allow, so the portal would show which shelters permitted pets. He added some individuals had a lot of belongings, so staff was looking at different ways to store things. He indicated he would be supporting this as it was a tool for police officers to find shelter for individuals that needed help. He mentioned the City opened the convention center so people had a place to cool down and get the services they needed from sun up to sundown. He thanked Mayor Gallego, his colleagues and Ms. Franklin for her leadership on this matter and reiterated he hoped this plan passed in September.

Mayor Gallego stated she also looked forward to passing this plan in September and expressed her gratitude to staff that worked hard to develop it and continue working to make it better. She announced there were a large number of individuals who wished to comment on this item.

Sophia Elicia noted that people across the country were calling for social services rather than militarized response force. She wondered what would happen if someone refused to go to another part of the city because they had no connection to anyone in that area, noting no one wanted to be displaced.

Madison Stratford stated she agreed the homeless could benefit from a database, but she did not believe that police should have primary involvement and should be in the care of trained social workers. She urged Council to revisit the motion and put more money towards social services for professionally trained social service responders who had a background in mental health. She also requested an alternate phone line for people to call instead of calling the police with encampment issues.

Sarai Richter commented she lived in District 8 and asked that Council oppose Item 28, noting the City should be de-funding police, not giving them more tools to further criminalize homelessness. She urged Council to vote no and stressed leading through services meant making sure social workers and mental health specialists were on the frontline, not police officers.

Damon White stated the plan did not address the community's needs and would fail as it did not take into account the true understanding of what the situation was like on the ground. He asked that Council reconsider this proposal and implement a comprehensive plan that included input from people already providing services.

Elizabeth Venable stated the City should have included the voices of service providers and homeless people to determine if these services were effective in changing anything. She expressed it was inappropriate for police officers to have primary control of the portal, but she liked the decision to store as opposed to trash the possessions of homeless people. She conveyed the law said the City had to have appropriate shelter and that it had to be appropriate to the person, so just because a bed was available in another city did not mean it was appropriate.

Leah Terry said she was a Phoenix resident and was opposed to this contract. She indicated she had volunteered at Andre House for several years, noting this plan was written without the consideration of providers such as Andre House.

Biplove Baral expressed he thought it would be beneficial to everyone if service providers actually provided these services, not the Phoenix Police Department.

Yael Grauer urged Council to vote no on this item as she thought police had a conflict of interest and should not have access to this database. She stated social workers who were equipped to deal with unsheltered people and their unique needs were more appropriate to share information on options. She agreed the portal was a great idea and should be fully funded, but without Police Department access.

Joseph Mannarelli mentioned staff said this portal will demonstrate the needs in the community but a bed inventory report could show what was already known, that there was not enough capacity.

Maxana Goettl remarked while a web-based shelter availability portal sounded helpful, she opposed the Phoenix Police Department as the primary group accessing the portal. She demanded an immediate vote to

increase shelter beds, a portal without police access and only certified trauma-informed care workers assigned to calls for homelessness. She called on the Council to vote no on this item.

Rebekah Young stated she lived in District 4 and asked that Council oppose this motion. She agreed the database portal was a great tool to help access available beds and resources; however, police should not be part of it as they had motive to ticket, fine and arrest homeless people. She urged Council to vote to get more shelter beds as that was not a new issue.

Sarah Yoon expressed concern about the portal and allowing police to be the primary access. She suggested that Council increase the number of shelter beds and implement other productive solutions for preventing homelessness, such as building affordable housing and increasing mental trauma and physical health services.

Fadiyla Mance stated she lived in District 6 and was concerned this was being pushed through when there were not enough beds. She agreed this was a great idea, but it should go to trained professionals while the department focused on fixing their internal issues and not give officers another database to criminalize people.

Maisal Goe expressed people were concerned that this tool would be used in a way to harm the population the City said it served. She conveyed the City could help the homeless population by increasing shelter beds and having shelters accept pets. She stressed the City should invest dollars in something that would make an impact to the community, noting she opposed this measure as written. She urged Council to do something that would be helpful to the people and to listen to the community.

Karen Olson encouraged the Council to vote no for this portal as access to it would be in the hands of police.

Justin McKay stated he supported this as it was a better use of funds versus creating a new department of social workers. He expressed it was important for police to know where to bring homeless people and

suggested the portal be shared with all of the homeless shelters.

Claire Nelson indicated she lived in District 7 just a couple miles away from the homeless services campus. She stressed Council should approve more shelter beds and not create a database that would further criminalize people.

Ash Uss said she saw value in the need for better information about shelter availability and saw a huge benefit if providers had that information.

An unidentified man spoke on behalf of Mel Harmann, stating that she said she was glad this initiative was moving forward and that Council was looking at ways to combat homelessness. She agreed that police needed to be part of the help, but social workers should be included as well.

Tyler Rosensteel, director of the homeless management information system at Crisis Response Network, stated he was supportive of this project for three reasons. First, he conveyed while they had concerns about police use of the portal the agencies agreed this information would be useful since they currently had to call shelters one at a time. He emphasized it was incorrect to say that only police would use this portal as shelters, street outreach workers and service providers would also use it. He indicated the portal was designed to streamline the process and allow everyone to access the information in one consolidated place. He said it would also allow staff to track impediments to a person seeking shelter, such as geography, religious preference, belongings, pets, disability, et cetera.

Secondly, Mr. Rosensteel said the data for shelter availability was currently collected once a year whereas this project would make it a daily update, noting the last data collected was in January 2020. Lastly, infrastructure was essential to improve the homeless system and to form a regional approach to homelessness. He mentioned the concerns about police interactions with homeless people exist with or without this portal and should be addressed with a comprehensive plan, noting data from this portal could help.

Camille Johnson stated she was a resident in District 7 and urged Council to vote no on this proposal as it stands. She stressed social workers and mental health counselors were needed to handle the task of interacting and finding beds for the unsheltered.

Joseph Fabian expressed having people whose primary training was responding to threats as the primary responders to situations dealing with the homeless was an inefficient way to solve a problem.

Anesia Groves stated only trauma-informed social workers, counselors, other behavioral health providers and any other community supports requested by those impacted should be responding to homeless people's needs.

Corey Caulkins stated he lived in District 4 and agreed the portal could be a useful tool, but requested Council revisit the proposal and make sure the only people that had access to the portal were trained care workers and service providers.

Elena Pierson stressed the Phoenix Police Department should not have access to this database as it would create an environment of trauma for unsheltered individuals.

Mayor Gallego asked if Councilmembers had comments.

Councilwoman Pastor requested clarification that the provider outreach teams would have access to this portal and that her understanding was that the intent was to get information to the teams working with the homeless population to find them services and beds.

Ms. Franklin responded that was correct.

Councilwoman Pastor remarked she agreed with the pros and cons of statements made that police were not equipped in the sense of behavioral and mental health to interact with the homeless population and get the resources that were needed and that it should be the outreach teams. However, she conveyed police were called to businesses and

residences due to trespassing and were there to assess the situation. She asked if the purpose of this portal was to gather options and tools to get them the needed resources.

Ms. Franklin replied yes, that was the intention of the portal.

Councilwoman Pastor reiterated she wanted staff to work with the community and providers on having ownership over the portal besides the city and work with the police to assist in the behavioral health and mental piece when in contact with a homeless person.

Ms. Franklin replied that was correct as the intention was always to create the portal from a pilot perspective to determine what did and did not work in terms of the data that would go into it and how the data would be used as well as allow other entities to access it. She conveyed the intent was to make sure the city worked with its partners moving forward.

Councilwoman Pastor asked how many teams were on the ground.

Ms. Franklin responded the city currently had nine teams.

Mayor Gallego announced 170 comments were received on this item, noting 165 of them were opposed. Also, one electronic comment was submitted in support, 2 electronic comments were submitted with a neutral position and 2 electronic comments were submitted with no position on this item.

Prior to his vote, Councilmember Garcia stated process mattered and this 34-page plan came forward without community input or the ability of Council to establish values or a long-term strategy. He pointed out the amount of comments and people that spoke showed where the community was at, so Council needed to figure this out. He expressed it was not realistic for police to act like Uber drivers and give people rides to shelters. He agreed that police having access to this was not logical and he encouraged everyone to stay engaged as this homeless plan moved forward to make sure it was a housing plan first and did not criminalize people. He said he wanted to find solutions and support these folks as well as working class people because due to COVID there could

be an influx of people on the streets. He stated he wanted the public and Council to understand this issue would only grow and if it was handled with enforcement these same problems would also grow. He remarked he would be voting no on this because he was not confident in police obtaining this information.

Prior to his vote, Councilman Nowakowski stated he would be supporting this and was thankful to know other people would use this portal, such as service providers and firefighters. He noted what lacked in this conversation were the neighborhoods around these communities that were being affected, so he thought this conversation should continue to look for a holistic approach and encourage other cities and the state to participate. He conveyed the City was investing $26 million for the homeless with one of the best plans and reiterated the city needed to encourage other cities to participate and come up with their own plans. He added he wanted to continue working with MAG to make that happen. He said he understood that Andre House wanted more beds; however, he thought it needed to be a regional approach and not have all the beds in downtown Phoenix but have services and providers in the area where the homeless were living.

Prior to her vote, Councilwoman Pastor stated she appreciated Councilmember Garcia's point and the fact that the city was trying to create an option to put resources in the hands of those on the ground. She remarked she understood the dynamics with the police and agreed with Councilmember Garcia that police should not transport people to shelters and centers as that should be the responsibility of teams on the ground. She expressed if more teams were needed then that should be looked at. She stated she would be voting yes.

Prior to her vote, Vice Mayor Guardado stated she understood the intent and appreciated all the comments from everyone that expressed concern. She remarked she did not think Council had vetted the consequences of this and would be voting no.

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

Yes: 7 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams and Mayor Gallego

No: 2 - Councilmember Garcia and Vice Mayor Guardado

29 **Arts and Culture Coronavirus Relief Program - Organizational Support Phase II (Ordinance S-46844)**

Request authorization for the City Manager, or his designee, to enter into grant agreements with nonprofit arts and culture organizations throughout the city of Phoenix. Further authorize the City Controller to disburse the funds for purposes of this ordinance. The total value of the agreements will not exceed $1,885,000. There is no impact to the General Fund.

Summary

The federal government allocated $293 million to the City of Phoenix in the Coronavirus Relief Fund component of Section 5001 of the CARES Act. During its May 12, 2020 meeting, the City Council approved allocating $2.6 million for an Arts and Culture Coronavirus Relief Program. Of that $2.6 million, $1,885,000 was designated for grants to nonprofit arts and culture organizations negatively impacted financially because of the global health emergency.

Organizations that completed a FY 2021 Community Arts Grant application and were recommended for support by the Phoenix Arts and Culture Commission would be immediately eligible to apply for emergency relief funding and received a simple, supplemental application to complete. Nonprofit arts and cultural organizations that did not apply for a FY 2021 community arts grants can be considered for emergency relief funding on a case-by-case basis and needed to complete a Community Arts Grants application and submit the supplemental relief form. If recommended by the committee then these organizations would be eligible for emergency relief funding only and not a FY 2021 grant; however, they could apply for a FY 2022 Community Arts Grant next spring.

Award amounts are based on the Community Arts Grant category the applicants originally applied for in FY 2021 funding. The Community Arts Grant Program has two categories that nonprofit arts and culture

organizations can apply for annually. One is for operating support to organizations with budgets greater than $25,000. The second category is project support that funds arts and cultural projects by smaller organizations across the City of Phoenix. Eligible organizations that applied for operating support were eligible for the maximum Coronavirus Relief Grant award per their budget size. Eligible organizations that applied for a project support were eligible to apply for a minimum award. If an organization was recommended for both an operating support and project grant, the organization could only apply for one relief grant, which would be based on the organization's budget size.

Out of the 72 organizations recommended for FY 2021 Community Arts Grants support, 61 applied, and seven new organizations that did not apply for FY 2021 submitted applications. Organizations and award amounts are listed on **Attachment A**.

Concurrence/Previous Council Action

The Mayor and Council discussed and approved the plan to implement the full $2.6 million Arts and Culture Coronavirus Relief Program at their Policy Session on May 12, 2020 by a 6-2 vote. The Phoenix Arts and Culture Commission reviewed and approved the Arts and Culture Coronavirus Relief Program for Organizations applications and allocation recommendations at its meeting on June 16, 2020.

Discussion

Mayor Gallego stated this was an exciting item that included support for arts and culture institutions that had sacrificed to help the city fight the Coronavirus. She expressed she looked forward to supporting this item and thanked the Arts and Culture Commission as well as staff for getting a great group of applicants.

A motion was made and seconded to approve this item.

Justin McKay said he supported this item, but he wanted clarification on if there was a way to account for how these funds were used after the money was released to these different organizations.

Mayor Gallego replied these were federal dollars that had significant ability for audit and accounting.

An electronic comment was submitted for the record in opposition of this item.

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

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

No: 2 - Councilman DiCiccio and Councilman Waring

30 Emergency Declaration - Outdoor Dining and Alcohol Consumption Measures

Request the City Council adopt an emergency declaration under the declared local emergency to establish temporary guidelines for outdoor dining/alcohol consumption and commercial signs as described in the memo dated June 23, 2020, from the Planning and Development Director. By this declaration, the City of Phoenix would be providing relief regarding certain requirements associated with outdoor dining and commercial signs in an effort to support the vitality of the local business community through the unprecedented challenges triggered by the COVID-19 pandemic.

Summary

The guidelines create a process for restaurants to establish a new or expand an existing outdoor dining area and alcohol consumption without a use-permit hearing if the restaurant operator secures an Administrative Temporary Use Permit (ATUP) at no cost to the applicant. The ATUP submittal requires the applicant to meet certain criteria to qualify, demonstrate how applicable Zoning Ordinance and other applicable codes can still be met, such as Americans with Disabilities Act access requirements and fire lanes access for emergency vehicles. In addition, the applicant must operate the patio area pursuant to the stipulation attached to the ATUP and that the temporary approval may be revoked if an applicant does not comply with the requirements.

