City of Phoenix

Minutes

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

186394

City Council Formal Meeting

Wednesday, March 6, 2024 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, March 6, 2024 at 2:35 p.m. in the Council Chambers.

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

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

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-7222 and G-7234 through G-7238, S-50616 through S-50661, and Resolutions 22183 through 22186 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

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

MINUTES OF MEETINGS

1 For Approval or Correction, the Minutes of the Formal Meeting on

May 5, 2021

Summary

This item transmits the minutes of the Formal Meeting of May 5, 2021, for review, correction and/or approval by the City Council.

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

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

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

No: 0

2 **For Approval or Correction, the Minutes of the Formal Meeting on May 19, 2021**

Summary

This item transmits the minutes of the Formal Meeting of May 19, 2021, for review, correction and/or approval by the City Council.

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

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

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

No: 0

3 **For Approval or Correction, the Minutes of the Formal Meeting on Jan. 24, 2024**

Summary

This item transmits the minutes of the Formal Meeting of Jan. 24, 2024, 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 Robinson, seconded by Councilwoman Ansari, that this item be approved. The motion carried by the following voice vote:

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

Ahwatukee Foothills Village Planning Committee

Appoint John Strem, filling a vacancy on the committee for a term to expire Nov. 19, 2025, as recommended by Councilman Robinson.

Design Review Committee

Appoint Alan Beaudoin, filling a vacancy on the committee for a term to expire March 6, 2026, as recommended by Mayor Gallego.

Neighborhood Block Watch Fund Oversight Committee

Appoint Roxanne Smith, filling a vacancy on the committee for a term to expire March 6, 2026, as recommended by Vice Mayor Stark.

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

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

No: 0

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

Roxanne Smith - Neighborhood Block Watch Fund Oversight Committee

Mayor Gallego invited Ms. Arreguin Gamez to approach the dais so Council could extend their appreciation.

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

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

A motion was made by Vice Mayor Stark, seconded by Councilwoman O'Brien, that items 5-19 be recommended for approval. The motion carried by the following voice vote:

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

No: 0

5 Liquor License - Special Event - Phoenix Film Foundation

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

Summary

Applicant
Jason Carney

Location
7000 E. Mayo Blvd., Ste. 1059

Council District: 2

Function
Film festival

Date(s) - Time(s) / Expected Attendance
April 4, 2024 - 6 p.m. to 8:30 p.m. / 350 attendees
April 5, 2024 - 6 p.m. to 11:30 p.m. / 350 attendees
April 6, 2024 - 3 p.m. to 11:30 p.m. / 350 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

6 Liquor License - Marriott Desert Ridge - Gift Shop

Request for a liquor license. Arizona State License Application 275189.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 10 - Beer and Wine Store

Location
5350 E. Marriott Drive
Zoning Classification: RH M-R
Council District: 2

This request is for a new liquor license for a gift shop. 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 March 18, 2024.

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

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

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

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Located inside the JW Marriott Resort, the Marriott Desert Ridge Gift Shop offers resort guests the convenience of on-property shopping for clothing, books and magazines, toys, gifts, souvenirs, snacks, and drinks. Applicant would like to offer guests 21 and over the opportunity to purchase beer and wine."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - Marriott Desert Ridge - Gift Shop - Data
Attachment - Marriott Desert Ridge - Gift Shop - Map

This item was recommended for approval.

7 Liquor License - Pei Wei Asian Kitchen

Request for a liquor license. Arizona State License Application 268732.

Summary

Applicant
Patrick Castle, Agent

License Type
Series 12 - Restaurant

Location
12635 N. Tatum Blvd. #120
Zoning Classification: PSC PCD
Council District: 3

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow alcohol sales as an accessory use to a restaurant.

The 60-day limit for processing this application is March 17, 2024.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that

location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Opening its 12th location in Arizona., Pei Wei Asian Kitchen is a popular family-friendly, neighborhood restaurant offering authentic, Asian-inspired cuisine. applicant would like to offer alcoholic beverages to its guests 21 and over as an incident to the delicious meals served."

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
Attachment - Pei Wei Asian Kitchen - Data
Attachment - Pei Wei Asian Kitchen - Map

This item was recommended for approval.