The guidelines also reinforce what has been implemented related to

temporary signs for businesses since the City Council's Declaration of a Local Emergency The guidelines outline requirements for temporary signs that can be secured without a permit for commercial properties during the period of the local emergency.

Additional details regarding the guidelines are outlined in **Attachment A** - Planning and Development Director Memo Dated June 23, 2020.

Discussion

Councilman DiCiccio thanked Alan Stephenson and Kini Knudson for doing an amazing job on this. He stated this was a type of deregulation, though not completely, that worked within this horrible disease everyone was dealing with.

Mayor Gallego wished to recognize Councilwoman Stark who early on convened with restaurant owners and stakeholders, noting this was one of the ideas they put forward.

Councilwoman Stark admitted she was pushed a little bit by Councilman DiCiccio and thanked him.

Councilman DiCiccio thanked Councilwoman Stark for everything her and the others worked on and expressed it was amazing how fast and good everyone could work when there was a crisis.

An electronic comment was submitted for the record in support of this item.

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

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

No: 0

31 Emergency Declaration - Temporary Revocable Permit within the Right-of-Way

Request the City Council adopt an emergency declaration under the declared local emergency to establish a temporary revocable permit within the right-of-way as described in the Local Emergency Temporary Revocable Permit memo dated July 1, 2020 from the Street Transportation Director. By this declaration, the City of Phoenix is providing relief regarding certain requirements associated with outdoor dining and parking in an effort to support the vitality of the local business community through the unprecedented challenges triggered by the COVID-19 pandemic. The emergency declaration to establish the Local Emergency Temporary Revocable Permit program includes a waiver of fees typically collected pursuant to Phoenix City Code sections 31-81.A, 31-81.C, and 36-31.2.A for private use of public rights-of-way.

Summary

The permit guidelines create a process for restaurants to secure a Local Emergency Temporary Revocable Permit with no fees to establish a new or expand an existing outdoor dining area during the period of the local emergency. The Local Emergency Temporary Revocable Permit submittal requires the applicant to demonstrate how certain site safety measures will be met including protection of Americans with Disabilities Act facilities and fire lanes.

Additional details regarding the guidelines are outlined in **Attachment A** - Local Emergency Temporary Revocable Permit memo dated July 1, 2020 and **Attachment B** - Local Emergency Temporary Revocable Permit.

Discussion

Following the vote, Mayor Gallego expressed this was a great example of the City working with its partners to make things a little easier during very difficult times.

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, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

No: 0

32 Phoenix Sky Harbor International Airport Concessionaire Financial Relief (Ordinance S-46836)

Request to authorize the City Manager, or his designee, to amend multiple Phoenix Sky Harbor International Airport (PHX) concession leases to continue to provide temporary financial relief to concessionaires by charging percent rent only in lieu of Minimum Annual Guarantees (MAG) from July 1, 2020 through Sept. 30, 2020. This financial relief will be provided to all food and beverage, retail, terminal advertising, valet, and passenger amenity concessions at PHX.

Summary

The Aviation Director has reviewed the local market conditions due to the COVID-19 national pandemic. Airline passenger travel continues to be down by about 75 percent at PHX compared to the same period last year. In direct correlation to the reduced passenger activity, concession sales have plummeted for PHX's concessions. Due to the pandemic, 72 percent of the outlets in Terminal 3 and 78 percent of the outlets in Terminal 4 are closed. As a result, established rents are still 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, work with Community Economic Development on other relief and employment opportunities, submission of weekly sales reports, and 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 to stay 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 of the concessionaires does not threaten PHX's financial viability, the Aviation Director has concluded that providing continued temporary financial relief to concessionaires by charging percent rent only in lieu of MAG from July 1, 2020 through Sept. 30, 2020 is warranted.

The concession leases that will be amended to allow for temporary financial relief are lease numbers 116300, 116653, 127576, 131410, 132907, 133475, 135006, 143718, 143719, 143866, 143867, 143910, 144047, 144322, 144323, 144324, 145872, 145873, 145977, 146077, 146163, 146458, 146459, 146614, 146676, 147232, 147258, 147279, 147350, 147461, 147735, 150683, and 152010.

Contract Term
Financial relief to allow percent rent only in lieu of MAG will occur beginning July 1, 2020 through Sept. 30, 2020.

Terminal 3 concessionaires will continue to pay percent rent through Sept. 30, 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 July 1, 2020 through Sept. 30, 2020.

Concurrence/Previous Council Action
Temporary financial relief for concessionaires was approved by the Phoenix City Council on June 8, 2020 for the period of April 1, 2020 through June 30, 2020, by a vote of 6-3.

Location
Phoenix Sky Harbor International Airport
Council District: 8

Responsible Department

Discussion

Councilwoman Williams noted the financial relief expired today and the increase in traffic was very slow to happen. She mentioned people were still out of business and unable to recall many workers.

A motion was made by Councilwoman Williams, seconded by Councilwoman Stark, to approve this item and extend the percentage rate to Dec. 31, 2020.

Councilmember Garcia wanted to do a substitute motion that the City maintain the 90 days. He stated there would be a presentation from folks, particularly from HMSHost, noting a lot of improvements had been made in taking care of workers. However, he conveyed it was responsible for the City to continue seeing this every 90 days.

A substitute motion was made by Councilmember Garcia, seconded by Councilwoman Pastor, to approve this item and maintain the 90-day time frame.

Councilwoman Williams indicated she did not include that in her motion, but she expected Jim Bennett to report back to Council by the end of October if there was significant improvement. She pointed out this could be brought back to reconsider, so she would not support the substitute motion.

Councilman DiCiccio expressed he would not be voting for either motion because he did not want to vote for a giveaway to these two multi-national billion-dollar companies. However, he agreed with Councilmember Garcia that evaluations had to occur on a regular basis and remarked it would be a financial error for the City not to follow through on Councilmember Garcia's idea. Councilman DiCiccio asked what the value of this was.

Aviation Services Director Jim Bennett replied a 90-day estimate was a waiver of about $7 million in minimum guarantees. He continued if it were extended through the end of the year, the estimate was approximately $13.8 million in waivers and minimum guarantees.

Councilman DiCiccio inquired what the last amount was as he recalled it

was $7 million.

Mr. Bennett responded it was closer to about $7.5 million and noted as traffic builds and sales increase the value of the waiver decreased.

Councilman DiCiccio stated for both the one that just passed and this item were about $20 million if it went through December.

Mr. Bennett replied that was a good rough estimate in terms of waivers and minimum guarantees. He added the accounting would be predicated on what the gross sales were and how that percentage was catching up to the minimum guarantee.

Councilman DiCiccio expressed these were two multi-national billion-dollar companies that would be getting a $20 million giveaway which he thought was fiscally irresponsible. He remarked the City should support small business owners and not these two big companies.

Councilwoman Stark asked if the airport received C.A.R.E.S. money.

Mr. Bennett replied the airport received approximately $148 million in C.A.R.E.S. funding.

Councilwoman Stark inquired how that was being spent.

Mr. Bennett responded the C.A.R.E.S. funding that the airport received could only be spent on items the airport was federally allowed to spend its revenues on which would be the operation and maintenance of the airport facilities as well as debt service and other obligations. He advised the airport was not authorized to give that money to individual businesses.

Councilwoman Pastor recalled previously they wanted to extend this authority and the Council agreed there should be relief, but it should come back every 90 days. She expressed she was disheartened that Council was at the same spot regarding length. She stated she wanted to keep to what was already approved as she thought 90 days was a good process. She said she knew it put stress on the director, but Council needed to be responsible.

Councilwoman Williams remarked she respected Councilman DiCiccio's comments, but she was more concerned about the 20-plus small businesses that were struggling and she did not want to lose them. She stated it was important to look at this in 90 days, noting Council could revote on it, but she stressed it was important to give them some stabilization so businesses could make plans to softly reopen. She remarked that Council needed to be aware of the financial responsibility it had to small businesses.

Councilmember Garcia wondered if the MAG reset at the end of the year would be based on this year's rent which was basically nothing.

Mr. Bennett replied the minimum annual guarantees under the terms of these contracts was predicated on 85 percent of the prior year's gross sales. He explained if a business had a bad year, the minimum guarantee would not go lower than what was established in the contract for the first year.

Councilmember Garcia asked what year it was for these contracts.

Mr. Bennett responded each of the contracts had different times. He noted the food and beverage contracts in Terminal 4 were back in 2012 or 2013. He continued the concessions in Terminal 3 were just in the past year and the retail concessions in Terminal 4 were done within the last five years. He reiterated each of the contracts had different terms as to when they started.

Nick Wood stated he represented HMSHost and indicated when they asked for this additional 90-day extension they reflected on what was asked of them when they came the first time. He recalled that Council shared legitimate concerns about the health, safety and welfare of not only the employees but passengers as the airport was like an incubator with people who came and went from all over the world. He remarked he shared with Council a 39-page program that included the health, safety and welfare program for operations, training and bringing employees back. He noted once that was done, several things would be incorporated, such as they were asked to consider a 15-minute paid

break every four hours. He indicated that was a problem as every employee's job was different, so his client was going to trust employees to take a break during the daytime from the mask and gloves when they needed it and would not get penalized for it. He added the same would happen if someone contracted COVID, his client would give them sick pay for 80 hours as they were required to stay away from the job site for at least 14 days to recover.

Kellen Wilson requested that Council oppose this item for the rent relief of airport concessionaires. She expressed employees had called in to every meeting since March to describe the situation at the airport and she did not think Council found value in hearing from them as they were not considered stakeholders in decisions that directly impacted themselves and passengers. She stated since March hundreds of airport employees and their families had gone to food banks and over 600 people applied for unemployment benefits, noting about 200 employees at HMSHost lost their insurance in June. She stated employees understood their inherent value and would continue to fight for what they deserved.

Lieryn Jacobs, a regional human resource business partner for SSP America, said she had met several Councilmembers in her role at SSP as well as her position as president of the Board of Directors for St. Joseph's The Worker. She thanked the Council for their continued diligence representing the interest of their community. She conveyed SSP America was starting to make calls to reinstate some employees, noting she had called over 230 associates the past week to fill schedules and many were eager to return to work and SSP was excited to have them back. She stated the SSP America team started conducting training sessions with managers and employees yesterday and into today. She stressed the team was dedicated to health and safety and was willing to provide details of that training if Council had questions. She said SSP America requested Council's consideration to grant them additional MAG relief through September 30.

Councilwoman Williams asked how SSP would handle breaks during regular hours of work.

Ms. Jacobs replied the SSP America standard procedure in Phoenix was

to offer 15-minute paid breaks every four hours. She indicated if an employee needed to take a break to wash their hands or from their mask they could take the time needed as SSP was open and comfortable with that.

Councilwoman Pastor expressed this was the first time she heard from SSP as no one from that area had reached out to her office.

Councilman Nowakowski asked if employees were being terminated because they did not want to go back to work due to fear that the COVID-19 virus was at the airport and they might catch it and bring it home to a loved one.

Ms. Jacobs responded their process for the beginning of reinstatement was to follow all legal requirements as well as the collective bargaining agreement with Unite Here. She conveyed they were very flexible, especially in this first round to honor the wishes of associates that were not interested in returning at this time, noting there had been no adverse actions taken against anyone who was uncomfortable in returning. She said she had made over 230 calls to get the staff and SSP would continue to be flexible for as long as they could.

Councilman Nowakowski wanted to know what the process was so that workers felt safe in their workplaces and safety precautions to make sure passengers eating at facilities were protected. He also inquired if there were classes to train people on health and safety.

Ms. Jacobs replied SSP America had been putting together their training strategy for safety and health for some time, noting they began facilitating a "train the trainer" meeting. She conveyed all managers and supervisors were educated on how to roll out that training to their team members as they return to the workplace. She explained the training would include a better explanation of what COVID-19 was, the symptoms associated with it as well as what SSP would be doing for self-check questionnaires and temp checks before employees reported for duty. She added they would review proper hand washing as well as implement cleaning and sanitation procedures as outlined in CDC guidelines and teach staff interactively by having them make their own sanitizer buckets and spray bottles and test

those materials with chemical testing strips.

Councilman Nowakowski said he met with some of the Unite Here workers for SSP and another concern of theirs was regarding health insurance. He asked if they had to wait 30 days or a period of time to get health insurance or did it immediately kick in once they started working.

Ms. Jacobs responded that the associates returning now remained active on their plans. However, she could not speak to Unite Here Health as they had not received updated information about how it would be handled after July 31. She emphasized that SSP America's plan was to not have a waiting period.

Meschelle Hornstein said she had worked for SSP America for over five-and-a-half years. She noted these companies said they paid for the health insurance which was inaccurate as they only paid for employees that were working and meeting hours requirements, so it did not apply to those at Sky Harbor Airport. She claimed SSP only respected its core values when it was convenient for them and were able to do so because the Council continued to fund them while ignoring the employees who were in financial ruins.

Vice Mayor Guardado asked Ms. Hornstein if she had vacation time or time off from the company available if she caught the virus upon returning to work.

Ms. Hornstein replied employees were front-loaded with paid time off at the beginning of the year which they were not allowed to use during this time. She said there was no guarantee of extra time if they did get sick, so she would have to use her PTO in order to take more time off.

Vice Mayor Guardado inquired how many breaks was she allowed to take prior to this pandemic; for instance, how many times was she able to wash her hands.

Ms. Hornstein responded according to the standard procedures, employees received one unpaid 30-minute break and two paid 15-minute breaks.

Vice Mayor Guardado wondered, given the staff situation and new regulations that employees can take a 15-minute break when it was needed, how likely would it be that she could take a break once she was back at work and what the consequences would be if she broke any of the new implemented rules.

Ms. Hornstein replied SSP was usually under-staffed, so she said she could try and go wash her hands as much as needed but she would lose money because there was no one to cover her section. She stated she would be forced to choose between keeping things good on the floor or keeping herself safe. She expressed their track record with health and safety was not good.

Vice Mayor Guardado thanked Ms. Hornstein for the clarification.

Nora Felix stated she worked for HMSHost at Phoenix Sky Harbor Airport. She said she opposed rent relief for airport companies since they were saving money by cutting employee health insurance and reducing hours.

Mayor Gallego requested Ms. Jacobs come back on the phone as Councilman DiCiccio had questions.

Councilman DiCiccio wanted to know why SSP did not contact the Council until today.

Ms. Jacobs replied she was unable to answer as far as operational and business, but could answer questions related to employees. She said she would try and get Mr. Welding to respond.

Councilman DiCiccio stated he had requested that SSP show their profits in the last five years at the airport and asked if she would submit that information.

Ms. Jacobs responded she did not have access to that information as she was in the Human Resource Department and was on the line to answer questions regarding employee returns and safety. She conveyed the information could be provided by business development vice

president Scott Welding.

Vice Mayor Guardado stated she did not think this was a transparent process and wanted the P&Ls to see how much profit was coming into this company. She conveyed she had not heard from SSP or most of these companies in terms of why they needed this rent relief. She recalled Mr. Bennett had asked for these numbers when this pandemic started and was denied that information, so she thought this was not right when these companies were not being transparent.

Mayor Gallego stated at the last Council meeting several people came back on the line to answer councilmember questions. She remarked she was trying to be responsive to Councilman DiCiccio's request for answers, but she continued with public testimony.

Bruce Mosby provided an update since he last spoke to Council. He conveyed he had reopened two of his Peet's Coffee's in Terminal 4 and was able to bring back 10 employees. He stated he was moving forward carefully based on the changing conditions of COVID and the fact that travel and sales at the airport were still more than 65 percent down, so he was operating at a loss. He added as more concessions opened over the coming weeks they would all split a much smaller amount of business. He remarked he was attempting to stay open so he would not have to furlough current employees as he hoped to increase his employee count as passenger loads continued to increase. He requested on behalf of himself and other small businesses that Council continue with the percent of sales rent structure and vote yes on this item.

Jason Silberschlag stated he was co-owner of Cartel Coffee Lab with his wife, noting they had additional locations in the city of Phoenix and other parts of Arizona. He expressed as a small business they were not asking for a free ride, but for their minimum to be reduced so they can operate their business with smaller amounts of traffic. He indicated they only started the reopening process at their Sky Harbor location and hoped to be open by the end of the month. He said with his business only seeing 35 percent of its original traffic throughout the state it was hard to keep his doors open. He asked that Council give them an additional 90 days at a minimum to help his business get through these trying times.

Gonzalo Delamelena thanked Council for their ongoing support for all of the airport concession businesses. He indicated he was a small business owner and joint venture partner at Sky Harbor Airport. He emphasized that Sky Harbor had more than 35 percent small, local, women and minority owned businesses which was a direct result of Council's input in 2012 when the airport was transformed. He stated the uptick in COVID cases in the region put a damper on the recovery and threatened the status of Phoenix as a tourist destination as well as the livelihood of everyone who worked at Sky Harbor Airport. He stressed the airport would be in a COVID operating environment for an extended period of time, noting travel industry experts expected recovery of air travel to take at least three years to get back to 2019 levels. He emphasized concessionaires were not asking for a free ride, but for continued payment of percent rent from 13 to 16 percent of gross sales. He added concessionaires were working diligently to bring employees back to a safe and healthy workplace despite significant losses.

Councilmember Garcia wanted to know how Mr. Delamelena's relationship worked when he paid rent. Councilmember Garcia also asked if Mr. Delamelena had his own policies as a small business with his employees or if an overall policy was implemented at each small business with their employees.

Mr. Delamelena replied he paid rent on the same structure that the other 100-plus shops paid monthly. He stated as it relates to policy he had his own handbook, but best practices were regularly shared from many of the primes which acted as mentors to the proteges like his business. He pointed out at Sky Harbor there were 120 businesses and HMSHost, SSP and others acted as the organizer to help coordinate all the small businesses and shared their best practices in order to succeed.

Councilmember Garcia inquired if other businesses allowed an employee to ask for a break if Mr. Delamelena had to do the same. He wondered if their policy superseded Mr. Delamelena's policy as a small business.

Mr. Delamelena responded he would call it consultation as best practices emerged. He added last week he got the full how-to guide and training on

safety protocols from the CDC to ensure the health and safety of employees and customers. He said those best practices were shared and he implemented them.

Councilmember Garcia expressed he understood the connection Mr. Delamelena had with his employees, but he wondered how that transferred over. Councilmember Garcia recalled that Mr. Delamelena stated his employees were like family; however, there was a prime that held the power and made more decisions.

Councilman Nowakowski asked if Mr. Delamelena had to pay two types of rent, one for MAG and another a portion to the City, or if it was just one big rent that was paid to Host.

Mr. Delamelena replied it was one in the same, noting MAG was a pass-through with no mark-up or margin. He stated he paid rent through Host who paid the big check at the beginning of every month. He explained MAG was set at 85 percent of the previous year's volume, so when a business lost 80 percent-plus traffic that MAG was high. He said they were asking for continual payment of percent rent which was 13 to 16 percent of gross sales. He noted that was fair market value of the real estate and still 2 to 3 times more than what people paid on the street.

Councilman Nowakowski recalled the City had asked that restaurants and bars remodel their facilities. He questioned if that was something Host or SSP picked up or if Mr. Delamelena as an individual minority owner had to pick that up or get a loan.

Mr. Delamelena responded each individual owner had to pay for the remodel. He stated the price to develop inside the airport was between $500-$1,000 per square foot which was 3 to 4 times greater that what was on the street. He conveyed at the half-year mark of last year they had to put in another $100 per square foot. He said they were all sitting on top of refresh and remodels that were completed at the end of last year, and added he had to take out a second loan to do it. He stated for the most part lenders were working with them, noting PCDIC played a critical role in an innovative financing program to finance many of the small businesses at Sky Harbor. He indicated PCDIC and the other lending

bank were helping by deferring loans until they could get back up in business.

Councilman Nowakowski expressed he wanted that clarification because he thought people believed that Host and SSP were responsible for those remodels when it was the mom-and-pop businesses who took out secondary loans that had to be paid back.

Councilmember Garcia asked if Mr. Delamelena paid 13 percent of his sales to the prime or if the prime held everyone's sales and then each business got a percentage of that pot.

Mr. Delamelena replied each location paid its pro rata percentage of sales. He pointed out the reason for the range of 13 to 16 percent was the lower number was for food while the higher number was for alcoholic beverages. He said each location paid its percent rent up through the prime to the City based on its own sales and space.

Councilmember Garcia wanted clarification if it was Mr. Delamelena's own sales and not the cumulative sales of everyone under the prime.

Mr. Delamelena responded it was his own sales on his taco shop.

Joya Kizer Clarke, President and CEO of Casa Unlimited Enterprises, expressed she was one of up to two dozen Brown, Black, Asian, women, small, local businesses that made up the complex business sector at the airport. She conveyed minimum annual guaranteed rent was one of their largest expenses and asked that Council allow them to continue paying percentage rent which is where both her and the City shared whatever revenue was available. She pointed out her stores were not open yet because passenger levels did not currently support a successful reopening. She remarked this was not a bail-out as they were only asking to remove a rent system that was designed to protect the airport against poor performing operators. She expressed the rent system was not designed to destroy small, local businesses that were recruited into this industry so the airport could receive federal funds. She urged Council to vote yes for rent relief for Sky Harbor concessionaires.

Nava Singam thanked Council for their leadership during these challenging times. He also expressed gratitude to Council for their hard work in getting the high fixed rent known as MAG rent abated and to charge businesses at the airport the 13 percent rent for current sales at each location. He added he paid percentage rent through amended agreements at the three other airports and hoped his hometown airport would provide percentage rent to him and the other concessionaires.

Vice Mayor Guardado stated HMSHost lobbyists had talked to Council about adding 80 hours of PTO for workers who got sick with COVID and would also allow workers to take a 15-minute break whenever they started to feel uncomfortable with the mask or needed to wash their hands. She asked if HMSHost had talked to him about these new policies.

Mr. Singam replied the 15-minute break was already in his policy, noting he allowed employees to take time to ensure they provided safe food to customers as they travel through the airport. He pointed out each entity had their own handbook and added he had a relationship with the prime that provided mentorship to make sure he was providing the best opportunities for success to his employees. He explained if employees clocked in within 19 minutes from their clock-out time they were paid for that break; however, if an employee exceeded that time then he had conversations with them about staying within the time lines.

Vice Mayor Guardado wanted to know if he would be implementing the new handbook that said employees can take a 15-minute break whenever they needed it.

Mr. Singam responded his employees already received a paid break per the handbook, so he would continue that process.

Vice Mayor Guardado said she understood he already provided 30 minutes of unpaid breaks, but she wanted to know if he would give employees breaks whenever they needed it.

Mr. Singam replied he would given the current environment because he wanted employees to stay healthy and serve customers in a safe manner.

Vice Mayor Guardado asked if he would implement the 80 hours related to employees who caught COVID as most employees did not have the PTO hours because they used those hours in the last few months.

Mr. Singam responded if an employee was diagnosed with COVID and had documentation of that diagnosis he would do everything he could to make sure the employee took the time off and felt safe to return. He conveyed putting a limitation of 80 hours on him was not the right feature because every employee was different and might need more time.

Vice Mayor Guardado questioned if these were paid hours to which Mr. Singam replied yes.

Vice Mayor Guardado asked if these were hours that were borrowed from next year.

Mr. Singam replied there was no policy in the handbook that allowed employees to borrow from next year unless they requested a loan then he would assist them in that way.

Vice Mayor Guardado wanted to know if this was the first time he had heard about these policies or if he was advised of them prior to this meeting.

Mr. Singam responded they had already had discussions about them prior to this time.

Scott Welding, Vice President of Business Development at SSP America, provided an update on the impact COVID-19 continued to have on businesses at Sky Harbor almost four months after the start of the pandemic. He conveyed recent checkpoint numbers showed an increase in passengers as much as 20 percent from last year; however, his business was not trending in the same manner. He indicated in the most recent period close his monthly sales were six-and-a-half percent of the previous year's totals. He stated consumer spending habits had changed dramatically in airports across the United States with passengers opting for pre-packaged food and bottled beverages for safety reasons.

Mr. Welding added they were unable to generate substantial revenues due to capacity restrictions from government mandates around travel restrictions, social distancing and gathering of large groups. He emphasized between the SSP owned and operated locations and local small business sub-tenant partners, there were only a fraction of restaurant locations open to serve the public as well as very few jobs available to a workforce that was 700-plus five months ago. He pointed out their primary goal was to reopen business at Sky Harbor Airport, but they needed Council's help to do it. He said relief from minimum annual guarantee would allow them to reopen several restaurants and reinstate a substantial portion of their valued team members as early as this week. He thanked the Council for considering and voting on relief of MAG for this extended period of time.

Councilman DiCiccio asked if Mr. Welding would send the P&L for the last five years, including the one that showed the drop.

Mr. Welding replied when the request was initially made it was for the last five years of profitability, not the full P&L which was one of the reasons why he declined. He conveyed they were a publicly-traded company and their full fiscal year financial performance was available online to the general public. He stated when talking about profitability, particularly in Phoenix, it discounted their investment in the business and other variables. He indicated SSP had invested $44 million in the Sky Harbor food and beverage program along with a substantial amount to the mid-term refurbishment and building of Terminal 3. He said he would have to get further approval to disclose a full P&L, as that would become public knowledge outside of what was disclosed by the parent company, and return to Council with that answer.

Councilman DiCiccio stated Mr. Welding could include the $44 million investment in the P&L and look at the assets that were put into the company since then. Councilman DiCiccio added it could be done confidentially in executive session if staff determined that to be a negotiation issue. He expressed he understood how the company may not want everyone to see it, but when they were asking for rent relief, just like the private sector, they had to show their P&L to disclose what they had done and where they were at currently. He wanted clarification that

Mr. Welding was going to ask to see and if not that a reasoning why would be provided.

Mr. Welding replied that was correct, noting the investment was listed on the balance sheet as opposed to the P&L, so what was listed on the P&L was monthly depreciation instead of the overall investment.

Councilman DiCiccio agreed Mr. Welding could provide their financials that way if they wanted to show a story. Councilman DiCiccio expressed his problem was that Council and the public had repeatedly asked for it, noting it was the public's money and they had a right to get this information. He pointed out when doing business with the government a company should expect a level of disclosure that would not normally be done, so the P&L would be specific to Sky Harbor along with the profit statement which could be obtained through other sources that were company-wide. He asked who in the company had authority to provide it.

Mr. Welding responded he understood, but would have to ask permission from the CEO and/or CFO.

Councilman DiCiccio inquired if that was CEO of the United States or CEO International.

Mr. Welding replied CEO of the United States.

Councilman DiCiccio asked why it had to go that high for a simple P&L.

Mr. Welding replied they were a publicly-traded company, noting it was in their best interest not to disclose specific information located to a market or branch like Phoenix Sky Harbor. He added they publicly disclose their full records for the company whether it was North America or globally. He stated there needed to be an agreement between the CEO to ensure the global parent agreed with it.

Councilman DiCiccio stated it could be a non-disclosure agreement and provided in executive session which would protect the information at that point. He conveyed this was something that Council should be able to look at as a way to see the company's perspective over the last five

years, including the downtimes as well as see how this worked out for everyone. He asked if Mr. Welding would be able to come back in a week's time.