8 Liquor License - Special Event - St. Mary's Roman Catholic High School Phoenix

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

Summary

Applicant
Damin Lopez

Location
2525 N. 3rd St.
Council District: 4

Function
Dinner

Date(s) - Time(s) / Expected Attendance
April 13, 2024 - 5 p.m. to 10 p.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

9 Liquor License - Special Event - Laveen Youth FC

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

Summary

Applicant

Donny D. Zamora

Location
4344 W. Indian School Road, Ste. 100
Council District: 5

Function
Concert/Dance

Date(s) - Time(s) / Expected Attendance
April 19, 2024 - 8 p.m. to 2 a.m. / 700 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

10 Liquor License - Special Event - Laveen Youth FC

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

Summary

Applicant
Donny D. Zamora

Location
4344 W. Indian School Road, Ste. 100
Council District: 5

Function
Concert/Dance

Date(s) - Time(s) / Expected Attendance
May 10, 2024 - 8 p.m. to 2 a.m. / 700 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

11 Liquor License - Aguila's Hidaway Nugget

Request for a liquor license. Arizona State License Application 271634.

Summary

Applicant
Javier Aguila, Agent

License Type
Series 6 - Bar

Location
4130 N. 83rd Ave., #11
Zoning Classification: C-3
Council District: 5

This request is for an ownership transfer of a liquor license for a bar. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is March 9, 2024.

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.

Aguila's Hidaway The Office (Series 06)
330 S. Gilbert Road #2 and #3, Mesa
Calls for police service: not in Phoenix
Liquor license violations: None

Aguilas Hidaway Saloon (Series 06)
24202 W. HWY 85, Buckeye
Calls for police service: not in Phoenix
Liquor license violations: None

Aguila's Hidaway Lighthouse (Series 06)
12351 W. Indian School Road, Avondale
Calls for police service: not in Phoenix
Liquor license violations: None

Aguila's Hidaway (Series 06)
1235 N. 8th Street, Ste. A, Avondale
Calls for police service: not in Phoenix
Liquor license violations: In December 2018, a fine of $750.00 was paid for failure to request ID from underage buyer and giving, furnishing an underage person with alcohol.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
“I currently own and run 4 other bars in Arizona aside from this one. I have the education and experience for it.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“We will provide a place where all people are welcome to relax and socialize. This building has been a beloved place for many years and we will continue the tradition of gathering with our neighbors and community while upholding all laws and regulations to provide a safe place for all who wish to visit.”

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
Attachment - Aguila's Hidaway Nugget - Data
Attachment - Aguila's Hidaway Nugget - Map

This item was recommended for approval.

12 Liquor License - Special Event - Phoenix Final Four Local Organizing Committee

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

Summary

Applicant
Jay Parry

Location
67 W. Culver St.
Council District: 7

Function
Festival

Date(s) - Time(s) / Expected Attendance
April 5, 2024 - 4:30 p.m. to 10 p.m. / 25,000 attendees
April 6, 2024 - 4 p.m. to 10 p.m. / 25,000 attendees
April 7, 2024 - 2:30 p.m. to 10 p.m. / 25,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

13 Liquor License - Special Event - Phoenix Community Alliance, Inc.

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

Summary

Applicant
Devney Majerle

Location
67 W. Culver St.
Council District: 7

Function
Festival

Date(s) - Time(s) / Expected Attendance
April 20, 2024 - 11 a.m. to 7 p.m. / 3,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

14 Liquor License - St. Patrick's Day Parade

Committee and Irish Society of Arizona, Inc.

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

Summary

Applicant
Vicki Champion

Location
67 W. Culver St.
Council District: 7

Function
Irish Cultural Festival

Date(s) - Time(s) / Expected Attendance
March 16, 2024 - 10 a.m. to 5 p.m. / 2,500 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

15 Liquor License - FEZ

Request for a liquor license. Arizona State License Application 275310.

Summary

Applicant
Amy Nations, Agent

License Type
Series 12 - Restaurant

Location
105 W. Portland St.

Zoning Classification: DTC-Downtown Gateway
Council District: 7

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 March 17, 2024.

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.

Baci Italian Bistro (Series 12)
8830 E. Germann Road #182, Mesa
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"The new owner owns and has owned restaurants with liquor licenses. He is an experienced operator. As a chef at heart, he know's what people are looking for dining out and looks forward to being a member of this community. Staff will be trained in Title 4 liquor laws to ensure compliance."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This location has been open since 2005 with a liquor license. The neighborhood calls this restaurant an Original Phoenix Favorite. Phoenicians know FEZ as a place to relax, share a drink and conversation while consuming delicious food. FEZ quickly became a favorite gathering place in a contemporary setting filled with comfort."

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
Attachment - FEZ - Data
Attachment - FEZ - Map

This item was recommended for approval.

16 Liquor License - TravelCenters of America

Request for a liquor license. Arizona State License Application 264877.

Summary

Applicant

Monica Copeland, Agent

License Type
Series 10 - Beer and Wine Store

Location
6741 W. Latham St.
Zoning Classification: A-1
Council District: 7

This request is for a new liquor license for a convenience store that sells gas. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is March 12, 2024.

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

Other Active Liquor License Interest in Arizona
This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
“I am a resident of Arizona and the manager of this facility. I have completed manager and basic server training and I am regularly at the premises and familiar with the day to day operations. The company is a national company that owns and operates in excess of 285 locations similar to this one throughout the United States and holds similar retail liquor licenses at a majority of those facilities. The company has developed employee training regarding sales of alcoholic beverages and maintains protocols for proper service in its employee handbook. I am familiar with the training and the service protocols and will work with the employees to ensure compliance with city and state alcoholic beverage 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 business that has recently undergone a change of ownership. The Seller held a Series 10 beer and wine store license and has authorized TA Operating LLC as the new owner to obtain an interim permit for continued sales of beer and wine. A continuation of this service under the new owner is in the best interest of the community.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - TravelCenters of America - Data
Attachment - TravelCenters of America - Map

This item was recommended for approval.

17 Liquor License - Special Event - Liberty Wildlife Inc.

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

Summary

Applicant
Margaret Mosby

Location
2600 E. Elwood St.
Council District: 8

Function
Cultural Event

Date(s) - Time(s) / Expected Attendance
April 13, 2024 - 4 p.m. to 7 p.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

18 Liquor License - Full Speed, LLC

Request for a liquor license. Arizona State License Application 266577.

Summary

Applicant
Rebekka Holmes, Agent

License Type
Series 12 - Restaurant

Location
511 E. Roosevelt St.
Zoning Classification: DTC-Evans Churchill East
Council District: 8

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 March 9, 2024.

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.

Little Miss BBQ (Series 12)
8901 N. 7th St.
Calls for police service: 12
Liquor License Violations: None

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

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

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

because:
“I currently own and operate Little Miss BBQ-Sunny Slope which has a series 12 liquor license. I always file timely reports, and abide by DLLC laws for serving alcohol.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“Full Speed is a new restaurant concept opening on Roosevelt Row. We will be serving fried chicken and pork ribs along with sides and deserts. We feel that a liquor license will bring in more customers eating, dining and drinking in our establishment. We are creating an inviting atmosphere with amazing food and want to include liquor as part of our offerings. We always aim the "Be the best part of people's day" and will continue to strive to be an asset to the city of Phoenix.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - Full Speed, LLC - Data
Attachment - Full Speed, LLC - Map

This item was recommended for approval.

19 Liquor License - The Sidewinder

Request for a liquor license. Arizona State License Application 273943.

Summary

Applicant
Esther Noh, Agent

License Type
Series 12 - Restaurant

Location
924 E. Roosevelt St.
Zoning Classification: C-1 ACOD

Council District: 8

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit. This business has plans to open in April 2024.

The 60-day limit for processing this application is March 11, 2024.

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.

Sottise (Series 12)
1025 N. 2nd St., Phoenix
Calls for police service: 2
Liquor license violations: None

Restaurant Progress (Series 12)
702 W. Montecito Ave., Phoenix
Calls for police service: 1
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"My business partner and I have the privilege of being proprietors of two other successful restaurants that hold Series 12 Liquor Licenses. We have demonstrated a strong understanding of Title 4 Laws by consistently maintaining compliance without any violations."

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 promote economic growth and stimulate local business, contribute to Garfield's social scene, fostering social social interactions and community bonding, as well as raise the community's profile and reputation, making it more attractive to potential residents, businesses & investors."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - The Sidewinder - Data
Attachment - The Sidewinder- Map

This item was recommended for approval.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

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

Item 24 - Five opposed and one indicating no position.
Item 41 - Five opposed.
Item 81 - One opposed.

A motion was made by Vice Mayor Stark, seconded by Councilwoman Pastor, that items 20-84 be approved or adopted, except items 23, 51, 55, 61, 67, 78 and 82-84; noting Item 44 is continued to the April 17, 2024 City Council Formal Meeting and Item 79 is continued to the June 26, 2024 City Council Formal Meeting. The motion carried by the following vote:

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

No: 0

Items 20-22, Ordinance S-50616 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.