Mr. Welding responded that was fair and added he would certainly come back to Council by the end of next week.

Councilwoman Pastor conveyed that SSP had not reached out to her regarding this whole process from the beginning. She recalled in past e-sessions these financial statements were provided to Council, so she wanted to know why Council was unable to receive them when they were given in the past.

Mr. Bennett replied he did not recall staff revealing any financial statements concerning individual concessions in previous meetings. He said he did share what gross sales had been in various sub-business lines, but not financial statements.

Councilwoman Pastor thanked him for the response as he was correct. She asked if Council could see those for the last five years.

Mr. Bennett responded staff could provide a representation of what the gross sales in the terminal concession programs had been for the past five years.

Councilwoman Pastor wanted to know if he could provide that sooner rather than later.

Mr. Bennett replied it was a matter of extracting it from the financial system, so he could get that to the Council next week.

Councilwoman Pastor clarified it was for both SSP and Host.

Mr. Bennett replied staff could get it for all of the terminal concessions as it was readily available in the City's financial system.

Councilwoman Pastor requested names of small businesses under SSP.

Assistant Aviation Director Charlene Reynolds explained both Host, SSP and the other retailers enter into joint venture partnerships with several of the local airport concession disadvantaged business enterprises (ACDBE). She provided the specific joint venture partnerships in the Terminal 4 food and beverage program were:

- Matt's Big Breakfast (Matt Poole)
- Pei Wei
- Wendy's
- Pete's Coffee (Bruce Mosby)
- Four Peaks Brewery
- Joe's BBQ
- Deluxe Burger (Linnie Rosenstein)
- Chevront (Ken Chevront)
- Tammy Co Cakes
- Nokowich and Nokowich Express (Sarah Levy)
- Humble Pie (Cornwell Development)
- Los Taquitos (Sarah Levy)

Ms. Reynolds confirmed these were joint venture partners with SSP.

Vice Mayor Guardado asked if Mr. Welding was on the line.

Ms. Archibald confirmed he was on the line.

Vice Mayor Guardado stated she had been talking to and met with Host representatives the last couple of weeks and they had a new handbook they would be implementing. She wanted to know if he planned on doing the same thing and if Host had talked to him about the new handbook and new rule.

Mr. Welding replied they would be rolling out a new safety policy which included a lot of materials that were handouts for the associates. He pointed out Ms. Jacobs was the subject matter expert and had far more information on what was happening at the local branch level.

Vice Mayor Guardado asked why SSP had kept Council in the dark in terms of what they were doing with their workers. She conveyed the small

businesses had talked to Council about what they were planning to do, including HMSHost, so she wanted to know why no one reached out to Council.

Mr. Welding responded he was available on the last call in terms of the last rent relief, and had been active in speaking to various council members about subject matter concerns regarding rent relief. He stated he did not come to Council directly, but he kept parties abreast of what was happening.

Vice Mayor Guardado said the council members she spoke to never heard from SSP, and the fact that they were asking for rent relief without providing numbers made it hard to make a decision. She expressed in the future she hoped to have a more honest conversation or more transparency on what businesses needed from the Council.

One electronic comment in support and six electronic comments in opposition were submitted for the record on this item.

Mayor Gallego requested staff restate the motions on the table and the order, so that Council would know what motion to vote on first and if it failed what Council would vote on next.

Ms. Archibald advised a substitute motion was made by Councilmember Garcia to approve this item and maintain the 90-day time frame with a second from Councilwoman Pastor. She said if that motion failed then Council would go back to the original motion made by Councilwoman Williams to approve this item and extend the percentage rate to Dec. 31, 2020, which was seconded by Councilwoman Stark.

Mayor Gallego requested roll call on Councilmember Garcia's motion.

Yes: 2 - Councilmember Garcia and Councilwoman Pastor

No: 7 - Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego

Ms. Archibald announced the motion failed 2 to 7.

Mayor Gallego stated that Council would now vote on Councilwoman Williams's motion.

Following the vote, Mayor Gallego recessed the meeting to take a 20-minute break.

A motion was made by Councilwoman Williams, seconded by Councilwoman Stark, that this item be adopted as amended to extend the percentage rate to Dec. 31, 2020. The motion carried by the following vote:

Yes: 5 - Councilman Nowakowski, Councilwoman Stark, Councilman Waring, Councilwoman Williams and Mayor Gallego

No: 4 - Councilman DiCiccio, Councilmember Garcia, Councilwoman Pastor and Vice Mayor Guardado

33 Community Development Block Grant CARES Act Public Service Grant Program Request For Proposal Award Recommendations (Ordinance S-46842)

Request to authorize the City Manager, or his designee, to enter into contracts with non-profit organizations for Public Service programs to prevent, prepare for, or respond to the COVID-19 public health crisis, and take all necessary or appropriate actions to implement and administer the program in accordance with the grant terms for an aggregate amount not to exceed $2 million. Further request authorization for the City Controller to disburse all funds related to this item over the life of the contracts. These contracts will be funded by the Community Development Block Grant (CDBG), authorized through the Coronavirus Aid, Relief, and Economic Security (CARES) Act.

Summary

At the April 21, 2020 Special Policy Session, City Council approved the 2015-2020 Consolidated Plan, 2019 Annual Action Plan Amendment to include allocations and waivers authorized by the CARES Act to prevent, prepare for, and respond to the COVID-19 public health crisis. On May 6, 2020, City Council approved the request to use these funds to assist

non-profit organizations serving low- and moderate-income Phoenix residents that provide goods and services, or support a change in business model, related to COVID-19.

On May 28, 2020, a Request for Proposal (RFP) was issued by the Neighborhood Services Department to assist non-profit organizations providing goods and services to low- and moderate-income Phoenix residents. A total of 47 responsive applications, requesting $2,093,577**,** was received by the June 11, 2020 deadline. Applications were evaluated and scored by the Community Development Review Committee, an 11-member committee appointed by the Mayor.

Each proposal was evaluated on a 1,000 point scale: Community Need (250), Proposed Outcomes and Impact (250), Readiness to Proceed (250), Organization Experience and Capacity (250). Funding recommendations were developed based on the overall committee's scores. The following list identifies the 44 organizations the CD Review Committee recommended funding for a total of $2 million.

<u>CDBG CARES Act Public Service Grant Program Awardees</u>
A New Leaf, Inc: $50,000
ACCEL: $50,000
Be A Leader Foundation: $25,000
Best Buddies International: $5,625
Assistance League of Phoenix: $48,925
Black Family & Child Services: $49,630
Boys & Girls Clubs of the Valley: $50,000
Cancer Support Community Arizona: $50,000
Catholic Charities Community Services, Inc: $49,912
CHEEERS Recovery Center: $50,000
Child Crisis Arizona: $48,800
City of Help Inc. of Phoenix dba the Phoenix Dream Center: $49,220
Civitan Foundation, Inc: $37,638
Creighton Community Foundation: $48,330
Duet: Partners in Health & Aging: $50,000
Families Forward: $50,000
Family Involvement Center: $48,445
Foundation for Senior Living: $50,000

Fresh Start Women's Foundation: $50,000
Furnishing Dignity: $15,350
Gompers: $50,000
Homeless Youth Connection: $50,000
Homeward Bound: $50,000
Human Services Campus, Inc: $50,000
International Rescue Committee: $50,000
Jobs for Arizona's Graduates: $15,000
Justa Center: $50,000
Mountain Park Health Center: $50,000
Native American Connections: $49,200
New Pathways for Youth: $25,000
Raising Special Kids: $50,000
Rehoboth Community Development Corporation: $50,000
Southern Arizona Association for the Visually Impaired: $50,000
Southwest Center for HIV/AIDS: $50,000
St. Vincent De Paul: $50,000
The Opportunity Tree: $48,925
The Reveille Foundation (fiscal sponsor: Operation Enduring Gratitude): $50,000
TigerMountain Foundation: $50,000
Trellis: $50,000
United States Veteran Initiative: $50,000
Valley of the Sun United Way: $35,000
Valley of the Sun YMCA: $50,000
VALLEYLIFE: $50,000
Wesley Community Center: $50,000

Contract Term

Contract terms will commence on or about July 1, 2020 through June 30, 2021.

Financial Impact

There is no impact to the General Fund. These contracts are funded through Community Development Block Grant CARES Act (CDBG-CV).

Discussion

Mayor Gallego reconvened the meeting.

Mayor Gallego acknowledged the non-profits who had stepped up in a big way to help fight COVID.

One electronic comment was submitted for the record in support of this item.

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

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

No: 0

34 Coronavirus Relief Fund Phoenix Refugee and Asylee Coronavirus Relief Grant Program Request for Proposal Award Recommendations (Ordinance S-46846)

Request to authorize the City Manager, or his designee, to enter into contracts with up to twenty non-profit organizations to prevent, prepare for, or respond to the COVID-19 public health crisis, and take all necessary or appropriate actions to implement and administer the program in accordance with the grant terms for an aggregate amount not to exceed $1 million. Further request authorization for the City Controller to disburse all funds related to this item over the life of the contracts. These contracts will be funded by the City of Phoenix Coronavirus Relief Fund (CRF).

Summary

At the April 30, 2020 Policy Session, City Council discussed the impacts of COVID-19 to the Phoenix Refugee and Asylee community. On May 19, City Council approved the request to issue a Request for Proposal (RFP) for non-profit organizations that specifically serve the Phoenix Refugee and Asylee community and will provide goods and services related to COVID-19.

On May 28, an RFP was issued by the Neighborhood Services

Department (NSD) to assist non-profit organizations providing goods and services to the Phoenix Refugee and Asylee community related to COVID-19. A total of 20 responsive applications, requesting $896,802, was received by the June 11 deadline. Organizations were allowed to submit a maximum of two proposals, up to $100,000 per organization, for different projects. Applications were evaluated and scored by the Community Development (CD) Review Committee, an 11-member committee appointed by the Mayor. Each proposal was evaluated on a 1,000-point scale: Refugee and Asylee Community Need (250), Proposed Outcomes and Impacts (250), Readiness to Proceed (250), and Cultural Competency and Capacity (250). Funding recommendations were developed based on the committee's overall scores. The following list identifies the 20 organizations the CD Review Committee recommended funding.

Phoenix Refugee and Asylee Coronavirus Relief Grant Awardees
Abounding Service, Inc: $47,400
Arizona Immigrant & Refugee Services: $50,000
Bhutanese Community of Arizona: $50,000
Catholic Charities Community Services, Inc: $42,471
Chicanos Por La Causa, Inc: $50,000
Child Crisis Arizona: $50,000
ELFA Empowerment: $10,000
ICNA Relief Arizona: $50,000
International Rescue Committee, Inc: $100,000
Iraqi Community Association: $50,000
Islamic Center North East Valley: $61,000
Lutheran Social Services of the Southwest: $50,000
Raising Special Kids: $50,000
Ramah Full Gospel Church: $47,710
Refugees and Immigrants Community for Empowerment: $50,000
Somali-American United Council of Arizona: $50,000
Sudanese American House: $50,000
The Welcome to America Project: $38,221

The CD Review Committee also recommended allocating additional funds to the awarded non-profits from the remaining $103,198 in CARES Act funding in the fall. Staff will evaluate the capacity and interest of the

awarded non-profits to spend additional funds, and bring a recommendation in September or October to expeditiously allocate the remaining $103,198 to performing non-profits as appropriate.

Contract Term
The contract term will commence on or about July 1, 2020 through Dec. 7, 2020. This contract may be extended based on continuous need and available funding, which may be exercised by the City Manager or designee.

Financial Impact
There is no impact to the General Fund. These contracts are funded through the City of Phoenix Coronavirus Relief Fund.

Discussion
Councilwoman Pastor said she understood there were organizations who submitted proposals that did not receive funding. She remarked she made the motion as agencies had limited time to submit proposals and may have had other barriers, such as language barriers, accessing the grant funds and technical difficulties.

Mayor Gallego noted she was supportive of the motion.

Councilmember Garcia thanked Councilwoman Pastor and Vice Mayor Guardado for their support. He expressed the City needed to look at equitable ways of doing the work and its disbursements, but stated he was happy this was moving forward.

One electronic comment was submitted for the record in support of this item.

A motion was made by Councilwoman Pastor, seconded by Councilwoman Stark, that this item be adopted as corrected to award $946,802 to the designated non-profits, and directing staff to open the process back up for the agencies who submitted proposals and did not receive funding, provide technical assistance for the remaining $53,198, and further authorize staff to award those funds and enter into contract with one or more of the agencies deemed responsive. The motion carried by the following vote:

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

No: 2 - Councilman DiCiccio and Councilman Waring

36 Request to Initiate Street Renaming Process

Request to authorize the City Manager, or his designee, to initiate the street renaming process per a memo received on June 19, 2020 from Mayor Kate Gallego and Councilwoman Thelda Williams (**Attachment A**).

Summary

In accordance with the City of Phoenix Street Renaming process approved by the City Council on June 27, 2017 **(Attachment B)** for street names that are derogatory or offensive based on City Code Section 18-1, this item requests the initiation of processes to change the names of the following Phoenix streets: “Squaw Peak Drive” and “Robert E. Lee Street.”

The request from Mayor Gallego and Councilwoman Williams states: "Because the term 'squaw' is considered derogatory and offensive, as it has been historically used as a demeaning and degrading word for indigenous Native American women, it should not be the name of a street in our great city. Options to consider among these street names include: Peak Drive or Piestewa Peak Drive."

The request also states: "Robert E. Lee was a confederate general who represents historical institutions of racism and slavery in America, so the Phoenix street, which was renamed during the Civil Rights Movement, of his namesake is offensive and derogatory. Phoenix should not glorify what he represents with a street name in his honor. Replacing this street name does not try to change or remove history, rather it demonstrates our commitment to racial equity, justice and progress. Options to consider among these street names include: Freedom Street or Justice Street."

The current process as approved by Council requires two public meetings to be conducted in the vicinity of each of the streets proposed

for renaming. However, because of the COVID-19 pandemic, staff requests as part of this action Council approval to revise the process to allow virtual public meetings to obtain public input from the affected neighbors and community. Staff would conduct a total of four virtual public meetings, two for each of the streets proposed for renaming.

Discussion

Mayor Gallego expressed this was an exciting item as it gave the city a chance to show its real values. She stated in 2017 the Council adopted a policy that allowed the body to change street names that were considered derogatory or controversial. She remarked street names may seem small and go unnoticed but they give character to a neighborhood, such as historical markers which are reminders of how the city became what it is today. She conveyed that Council was voting to initiate a 90-day community outreach process that would engage neighbors and individuals impacted in the community to consider changing two street names. She conveyed this was an opportunity to address long-standing problems and talk about the harm these names inflict on many community members. She said community outreach was important to Council, noting when this process was established it was prioritized.

Patricia Hibbeler, CEO at the Phoenix Indian Center and an enrolled citizen of the Confederated Salish and Kootenai Tribes from Montana, said she had lived in the Phoenix area since 1991. She stated it was time to change the s-word on the street to match the name of Piestewa Peak. She explained the s-word continued to be highly derogatory and of a sexual nature towards American Indian women, and a word that continued to be used as a weapon to make them feel less than human. She remarked she highly supported changing the name to Piestewa Peak Drive as it was time to end the marginalization of American Indian women in the community.

Diana Devine thanked Council for taking up this issue at this time. She noted she was with Native American Connections which was co-located with the Phoenix Indian Center on Central Avenue, across from Central High School. She conveyed Native American Connections strongly supported the City's action to change offensive street names. She asked Council to support the strong Native women in the community and change

the street name as it was time to get it done.

Jolyana Kroupa introduced herself in her heritage Navajo-Dine' language. She said she lived in Phoenix and wished to acknowledge this land that everyone occupied was the traditional homelands of Native people. She stated she supported this request to initiate the street renaming, particularly Squaw Peak Drive as the term was offensive and degrading to indigenous American Indian women. She added removing the degrading name and replacing it with Piestewa Peak Drive would serve as a reminder of the strength and courage of American Indian women and the impacts they continue to make in society and the community.

Micheon Gorman indicated she was Dine', an indigenous woman of the Navajo, and said she supported street name changes for Robert E Lee Street and Squaw Peak Drive. She remarked the word squaw was difficult to say as it was harmful, violent and insights recent memories of trauma and pain. She said she supported the name change of these streets and requested Council to initiate this process.

Ginger Sykes Torres, a resident of District 6 and also an enrolled member of the Navajo nation, thanked Mayor Gallego and Councilwoman Williams for their leadership in proposing to initiate the process to rename both streets which she supported. She added the street name should reflect a point of pride instead of the opposite, and encouraged council members to approve initiation of the name change process, and to start the staff analysis and public input process, and include local tribes in that input process.

Jeremy Helfgot indicated he was speaking on behalf of the City's Human Relations Commission. He conveyed these two street names were a significant concern to members of several of the minority populations and they needed to be addressed. He stressed these street names needed to change and reflect this inclusive city and urged Council to support this measure with a yes vote.

Michael Williams said that changing the street names was the right thing to do, but recognized that change was difficult and the truth hurt. He remarked he was the first of ten children born in a Phoenix hospital,

noting his father was of African-American descent and his mother was three-quarters Native American from the Cherokee and Creek nations of Oklahoma. He added he was an associate faculty member at Ashford University and a retiree from the US West Communications. He stated he also served as chair of the Human Relations Commission, but was speaking today as a citizen of Phoenix.

Amanda Blackhorse, a Dine' originally from Big Mountain, Arizona and currently a Phoenix resident on ancestral land, expressed support for the renaming of the derogatory Squaw Peak Drive and Robert E Lee Street. She stressed the change was long overdue and provided her support to change it to Lori Piestewa Street, with approval from her family and her estate.

Maria Baier stated on behalf of the Phoenix Suns and Phoenix Mercury, she asked that Council vote to initiate the street renaming process. She remarked both street names included in the meeting materials were offensive and must be changed, noting a vote to do so would align with the thoughtful and inclusive reputation the city enjoyed.

Justin McKay questioned how Council would achieve equity, whether it was relative to the population of a group or if it was gender equity in the amount of male and female jobs. He expressed it was a concept that was outside the scope of what government was allowed to do, plus it was impossible to achieve without drastic action. He stressed this should be opposed on every level, including this item, before things got out of control.

Rick Klawitter, a resident on Squaw Peak Drive, said he did not want to explain the burden a street name change would cause him. He requested that Council not waste 90 days debating alternative street names, but spend it discussing and identifying initiatives which would lead to meaningful changes.

Mackenzie Saunders, a Phoenix native and resident of District 7, stated she was committed to making sure this city was a place that worked for everyone. Thus, she urged Council to vote yes on the request to initiate the street renaming process for both streets. She expressed it was

unnecessary to have street names that reflected the history of oppression against indigenous and black communities.

Mayor Gallego noted Angela Hughey of One Community had been on the line for at least three hours to speak in favor of the renaming process. She said she also received a letter from the Inter Tribal Association of Arizona which represented 21 tribal nations, including neighboring communities, in support of this process. She thanked them for weighing in on this matter.

Councilman DiCiccio expressed his appreciation to Mayor Gallego and Councilwoman Williams for bringing this forward, noting he was supportive of changing the street name before and was extremely supportive today. He stated he applied two standards when looking at this, was the name historic and was the name derogatory. He conveyed there was no historical reason to have the s-word and would not even say the word as it was offensive, so he was happy Council was going to change it. He continued for the derogatory side of it, he asked himself if this was a name he wanted applied in front of his girls names and the answer was clearly no as the word was offensive, and not just to Native Americans but to everybody. He specified for his motion he wanted the city to provide the necessary assistance for residents to change the name associated to cost. He again thanked Mayor Gallego and Councilwoman Williams for bringing this forward as it should have happened a long time ago. He made a motion to change the name of the s-word.

Councilwoman Stark seconded the motion.

Mayor Gallego thanked Councilman DiCiccio for his support, noting he and Councilwoman Williams had been working on this since Council started the process in 2017. Mayor Gallego said she supported the addition of doing this without burdening the people on this street.

Councilmember Garcia expressed it was troubling they were unable to get this done before, but he was happy they were able to do it now. He mentioned he had spoken with someone on the Parks Board who had been looking into land acknowledgement in public parks or public areas.

He said he wanted to look into that as it was important to acknowledge.

Mayor Gallego thanked Councilwoman Williams who had been her partner on moving this forward.

Councilwoman Williams asked if the motion included a public hearing for Robert E Lee or if it was just the s-word.

Councilman DiCiccio clarified it was just for the s-word as he wanted to hear what the public had to say about the other one, particularly if there was historical reference to it.

Councilwoman Williams stated she wanted to make sure the people who lived on the street were included. She conveyed it was important that the city not only finance the changes, but go door-to-door and provide notice of the public hearing which she planned to attend. She expressed this was worth hearing and moving forward, and added she would gladly make a motion to put forth public review for Robert E Lee Street.

Mayor Gallego said she would do a vote on the first street name and would turn to Councilwoman Williams for a motion on the second street name. She requested a roll call vote on initiating the 90-day process on the s-word street name.

Prior to his vote, Councilmember Garcia stressed he wanted to make sure staff would look into the land acknowledgement piece.

City Manager Ed Zuercher replied Parks Department staff would work on that and come back to Council with what that would look like in cooperation with the Parks Board.

Following the vote, Mayor Gallego thanked the public, the Native American leaders and Council for a unanimous vote. She looked forward to important dialogue with the community and residents as well as tribal nations to move this forward. She noted 20 people submitted electronic comments in support and 2 individuals submitted electronic comments in opposition to this item.

A motion was made by Councilman DiCiccio, seconded by

Councilwoman Stark, to approve initiation of processes to change the name of "Squaw Peak Drive" and to provide the necessary assistance for residents to change their address. The motion carried by the following vote:

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

No: 0

Discussion

Councilwoman Williams made a motion to approve the initiation of street naming for Robert E Lee and for the public process to begin with the same caveat that staff work closely with the residents who lived on that street to identify how the city could help them.

Councilwoman Stark seconded the motion.

Councilman Waring requested the City Manager talk about the process the city came up with to make this the least injurious process for people who lived on the street because it was not fair for them to bear the whole burden of this alone.

City Manager Ed Zuercher said in anticipation of this, a team was created led by Deputy City Manager Mario Paniagua along with Alan Stephenson and Kini Knudson with the Street Transportation Department. Mr. Zuercher remarked he also enlisted the help of Library staff as researchers and customer service folks who would be concierges to residents of these streets. He mentioned staff was already doing research on all the different things people would need to do, such as deed recording, passports and driver's licenses. He stated staff would be available if and when Council made a change to walk residents through the process as well as identify financial resources in the city to offset costs for residents.

Councilman Waring expressed the street names were going to be different in four months or less. He stated he wanted to make sure that

immediately after this meeting that staff let the neighbors know because they needed to understand as things like deeds and car registrations had to be changed and offices were either closed or had limited access. He implored that staff make sure the virtual meetings were content heavy and that people know exactly where to go to get help because this would happen quickly. He said he hoped it was a painless process for these people as he did not want the burden to be born solely on these folks when they did not pick their house based on the street name. He expressed he was trusting the city manager to guide this and make sure these folks were taken care of.

Planning and Development Director Alan Stephenson wished to clarify the Council policy adopted in 2017 required that a certified letter be sent to all those property owners, residents or businesses that abutted the street with the proposed name change within 21 days. He advised within that notification staff would direct them to a website for a lot more information on the discussion and what they would need to do if the name changed. He said the notification would also invite them to participate in the WebEx public meetings so the city could solicit their feedback and input.

Councilman Waring pointed out this street had been named this for 59 years and then Council took action three years ago. He had asked staff if anybody requested this change and then a year went by but nothing happened; however, he knew this day was coming. He expressed he did not think it should take 21 days of prep to send out a letter, noting he hoped staff had already done some prep work in anticipation of this since there was at least three years advance notice. He stated if that was the case that left only 69 days before the actual change happened, so he hoped the letter could go out immediately.

Mr. Stephenson conveyed he would make that happen much sooner than the 21 days.

Mayor Gallego thanked the city manager for putting staff behind this to have a strong engagement process.

Councilman DiCiccio said he could support the motion, but wished to

make a friendly amendment on this item and the previous one to include in the letter that the city could provide direct assistance for those individuals who could not do it. He indicated in those cases where the city started narrowing it down to just a few people, that staff provide direct assistance like filling out forms to get them done. He expressed if that could be added he would be on board with this item as well.

Mayor Gallego repeated the request was that the letter include the city could provide financial support for those who had a financial burden.

Councilman DiCiccio stated that was partially correct, but it was also that the city help them directly, especially the seniors who may not know how to change some of these things. He conveyed the letter should not only include financial assistance if there was a cost to change things, but to also help people directly.

Councilwoman Williams added it was also important to include in the letter a list about what might need to change. She asked if staff could add that to her motion.

Mr. Zuercher replied yes, that was understood to be part of the motion as long as the second accepted it.

Councilwoman Stark stated she accepted and added it was a great idea.

Mr. Zuercher wished to clarify the team was already working on getting a checklist, a list of resources and to provide resources through Library staff to help individuals who may be confused by the process. He stated it was important to remember that nobody should do anything until after Council acted on this 90 days from now. He conveyed that Council had to determine if they wanted to do the change and then what the change would be at which point staff would engage that part of it. He added staff would be available in that 90-day period to answer questions, noting 90 days from today was October 1 so some time in the September/October time frame Council would take action.

Councilman Waring urged staff to have the checklist ready so people could start thinking about what they needed to do.

Mr. Stephenson stated he was holding seven pages of information that the Library Department had researched and put together. He explained it included a list of websites to go to and change information along with a handout on how to do those things, so staff was already putting stuff together. He conveyed that would all be together on a website so staff could reference it in the letter, noting important information, such as the proposals and hearing dates, would also be on the website for people to download. He indicated staff could send it out electronically as part of the WebEx when someone logged on to participate in the meetings so folks could get it in a couple different places.

Councilman Waring expressed appreciation for the quick turnaround since the Library idea came about from Council suggestions. He requested the city manager keep him posted if there was some way his office could help since knocking on doors was off the table for the foreseeable future.

Councilmember Garcia stated he supported this though it sounded like people had to do a lot of work, but he thought the city should help people. He recognized it would be tough for the neighbors and he hoped the city could support them, but he also wanted the same grace shown as policy continued to be pushed for black lives.

NOTE: Councilman Nowakowski temporarily left the voting body prior to roll call.

Prior to his vote, Councilman Waring said he used to live just south of this street for 11 years and he wondered how it got that name. He stressed this was not a historic thing as it was a surface street in Phoenix, almost 100 years after the war, being named after one of the participants.

Following the vote, Mayor Gallego thanked Councilman Waring and all the speakers who shared passionate words. She announced the city would now initiate a process that involved significant community outreach.

A motion was made by Councilwoman Williams, seconded by Councilwoman Stark, to approve initiation of processes to change the name of "Robert E. Lee Street" and to provide the necessary

assistance for residents to change their address. The motion carried by the following vote:

Yes:	8 -	Councilman DiCiccio, Councilmember Garcia, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	0	
Absent:	1 -	Councilman Nowakowski

43 Language and Cultural Diversity Classes (Ordinance S-46845)

Request to authorize the City Manager, or his designee, to enter into contracts with AVID Consulting LLC; DC Language Center, LLC; Interlingua, LLC; and Morales-Sherman Languages, to provide language and cultural diversity classes to the city on an as-needed basis. 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 $360,000.