20 VRC Companies, LLC, dba Vital Records Control

For $108,500 in payment authority for a new contract, entered on or about March 15, 2024, for a term of five years for off-site records management services for various City departments. Off-site records management services are necessary to store and protect system backup media in a secure and local off-site location. This contract will also aid with disaster and data recovery plans for City records.

This item was adopted.

21 Go AZ Motorcycles

For $129,000 in payment authority for a new contract, entered on or

about March 1, 2024, for a term of three years, which will provide motorcycle officer helmets, accessories, communications and required maintenance for the Police Department. Traffic Bureau motorcycle officers and students require modular helmets and accessories to provide face protection if a collision occurs, as well as eye protection from the elements such as sand, road debris and rain. This is imperative as the motorcycles used are not equipped with windshields. In addition, due to the nature of motor officer police work, part replacement and helmet maintenance is necessary during the life of a helmet.

This item was adopted.

22 Matrix Consulting Group

For $68,000 in payment authority to purchase consulting services for the Planning and Development Department. Matrix Consulting Group will expand their prior Public Safety Infrastructure Pilot Study to include information that was not available at the time of the initial study. The consulting services will update projections and model future street networks and include the review and update of planned fire station locations and timing of growth for new facilities. In addition, the consulting services will include a review of the current methodology for determining equivalent demand unit (EDU) factors for impact fee assessment. Funding is available in Planning and Development's operating budget.

This item was adopted.

24 Public Education Program through Arizona Media Association Contract - RFA 24-0061 Request for Award (Ordinance S-50626)

Request to authorize the City Manager, or his designee, to enter into a contract with Arizona Media Association to provide Public Service Messaging and Marketing for the Communications Office. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $1,020,000.

Summary

This contract will provide the Communications Office with the design and implementation of public service campaigns and advertising. Proposed Public Education Programs campaigns will promote water conservation, drought messaging, various departmental hiring campaigns and storm water awareness. The Arizona Media Association is government-focused

and can also use marketing performance tools to track key performance metrics and delivery. This will ensure advertisements are placed in accordance with Communications Office goals to identify and purchase advertisement space on channels that are relevant to the City's target audiences at optimal times.

Procurement Information
In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved determination memo based on special circumstances, being without competition. The Public Education Program offered by Arizona Media Association is the only program in Arizona that provides discounted statewide advertising on TV, radio, and digital platforms which is only available to government agencies and nonprofit groups. The Communications Office benefits by leveraging the significant discounts provided by Arizona Media Association.

Contract Term
The contract will begin on or about March 1, 2024, for a five-year term with no options to extend.

Financial Impact
The aggregate contract value for will not exceed $1,020,000 for the five-year aggregate term. Funding is available in the Communication Office budget.

This item was adopted.

25 Acceptance of an Easement for Drainage Purposes (Ordinance S-50643)

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

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

Easement (a)

Applicant: NexMetro Western Garden, LLC
Purpose: Drainage
Location: Southeast corner of N. 97th Avenue and W. Indian School Road
File: 230107
Council District: 5

This item was adopted.

26 Acceptance and Dedication of Easements and Deeds for Sidewalk, Roadway and Public Utility Purposes (Ordinance S-50644)

Request for the City Council to accept and dedicate easements and deeds for sidewalk, roadway, 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: Kierland Office Park Condos Owners Association, Inc., its successor and assigns
Purpose: Sidewalk
Location: 7077 E. Marilyn Road
File: 230099
Council District: 2

Easement (b)
Applicant: H Cubed Investments, LLC, its successor and assigns
Purpose: Sidewalk
Location: 5020 N. 21st Ave. (5022 N. 21st Ave.)
File: 230119
Council District: 4

Deed (c)
Applicant: Vahagh Kagramanyan, its successor and assigns
Purpose: Roadway

Location: 900 E. Roma Ave.
File: 230070
Council District: 4

Easement (d)
Applicant: Karla L. Davila; Carlos Ruiz, its successor and assigns
Purpose: Public Utility
Location: 1325 E. Hadley St.
File: 230116
Council District: 8

Deed (e)
Applicant: Karla L. Davila; Carlos Ruiz, its successor and assigns
Purpose: Roadway
Location: 1325 E. Hadley St.
File: 230116
Council District: 8

This item was adopted.