Summary

The Human Resources Department offers language and cultural diversity classes to meet the employees' multilingual and multicultural needs. Classes focus on providing awareness and understanding of diverse cultural groups and offering language training that will allow employees to function effectively in languages that are commonly spoken in our community.

Procurement Information

Request for Qualifications (RFQu) HR 20-121 was conducted in accordance with Administrative Regulation 3.10, with the intent of establishing a list of qualified vendors to provide language and cultural diversity classes on an as-needed basis to the City. There were five offers received by the Human Resources Department on June 17, 2020. The offers were evaluated and the following four Offerors met the City’s qualification criteria and were deemed responsive and responsible:

AVID Consulting LLC
DC Language Center, LLC
Interlingua, LLC

Morales-Sherman Languages

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 July 1, 2020.

Financial Impact
The five-year aggregate value of all contracts will not exceed $360,000. There is no impact to the general fund as the Contractors are paid by employee's tuition reimbursement or employee development funds.

Discussion
Mayor Gallego stated this item was pulled from the consent agenda as there were people who wanted to speak on it; however, those two individuals were no longer available.

One electronic comment was submitted for the record in opposition of this item.

NOTE: Councilman Nowakowski returned to the voting body.

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

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

No: 0

44 Request for Reconsideration of Item 3 from the June 23, 2020 City Council Policy Session

Request for reconsideration of Item 3 - Eight-Hour Rule Request for Consideration to Research a Prevailing Wage Ordinance from the June 23, 2020 City Council Policy Session.

Summary

At the June 23, 2020 City Council Policy Session, Item 3 - Eight-Hour Rule Request for Consideration to Research a Prevailing Wage Ordinance, failed to pass by a vote of 4-4.

Pursuant to the Rules of Council Proceedings Rule 7(I), this reconsideration is being placed on the July 1, 2020 Formal Agenda in accordance with a memo requesting reconsideration from Councilwoman Laura Pastor filed with the City Clerk on June 24, 2020 **(Attachment A)**.

If this request is approved, the City Council will reconsider this item. If this request is not approved, the City Council will not reconsider the item and the original action on the item will stand.

Discussion

Mayor Gallego stated this was a request for reconsideration of Item 3 from the June 23, 2020 Policy Session by Councilwoman Pastor.

Councilwoman Pastor made a motion to reconsider Item 3 from the June 23, 2020 Policy Session related to an eight-hour rule request for consideration to research a prevailing wage ordinance. She remarked this item would allow staff to spend time in excess of eight hours to research a policy related to a prevailing wage ordinance. She said the pandemic had emphasized the importance of addressing affordable housing and homelessness in Phoenix. She continued it also required millions in investment to address those issues, plus provide utility and rent assistance to prevent the need for more long-term assistance if more people lost their homes. She stated a prevailing wage ordinance was one tool that should be considered by allowing staff to research the issue, have stakeholder meetings and present the findings to Council, so they could make an educated decision instead of dismissing the idea without information.

Vice Mayor Guardado seconded the motion.

Mike Huckins expressed he was opposed to this reconsideration as he thought the prevailing wage ordinance would create undue burdens on businesses, especially small businesses when bidding on projects and would result in less businesses bidding on projects. He stressed this

would send the wrong message to struggling job creators who were still reeling from the economic catastrophe of the COVID-19 pandemic. He added this was the worst time to propose this ordinance, not to mention his concerns this ordinance would have on affordable housing which could put the city in legal conflict with state statute. He urged the Council to prevent this concept from moving forward.

Nick Carrillo, region manager for the WWCCA, a multi-state signatory specialty subcontractor association located in the valley, spoke in support on behalf of the contractor members for this reconsideration request to research a prevailing wage ordinance. He conveyed prevailing wages supported trade education, safe work environments, encouraged more efficient and industry leading practices and provided economic revenue to sustain positive population growth momentum. He stated it would also allow Phoenix residents to work and stay at home as well as attract skilled labor from other areas. He indicated this type of ordinance would be a first step to ensure taxpayer dollars invested in permanent infrastructure were disbursed responsibly to working members of contracted construction companies.

Josh Umar, executive director of the American Subcontractors Association of Arizona, spoke in opposition to this prevailing wage ordinance and spending the City's time on it. He noted he was also speaking on behalf of the Associated Minority Contractors of Arizona. He expressed this was the worst time to impose new and costly compliance burdens on contractors who built critical infrastructure in Phoenix. He emphasized this policy would raise construction costs significantly and directly, but also indirectly in ways that would cost the city money and cost qualified contractors, especially emerging minority contractors, opportunity. He asked that Council focus its efforts on making it easier to build Phoenix rather than harder, and to engage the entire construction community, especially subcontractors, minority and women-owned businesses, in finding alternative solutions to problems this ordinance failed to resolve.

Matthew Capalby expressed his appreciation to Council for revisiting this issue and he also thanked Councilwoman Pastor for putting this item on the agenda for reconsideration. He stated the carpenters union

supported this matter as well as its contractors and business people because they operated above board and paid their prevailing wages, insurance and taxes. He indicated prevailing wage would help address these issues by retaining these skilled workers in Phoenix and developing that workforce.

Councilwoman Pastor reiterated Item 44 was to reconsider the item and Item 45 was to approve that staff spend in excess of eight hours. She said she requested the reconsideration based on the different points of view and opinions from the speakers. She stated she wanted to have the research and discussion with stakeholders to understand all the dynamics of the prevailing wage.

Vice Mayor Guardado thanked Mr. Capalby for being on the phone as well as reaching out to her office to talk about the prevailing wage. She expressed if the city had quality jobs then it would prevent homelessness which resulted in healthy communities and more engaged people while also dealing with crime. She said the city could do better to support families and the prevailing wage was one step to show how serious the Council was about combating homelessness.

Councilman DiCiccio stated he was not supportive of the motion for reconsideration. He wished to address affordable housing and recalled a government project that just finished with units at about $322,000. He pointed out if a prevailing wage and everything else were added into it that affordable units would skyrocket, noting it would be a nightmare for anyone doing business with the city as well as for individuals looking for housing. He conveyed every little bit mattered and if prevailing wage was thrown in it would be a disaster based on the current economy, so he was opposed to the reconsideration and eight-hour rule as it would send the wrong message.

Councilmember Garcia expressed he hoped that Council had an opportunity to reconsider this matter to do the research and vote on it. He stated this was a way forward to make sure workers were taken care of, noting a lot of the opponents were bringing up the same talking points regarding minimum wage which was proven wrong as the economy improved.

Councilwoman Pastor conveyed there were additional costs in the sense of accountability when dealing with the federal government and their money. She pointed out that based on her research prevailing wages did not affect construction costs when replacing skilled labor versus unskilled labor. She explained skilled workers completed work at a faster rate and were more effective at building the city's critical infrastructure as well as had less of an injury incident rate. She emphasized it was important to have this dialogue to see if Council wanted to vote on it in the future, but she wanted staff to do the research.

Nine electronic comments were submitted in opposition and one was submitted with no position on Item 44. Also, two electronic comments in support and 16 in opposition were submitted on Item 45.

Following the vote, Mayor Gallego advised because Item 44 failed the Council would not hear Item 45.

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

Yes:	4 -	Councilmember Garcia, Councilwoman Pastor, Vice Mayor Guardado and Mayor Gallego
No:	5 -	Councilman DiCiccio, Councilman Nowakowski, Councilwoman Stark, Councilman Waring and Councilwoman Williams

45 Reconsideration of Item 3 from the June 23, 2020 City Council Policy Session - Eight-Hour Rule Request for Consideration to Research a Prevailing Wage Ordinance

Request City Council approval for City staff to spend in excess of eight hours of staff time, per City Council Rule 15, to research a policy related to a prevailing wage ordinance.

This item was not heard.

49 Photo Speed Enforcement RFP 14-021B - Requirements Contract (Ordinance S-46834)

Request for the City Manager, or his designee, to authorize additional funds in the amount of $715,771 and a revised aggregate value of

$4,268,547, for Contract 139520 with Redflex Traffic Systems, Inc. The contract was originally awarded on Oct. 15, 2014. On Dec. 11 and Dec. 18, 2019 the Subcommittee and City Council respectively, recommended that mobile photo speed enforcement be extended. The extension of the current contract was effective Jan. 1, 2020 through April 30, 2020. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Police Department's program included eight mobile photo speed enforcement vehicles for use in 15 mph school zones and other student crossings at or near schools.

At the Public Safety and Justice Subcommittee held Dec. 11, 2019, staff was directed to work with Redflex Traffic Systems, Inc. to develop an option that would only extend services for the eight mobile photo speed enforcement vehicles. Additional funds are necessary to pay for invoices that are paid in arrears when the tickets and process server fees are adjudicated. It can take several years to adjudicate tickets and process server fees and as a result, it was difficult for the department to estimate the additional funds needed at the time of the original contract extension.

Contract Term

The contract term was effective Jan. 1, 2020 through April 30, 2020. Due to the pandemic, all operations ceased effective March 16, 2020. There is no contract authority for any additional mobile photo speed enforcement. However, authorization for additional expenditures is necessary to pay outstanding invoices.

Financial Impact

The additional expenditures will be $715,771 with a revised aggregate value of $4,268,547. In the first quarter of this year, the Municipal Court has received $459,464 in revenue. The projected revenue for the second quarter is $202,787. Funds are available in the Police Department's budget.

Discussion

Councilman Waring asked if this was similar to the reappropriated funds budget where the city owed money back when it had speed cameras. He

said he wanted to make sure this was not for new speed cameras.

City Manager Ed Zuercher replied that was correct, noting the Council canceled the contract on the speed cameras. He explained the arrangement in the contract was the city paid the tickets at the time they were adjudicated. He advised this represented payment for tickets that were issued when the program was in operation, but had only now made their way through the adjudication process. He said according to the contract terms the city owed this to the company, but it did not represent anything new since Council canceled the contract in December.

One electronic comment was submitted for the record in support of this item.

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

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

No: 0

50 Remote Protective Order Project (Ordinance S-46847)

Request to authorize the City Manager, or his designee, to enter into individual contracts with “Non-City Partners” that are non-governmental organizations and that wish to participate in a one-year pilot program, “The Remote Protective Order Project.” The term of the contract will be for one year, with an additional one-year option. There is no impact to the general fund.

Summary

At present, a domestic violence victim begins the process of obtaining an order of protection (“protective order”) by either coming to a courthouse and physically completing and filing a petition for an order, or by completing and filing the petition on-line. Once a petition is filed, and after an in-person hearing on the petition, a court may issue an order based on evidence presented. Some victims experience difficulty in completing

and filing petitions because either there is not a safe environment for them to complete and file the petition on-line, or the closest courthouse is too far to travel to without arousing suspicion of a partner, spouse, etc., or due to lack of transportation. The Remote Protective Order Project ("Project") is a program designed to provide domestic violence victims the ability to obtain protective orders remotely from safe locations within the City, while minimizing in-person appearances at courthouses during the COVID-19 pandemic.

Approximately 15 Non-City Partners ("NCPs"), all of which are non-profit organizations, have expressed interest in participating in the Project and have offered to provide dedicated, safe and private locations for victims to remotely complete protective order petitions on-line, and for remote video hearings on the petitions. Training of NCP staff will be required prior to any NCP's participation in the Project. The training will be conducted by Phoenix Municipal Court personnel and will include instruction on (1) navigating AZPoint, the State of Arizona's on-line protective order platform; (2) setting-up video hearings; and (3) working in partnership with the City of Phoenix Family Advocacy Center, which will provide domestic violence victims with advocacy, counseling, and case management services, and provide safety planning as needed.

Each NCP will be provided computer hardware equipped with a webcam and headset so that on-line access to AZPoint can be established and so that the remote video hearings can be held.

Contract Term

Because this is a pilot program, the contracts with the NCPs will be for one year, with a one-year option to extend at the City's discretion. The initial, one-year contract term is anticipated to begin on or about Oct. 15, 2020.

Financial Impact

The is no financial impact to the City.

Discussion

Mayor Gallego remarked this was an important item to help fight domestic violence.

Councilman DiCiccio expressed it was great to be able to serve more women in particular, as well as men and children. He stated he was supportive as this was something that Council, and particularly Mayor Gallego, had been pushing. He said he was excited this was moving forward as it was one more creative way to help these individuals that were victims in the community.

One electronic comment was submitted for the record in support of this item.

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

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

No: 0

71 **Amend City Code - Ordinance Adoption - Rezoning Application Z-58-19-7 (Chicanos Por La Causa PUD) - Northeast Corner of 6th Avenue and Broadway Road (Ordinance G-6716)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-58-19-7 and rezone the site from R1-6 RSIO (Single-Family Residence District, Rio Salado Interim Overlay) and R-5 RSIO (Multifamily Residence District, Rio Salado Interim Overlay) to PUD RSIO (Planned Unit Development, Rio Salado Interim Overlay) for single-family and multifamily residential.

Summary

Current Zoning: R1-6 RSIO (Single-Family Residence District, Rio Salado Interim Overlay) and R-5 RSIO (Multifamily Residence District, Rio Salado Interim Overlay)
Proposed Zoning: PUD RSIO (Planned Unit Development, Rio Salado Interim Overlay)
Acreage: 10.90 acres
Proposal: Single-family and multifamily residential

Owner: Chicanos Por La Causa
Applicant: Prince Twumasi
Representative: Prince Twumasi

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The South Mountain Village Planning Committee heard this case on May 12, 2020, and recommended denial by an 9-3-1 vote.
PC Action: The Planning Commission heard this case on June 4, 2020, and recommended approval per the Addendum A Staff Report with an additional stipulation by an 8-0-1 vote.

Location
Northeast Corner of 6th Avenue and Broadway Road
Council District: 7
Parcel Addresses: 240, 316, and 356 W. Broadway Road

Discussion
Councilman Nowakowski made a motion to approve staff's recommendation for this rezoning request which was seconded by Councilwoman Williams.

Planning and Development Director Alan Stephenson advised the motion should be to approve per the Planning Commission's recommendation and adopt the related ordinance.

Councilman Nowakowski agreed and stated he wanted to take public comment.

Ashley Zimmerman Marsh introduced representatives and leaders of Chicanos Por La Causa (CPLC) and expressed her appreciation of staff's hard work, especially Councilman Nowakowski's office who had worked with them throughout this project. She said CPLC was a world class non-profit organization and one of the largest non-profits in Arizona, noting they had been in the state for more than 50 years and empowered hundreds of thousands of lives over those years. She remarked since working with this group, she now realized that CPLC offered more than 50 different programs and services for whole-person care in the areas of education, economic development, and health and human services. She

pointed out housing was one of their pillars, noting this project could not have come at a better time. She recalled that Council unanimously approved the Housing Phoenix Plan which identified a housing shortage of over 163,000 units of which more than 100,000 of those units had to be subsidized.

Lauren Kennedy said she sent a letter to Council, noting she had been doing research to find the facts on this project which was a challenge as a community member. She mentioned she was an art teacher in the Broadway community in District 7 which would be directly affected by this project. She expressed concern that CPLC had not made appropriate efforts for community engagement to get the necessary feedback for this project. She conveyed that CPLC labeled this project as 100 percent affordable; however, the definition per Arizona Department of Housing was equal to or less than 60 percent AMI which was the metropolitan statistical area of Maricopa County, not the Broadway community or the 85040 zip code where this project was located. She emphasized the poverty line was about $26,000 according to CPLC, noting 100 percent of the families in the area where she worked were below that poverty line. She stated this development did not meet the needs of the community and asked that CPLC delay the project to do the appropriate community engagement with different organizations and include the people already doing community engagement.

Paris Moore stated she opposed the motion and wished to echo the reasons stated by the previous speaker. She expressed she did not want this historically Black neighborhood to be victimized by criminalization, gentrification, displacement and re-segregation due to this project. She asked that Council oppose the motion.

Samuel Gomez, a native Phoenician, indicated he opposed this project for many reasons, one being that correct engagement had not been done as well as the number CPLC was using for AMI. He expressed it was not fair for this community which had been struggling with immigration policies and fear of light rail displacing people, not to mention COVID. He stressed that CPLC needed to talk to the community and the project needed to serve the community, noting they had been uncooperative in meeting with community members. He urged the Council to halt this

project.

Robert Boyd mentioned he was a veteran that lived in the South Mountain area, a member of the Travis L. Williams American Legion Post 65 and the commander of Amvets Post 66 as well as a member of the VFW. He stated that he and fellow veterans supported this multifamily rental project CPLC was proposing to build at Broadway and Central Avenue, especially since it was supportive housing for low-income households which included veterans.

Mayor Gallego thanked Mr. Boyd for his service and testimony.

Victor Vidales expressed residents of south central Phoenix were at a critical juncture as South Central light rail construction began and new high-density developments were being planned. He stated this was a precedent setting project by Chicanos Por La Causa and he wished to reinforce a letter from SoPho Convening which called to action on the implemented plans and policy recommendations that resulted from suggested solutions by the Council and constituents. He remarked SoPho Convening was a registered neighborhood organization in Districts 7 and 8 that was committed to protecting, preserving and unifying the culture, commerce and community of south Phoenix. He conveyed he opposed this project as currently planned, but requested that Council offer the applicant a continuance to work with all stakeholders to address their primary concerns. He pointed out the South Mountain Village Planning Committee voted this case down by a 9-2 vote after offering the applicant a continuance to work with the community to develop a mixed-income project that reflected the corridor's needs.

Mr. Vidales stated in the past year SoPho had held seven public and private meetings with CPLC and their staff, noting SoPho now understood CPLC's challenges of serving the most vulnerable in the community. He said if Council decided to approve this case that the following stipulations be added:

- Require a minimum of 30 percent, or 48 units, of the 161 units be restricted to those in the 0-59 percent of the area median income (AMI).
- Commit the Phoenix Housing Director to assign all the HUD project

based vouchers needed by CPLC in combination with any other funding of applicants to achieve a deeper level of affordability.
- Commit the Phoenix Community and Economic Development Director to work with the applicants and other community leaders and stakeholders to identify, create and obtain financial instruments and resources needed to reach a deeper level of affordability.
- Require the applicant to work with all stakeholders in the community on the design that reflects the character, culture and design of the existing neighborhood that results in a safe, walkable and inclusive community, which includes meeting with black-lead organizations in the south central corridor to discuss the concerns of the disparate treatment of black residents with this development.
- Commit the Phoenix Street Transportation Director to find solutions to support affordable housing developers that are committed to building for those in the 0-59 percent of AMI with public dollars required for infrastructure and off-site improvements, noting the current applicant, CPLC, is required to invest more than $1.25 million in off-site improvements creating an additional barrier for them to reach a deeper level of affordability.

Mr. Vidales expressed he hoped that Council would work with the community to implement these plans and policies which pointed to affordable housing, shade and pedestrian safety.

Lena Bauman-Warren said the Sportsman Family Tree, Inc. was a new non-profit organization that was a reorganization of a sportsman social club, noting members were long-time residents of Phoenix in the South Mountain area. She remarked her family had lived in the South Mountain area for 68 years while she had been a Phoenix resident for 54 years. She stated their organization did intensive research to determine whether or not they would support CPLC's project. She stated the organization examined CPLC's policies and found them to be in compliance. She added the organization also looked at CPLCs license and businesses and saw that they provide supportive housing opportunities for substance abusers and were also constructing a five-bedroom facility for clients who were referred back by the court for repeated recidivism.

Jordan Jacques, owner of South Mountain Services as well as a member

of the South Central Collaborative, spoke in opposition based on CPLC's lack of affordability, particularly in neighborhoods of color.

Matthew Aguilar mentioned he was a member of the South Mountain Village Planning Committee and also part of the People Over Property Initiative. He recalled how CPLC presented this project by showing the great things they had done over the last few decades, but he said CPLC needed to be held accountable for new projects. He conveyed the Village denied this application due to CPLC's poor outreach and their refusal to accept community feedback from the stakeholder groups, neighborhood associations and the Village. He emphasized CPLC needed to meet the needs of affordability, outreach and engagement, and service, and he urged Council to deny this project.

Jennifer Tunning, vice chair of the South Mountain Village Planning Committee and also a member of the People Over Property Initiative, expressed every person of color voted to deny this project. She explained the Initiative was a collective of local organizations, community organizers, developers, Village members, residents and lovers of south Phoenix that recognized the generational impact of the land use and development process. She conveyed the Initiative was opposed to the current CPLC project which was less than half a mile away from the future south central light rail.

Joe Larios, a member of the People Over Property Initiative, said the south central community named the threat of displacement as a priority issue and the reason they demanded higher standards of engagement for every developer. He remarked the developer was using a median income designation that was twice the amount of local income and refused to match affordability to local needs which would cause displacement. He stressed that Council must hold every developer and cultural institution accountable to a higher standard of engagement, noting CPLC had not done that work.

Yael Grauer stated it was important to prioritize affordable housing for residents in the area, particularly Black residents in the community and to use family income numbers in this area instead of median family income. She urged that Council consider looking into it since people were asking

for it.

Rebekah Young spoke in opposition because CPLC was using the federal median family income which exceeded $72,000 a year instead of using the area median income which would change it to $38,000 a year. She expressed it was unfair to pass this project when it would lead to displacement of black and brown communities, noting the pattern of increasing rent was a problem across the U.S. and people who could not afford it needed to be protected. She asked that Council not pass CPLC's project which used inaccurate analysis of area based income.

Sarah Yoon said she was opposed to this proposal and wanted Council to deny this project until the developer engaged with local leadership in the affected areas who also opposed it. She indicated the project failed to provide accessible and affordable housing for those directly affected by it and gentrified the area by displacing residents using the federal median family income instead of the area median income. She pointed out the project would allow people with an income of almost $73,000 to live in the residential buildings versus those who lived in the area whose income was about half of that at $38,500. She mentioned that 25 percent of the area's residents were Black, noting 76 percent of that population would not be able to afford ownership and 54 percent would be unable to rent property in CPLC's project. She expressed this project would not help those most directly affected by it and would further catalyze existing issues of health and wealth inequities in the South Mountain Village. She asked that Council oppose this project until the necessary changes were made.

Maisal Goe said she echoed most of the sentiments from people who spoke in opposition to this project. She stated CPLC had not done proper community engagement and requested that Council vote no and delay the project. She remarked this project would further gentrification and displacement as CPLC was not listening to the community. She conveyed residents wanted affordable housing, so until CPLC spoke with the community and came back with a comprehensive solution she was opposed to the project.

An unidentified man spoke on behalf of Mel Harmann and said her and

her neighbors were interested in keeping the neighborhood affordable for families. He stated some of her community members found public information was hard to find regarding pricing, so her neighbors wanted more transparency in the plan to make local housing more affordable. He remarked Ms. Harmann thanked CLPC for taking the initiative to improve the neighborhood, but they needed to slow down the process and take the time to answer the community's questions. He said she hoped the Council, particularly Councilman Nowakowski, made the best decision to ensure housing was affordable for the community.

Camille Johnson stated she was a resident in District 7 where this project was proposed to be located. She expressed there was a lot of concern about the impact of street name changes on residents and businesses, but there did not seem to be much concern for Black community members affected by this housing project. She indicated 25 percent of residents in the South Mountain Village neighborhood were Black, noting south Phoenix was historically one of the only places Black families were allowed to buy a home. She conveyed 50 percent of area residents would not be able to own and 40 percent would be unable to rent homes in this affordable housing project which would cause displacement. She asked that Council apply their energy for street name changes towards gathering community input to make his a true affordable housing project.

Anesia Groves, a member of the Black Lives Matter Phoenix Metro community, remarked the transit-oriented development strategy was not finished and south central Phoenix needed an anti-racist strategy for this project. She stated 59 percent of Black households earned less than the area median income while the developer refused to change its position on 60 percent AMI to rent and 80 percent AMI to own. She added that left 50 percent of Black people unable to own and 40 percent not able to rent which made this project unaffordable. She pointed out the developer was proposing a project in a neighborhood that was 25 percent Black and refused to engage local Black leadership on issues of housing affordability and accessibility. She stressed 20 percent of the surrounding community's households were in mobile home parks and had been identified by the City as high risk for displacement which included increased undocumented renters in the community. She indicated the developer was not interested in addressing the local needs

with this project and was, therefore, disconnected from the community. She conveyed persons of color on the Village Planning Committee cited multiple issues of housing affordability and accessibility and denied the case, but it was circumvented by a disinterested and nearly all white Planning Commission.

Parris Wallace stated she was with the Black Phoenix Organizing Collective which was an organization that worked exclusively with the Black community and made visible the way racism operated within the development process. She said she was also a member of the People Over Property Initiative as well as a member of the Estrella Village Planning Committee. She conveyed she was opposed to CPLC's proposed property development project in south Phoenix and demanded a continuance. She pointed out this project was in a neighborhood with a 25 percent Black population, noting CPLC refused to make a commitment to ensure formerly incarcerated people would not be displaced. She wondered where CPLC was getting its guidance since signatures were gathered from over 541 community members in 17 different organizations in opposition to this project, not to mention 183 public comments. She stated Council could not approve of a project that lacked community support and reinforced racism in its development policies and practices.

Petra Falcon, executive director at Promise Arizona, expressed three generations of her family had lived, worked and been educated in south Phoenix. She conveyed the CPLC project, while it had good intentions, did not respond to the massive need of affordable housing and home ownership in south Phoenix. She stated Promise Arizona as well as those on the phone had been working together on TOD project efforts to design based the community's needs, goals and vision. She remarked community engagement had been extensive because Promise Arizona made a pledge that progress coming to south Phoenix due to the light rail extension would benefit the people currently living in south Phoenix. She emphasized the median renter family had an annual income of less than $20,000 in this area, noting 67 percent of their income went to housing and the rest was for other expenses.

Two electronic comments in support, 176 electronic comments in

opposition and 5 electronic comments with no position were submitted for the record on this item.

Mayor Gallego ended public comment and opened the floor for Councilmember questions.

Councilman Nowakowski indicated he had questions for CPLC.

Ms. Zimmerman Marsh confirmed she was on the line to answer questions on behalf of CPLC.

Councilman Nowakowski asked if this was a market rate development.

Ms. Zimmerman Marsh affirmed this was not a market rate development, noting there was a lot of misinformation and some misunderstanding about how this project was financed. She conveyed CPLC was pursuing LIHTC funding for the entire multifamily project which meant all 161 units would serve up to a maximum of the 68 percent area median income. She stated families could benefit from the new apartment homes which were taxed at 60 percent of the area income level, but that did not mean the property could not serve families as well as 0 percent area median income without the subsidized housing voucher system.

Councilman Nowakowski confirmed this was not a market rate development. He noted there was confusion about whether it was affordable or not, and asked how many of the units were affordable.

Ms. Zimmerman Marsh replied 100 percent, so 225 proposed units plus the 161 apartment units.

Councilman Nowakowski said there was a lot of concern about people making less than 60 percent of the area median income being able to participate. He questioned if they could participate or be part of this project.

Ms. Zimmerman Marsh responded yes.

Councilman Nowakowski asked if CPLC was able to set aside any units

for low-income levels.

Ms. Zimmerman Marsh replied CPLC had already dedicated 100 percent of its units to affordable housing and would be aggressively chasing other subsidies to provide housing opportunities for people as low as 0 percent AMI. She affirmed this project was available to serve a variety of mixed incomes.

Councilman Nowakowski wondered if Section 8 and other housing vouchers would be accepted.

Ms. Zimmerman Marsh responded yes.

Councilman Nowakowski stated there was confusion about median income being set by zip code and he questioned if it was set at the state or county level.

Ms. Zimmerman Marsh replied since CPLC was chasing LIHTC funding they had to use the HUD level for area median income which was set annually by HUD. She explained HUD set the area median income based on MSA which was the metropolitan area for that area and then CPLC was given direction as to what the 60 percent level looked like based on HUD's guidelines.

Councilman Nowakowski remarked another concern of the residents was how CPLC would make sure this would be a long-term affordable project and not flip it into a market rate development after five or ten years.

Ms. Zimmerman Marsh conveyed there were two ways to make sure the program would be affordable long-term because CPLC was chasing LIHTC funding. She said one way was an IRS program that CPLC needed to recertify every year that they were compliant. She stated another way was that LIHTC financing required a declaration of affirmative land use restrictive covenant which was reported on the property. She added it required that some or all of the units be available to household incomes below a certain percentage, 60 percent in this case. She remarked it was a deed restriction that was signed on the property for the term of affordability, so if CPLC sold the property the

covenant was recorded on the property such that for the period as affordability it would run with the land.

Councilman Nowakowski recalled hearing that CPLC declined invitations of meeting with people from the community and with the Community Development Corporation. He asked if CPLC met with these individuals or declined meeting with them.

Ms. Zimmerman Marsh replied she did not recall a specific invitation with the Community Development Corporation, but CPLC had been open to meeting with as many groups as possible. She mentioned CPLC was committed to meeting with several stakeholders and some of the feedback CPLC received was that they were not meeting with folks. She pointed out CPLC had been out in the community since before they filed this application and knocked on doors, left door flyers and sent notification letters to residents as well as met with over 20 organizations and stakeholders. She added some of those organizations submitted letters in support which were available to the public, so CPLC had done a fair amount of outreach and was committed to continue dialogue with community leaders.

Councilman Nowakowski said another thing he heard was that someone had to make $80,000 to qualify to live at this project. He wondered what the calculation was for a family of four.

Ms. Zimmerman Marsh affirmed there was a lot of talk about this $70,000 to $80,000 figure somebody would need to make which was not the case. She explained the area median income was what 50 percent of the people in the Phoenix area made more and 50 percent made less and that number was set, so a project like this was 60 percent of that number. She conveyed if this project was built today then that number was just over $77,000 and was multiplied by 60 percent, so 60 percent of the area median income for the Phoenix metro area was $46,680 which took it down to $32,700 for a one-person single-family home.

Councilman Nowakowski recalled the last speaker talked about a family that made $49,000 and he asked if they would qualify to live at this project.

Ms. Zimmerman Marsh replied she thought that was correct, noting the family might make too much money if it was $49,000 but it depended on the size of the family. She conveyed the area median income was set and then there was a percentage based on the number of persons in the home.

Councilman Nowakowski indicated he had a question for staff. He wanted to know if this project went against the south Phoenix TOD policy planning and vision for the community. He recalled doing a lot of outreach with the light rail going in, especially on Broadway and Central, but it seemed this project was against the TOD.

Mr. Stephenson advised this item was supported by the TOD strategic policy framework that was adopted by Council. He stated that set the place type around this intersection at two to five stories with a potential incentive up to seven stories. He added it supported the implementation of the housing Phoenix plan that Council adopted a couple weeks ago as well as several elements of the General Plan.

Councilman Nowakowski stated the City was looking for over 100,000 affordable units and acknowledged the plan that was just adopted by Council would help the City reach that goal.

Mr. Stephenson affirmed that statement and noted that plan listed a 163,067 housing unit shortfall. He conveyed this would provide an additional 161 multifamily units that were the LIHTC portion of this project, plus 64 townhouse portions of the project which would be another 64 units.

Councilman Nowakowski thanked Mayor Gallego as he had written questions down from callers and wanted to make sure those questions were answered.

Councilmember Garcia said there were a lot of comments and he actually sat through both the information and vote at the Village so he saw firsthand and heard about this project. He recalled the Village voted this down 9-2 and it was mentioned that every person of color voted it down.

He asked if CPLC made any adjustments after the Village meeting or addressed any of the concerns brought forth at the Village meeting.

Ms. Zimmerman Marsh replied that CPLC continued to talk with community leaders, noting they had spoken with more than 20 stakeholders from that meeting. She stated CPLC talked about how they could link arms to chase further subsidies which was the main focus based on feedback from the Village. She reiterated those conversations were in the works and commitment was made for CPLC to work and identify additional levels of subsidies so they could provide as many housing opportunities as possible.

Councilmember Garcia wanted to know if CPLC made any changes to the project because of the two Village meetings.

Ms. Zimmerman Marsh affirmed they had addressed the concerns made between the neighborhood feedback, such as incorporating the paseos and relocating them to where it made sense as well as incorporating the leasing office off of Broadway. She indicated CPLC made changes to the site plan based on feedback from their community outreach.

Councilmember Garcia asked what the reason was for not using the local AMI rather than the larger one. He said he understood CPLC was using it because of the grant, but he wanted to know why they chose to not use the immediate area.

Ms. Zimmerman Marsh invited Tom Wilson of CPLC to speak on that topic.

Mr. Wilson replied the use of the metropolitan statistical area (MSA) was mandated by the Office of Management and Budget, so HUD and other federal agencies did not have any leeway to go by zip code or to use a census tract. He conveyed the MSA, which incorporated all of Maricopa County, was what HUD provided CPLC and was what they had to use.

Councilmember Garcia expressed he understood that, but the conversation that was happening, particularly the south central area and with light rail coming, was how to avoid gentrification. He pointed out one

of the best ways was to make sure the people that lived in the area could afford these new developments. He wondered, if CPLC was not building for the people that already lived in the area, if they expected people to come to this property from other places.

Ms. Zimmerman Marsh responded CPLC evaluated the census tract in this area which showed an income of $50,935. She remarked the census tract was a much more pointed indication than zip code alone which was a metric that CPLC used in its due diligence. She specified 60 percent of the area median income of Phoenix for a family of four was roughly $46,680, so they had evaluated the needs of this specific community using available census tract data.

Councilmember Garcia said the TOD was not finished, but some of the conversations he heard through this process was the need for an anti-racist strategy for transit-oriented development in south central. He asked if CPLC had given that any thought as to what types of people would be in the property, including accessibility for formerly incarcerated people into the property.

Ms. Zimmerman Marsh invited David Adame of CPLC to answer that question.

Mr. Adame replied CPLC's history and mission was to work with everybody in this community. He noted CPLC also provided housing counseling services which they would make available to any resident interested in this project as soon as possible. He stated CPLC would review their personal situation and make sure that person was prepared if interested in this project or any other project. He conveyed CPLC had to abide by certain federal regulations and some of those regulations restricted anybody that had a certain type of felony. He mentioned CPLC managed other properties throughout Phoenix and also had programs that worked with formerly incarcerated people who were referred to them by the justice system for rehab. He added CPLC helped find them a job and housing they could qualify for, noting CPLC would not turn away anyone who was interested. He emphasized CPLC was committed to working as much as possible to help people, but they had to abide by certain rules.

Councilmember Garcia remarked he had worked at CPLC while going to college and knew firsthand their programming, not to mention the people that shaped his life and mentored him were also founders of CPLC. However, he said he did not want CPLC to cut corners and thought it was a good idea to have these conversations. He stated some of the people on the phone and CPLC had good intentions, so it was a matter of getting everybody on the same page, but it was up to the Councilmember and he indicated he would follow the Councilmember's lead on this project. He advised Mr. Adame that a lot of the property CPLC owned and was able to bank to help the City reach its affordable housing goal was also in District 8, and he expected more of this be done and that they work together to ensure the community felt heard. Councilmember Garcia thanked CPLC for all of their work but, because of COVID and the housing study, Council expected more of CPLC and every other developer coming forward to reach that affordable housing goal together while being anti-racist and inclusive.

Councilman DiCiccio remarked Councilman Nowakowski did an amazing job of laying out this case because each concern that was brought up by members of the public was addressed. Councilman DiCiccio emphasized this project needed to go through, especially since the City was short 100,000 units. He stated this project was in the best interest of the City and fulfilled a need that would continue to grow if Council did not start supporting individuals that came before them to help solve this problem. He thanked the CPLC members who were on the phone today and for doing business in Phoenix, and indicated he supported this project.

Councilwoman Pastor said she had questions and asked if this project would be part of a Section 8 piece.

Ms. Zimmerman Marsh affirmed that Section 8 vouchers would be accepted.

Councilwoman Pastor questioned if AMI would stay the same or if it would increase. She also wanted to know what area median income CPLC was basing it off of, for instance the $77,800 or the $47,000 or a

combination between those two numbers.

Ms. Zimmerman Marsh replied the affirmative land use restrictive covenant was a deed restriction on the property through LIHTC funding that created the period of affordability which mandated the property be deed restricted for affordability for 30 years. She continued the area median income being used was MSA through HUD which was adjusted annually, noting CPLC had to recertify so the project was a percentage of the area median income. She explained if $77,000 was used then it was 60 percent of that area median income which was multiplied and adjusted based on family size, noting these were HUD numbers and figures. She conveyed the covenant protected for the long-term of the project and HUD adjusted these numbers annually with CPLC needing to recertify that they met those numbers.

Councilwoman Pastor said she understood that the AMI, particularly the $77,800, was an average of the Phoenix metropolitan area. She then took a one mile radius around this area and found that the median income was $47,000, so she realized this could go up to 60 percent and as low as 40 percent. She recognized the 30 percent that was talked about was more in line with the housing projects Council passed last week, so she recommended there be a mixture of housing across the board for different populations. She stated the City had workforce housing and market rate housing, while this project would help a working family of four that was in the lower bracket which made this an affordability project.

Ms. Zimmerman Marsh affirmed this was an affordability project.

Councilwoman Pastor asked if it would range between 40 and 60 percent.

Ms. Zimmerman Marsh replied it could range from 0 to 60 percent depending on the subsidy.

Councilman Nowakowski thanked CPLC for everything they did in the community, especially in the minority community, and for all of their services from substance abuse to domestic violence to homeless and refugees as well as first-time home ownership training to education of

financial support for small businesses. He added the City even used CPLC's homeless and domestic violence programs. He emphasized the leadership and individuals that worked for CPLC thought their job was more like a mission of giving back to the community, noting this organization was born out of the civil rights movement. He stated this was a unique project and people talked about wanting to own a home and this project would have 64 townhomes people could actually own, plus take advantage of all the amenities in the apartment complex. He thanked CPLC for reaching out and including home ownership in this project and stressed the need for more partnerships like this and with other good non-profits that struggled to find money to build affordable housing in Phoenix. He acknowledged the City was struggling right now to find funds, but he hoped in the future the City could find the money to build these 168,000 units to catch up on all the needs in the City.

Mayor Gallego expressed she supported the motion.

Prior to his vote, Councilmember Garcia stated he supported the Councilmember in this project. He wished to provide another message to CPLC that there were new generations coming out and new work being done, noting many people knew of their history and understood their contributions. He stressed this was a new era with new expectations that he hoped CPLC could start meeting those bars as today was a lesson to make sure developments brought communities together instead of dividing them. He said he hoped to work together with CPLC and other organizations to make that happen in his district and conveyed his vote was yes.

Prior to her vote, Councilwoman Stark thanked Councilman Nowakowski for his hard work on this project and said she was a yes.

Prior to her vote, Vice Mayor Guardado stated she supported this project, but she hoped CPLC continued this dialogue with the community to figure out how to meet some of their needs as well as make people feel inclusive in projects coming up. She stated her vote was a yes.

A motion was made by Councilman Nowakowski, seconded by Councilwoman Williams, that this item be approved per the June 4, 2020 Planning Commission recommendation with adoption of the

related ordinance. The motion carried by the following vote:

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

No: 0

77 ADD-ON - Request Authorization to Amend Contract 152138 to Increase Payment Authority for Chiller Replacement at UMOM New Day Centers Inc. (Ordinance S-46851)

Request authorization for the City Manager, or his designee, to amend contract 152138 with UMOM New Day Centers Inc. in the amount of $150,000 to provide funding to replace one chiller. The term of the contract will begin on or about May 6, 2020 through June 30, 2021 with an aggregate amount not to exceed $2,250,000. Further request authorization for the City Controller to disburse all funds related to this item. One-time funding is provided from the Emergency Solutions Grant through the U.S. Department of Housing and Urban Development. There is no impact to the General Fund.

Summary

In response to the COVID-19 pandemic, UMOM is requesting funding to replace a broken chiller which would impact homeless families currently sheltered at UMOM New Day Center.

Procurement Information

The City of Phoenix has obtained, and will obtain, any and all necessary federal waivers to alleviate the need to comply with federal procurement guidelines.

Contract Term

The term of this contract will begin on or about May 6, 2020 through June 30, 2021. This contract may be extended based on continuous need and available funding, which may be exercised by the City Manager or designee.

Financial Impact

Increase of contract amount by $150,000, with an aggregate amount not to exceed $2,250,000. There is no impact to the General Fund. Funding will be provided with U.S. Department of Housing and Urban Development Emergency Solutions Grant.

Discussion

Mayor Gallego stated this item was pulled from the consent agenda because a member of the UMOM team wished to speak, but that individual was no longer available.

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

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

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

No: 0

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

CITIZEN COMMENTS

Mayor Gallego announced no one was on the line to provide comments.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 4:34 p.m.

MAYOR

ATTEST:

CITY CLERK

SM

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the formal session of the City Council of the City of Phoenix held on the 1st day of July, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 15th day of June, 2022.

CITY CLERK