27 Grant of Electrical Easement to Salt River Project Across City-owned Property West of 48th Street and South of Pecos Road (Ordinance S-50623)

Request to authorize the City Manager, or his designee, to grant an electrical easement to Salt River Project across City-owned property west of 48th Street and south of Pecos Road for consideration in the amount of the appraised value and other consideration. Further request to authorize the City Treasurer to accept all funds related to this item.

Summary
Salt River Project (SRP) is requesting a power underground distribution easement within Pecos Park to upgrade electrical facilities to service the surrounding area. The easement, totaling approximately 1,356 square feet, will not impact the park improvements and/or use. All costs related to the easement will be paid by SRP.

Financial Impact
Revenue will be reflective of the market value of the easement.

Location
West of S. 48th Street and south of E. Pecos Road, within Maricopa County Assessor parcel number 301-85-086.
Council District: 6

This item was adopted.

28 Grant of Water and Sewer Easement to CPLC Broadway and Central LIHTC, LLC Across City-owned Property North of Broadway Road and West of Central Avenue (Ordinance S-50653)

Request to authorize the City Manager, or his designee, to grant a water and sewer easement to CPLC Broadway and Central LIHTC, LLC, or related entity, across City-owned property located north of Broadway Road and west of Central Avenue, at market value. Further request to authorize the City Treasurer to accept all funds related to this item.

Summary
The property, to be encumbered by the easement, is an unimproved property reserved for right-of-way that is no longer needed, adjacent to the west side of the Ed Pastor Transit Center at 10 W. Broadway Road. The easement, totaling 3,100 square feet, is required for the development of the Pueblo Apartment Housing Development project. CPLC Broadway and Central LIHTC, LLC, or related entity, will compensate the City for the easement based on market value as determined by an appraisal or other valuation method accepted by the Finance Department's Real Estate Division.

Financial Impact
Revenue will be reflective of the market value of the easement.

Location
North of Broadway Road and west of Central Avenue
Council District: 7

This item was adopted.

29 Amend Ordinance S-44898 for Acquisition of Real Property for the

27th and Olney Avenues Storm Drain Project (Ordinance S-50621)

Request the City Council amend Ordinance S-44898 for authorization to acquire additional real property and related property interests for the 27th and Olney Avenues Storm Drain Project.

Summary
Ordinance S-44898 authorized the acquisition of real property for the 27th and Olney Avenues Storm Drain Project. Property rights from three additional parcels will be acquired for construction of a sidewalk, curb and gutter, not included in the original design. The original design, that is currently under construction, included creation of a storm drain and three retention basins. All other conditions and stipulations stated in Ordinance S-44898 remain the same.

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

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

Concurrence/Previous Council Action
Ordinance S-44898 was adopted on July 5, 2018.

Location
Along the south side of Olney Avenue, between 23rd and 27th avenues
Council District: 8

This item was adopted.

30 Full Service and Decontamination Laundry Services - IFB 19-094 - Amendment (Ordinance S-50634)

Request to authorize the City Manager, or his designee to allow additional expenditures under Contract 150083 with Mission Linen Supply, for the purchase of full service and decontamination laundry services for all City departments. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed

$35,000.

Summary
This contract will provide laundry, rental, and dry-cleaning services to include uniforms, costumes, tablecloths as well as towels, mats, smocks, dust mop heads, and laundry bags for Citywide departmental use. The City also requires items that have been biologically contaminated to be contracted out for laundry cleaning that is provided in accordance with all federal, state, county, and city laws.

Contract Term
The contract term remains unchanged, ending on May, 31, 2024.

Financial Impact
Upon approval of $35,000 in additional funds, the revised aggregate value of the contract will not exceed $260,000. Funds are available in various department budgets.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
Full Service and Decontamination Laundry Services - Requirements Contract 150083 (Ordinance S-45594) on May 1, 2019.

This item was adopted.

31 Employee Medical Health Clinic Services - EXC HR 23-004 (Ordinance S-50617)

Request to authorize the City Manager, or his designee, to enter into a contract with Banner Employer Solutions, LLC, to provide medical health near site clinic services for City employees and their eligible dependents. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $3,000,000.

Summary
This contract is needed to continue receiving uninterrupted Medical Health Near Site Clinic Services through Banner Employer Solutions, LLC. Approval of this agreement will allow Banner Employer Solutions, LLC to continue the operation of the near-site clinic at its current location

in downtown Phoenix, and to continue providing common clinical medical services to both adults and children. Services include urgent care level services, injury care, primary care and wellness services. The agreement also includes access to on-site pharmacy and laboratory services. The use of these services will provide employees and their eligible dependents with greater flexibility and an additional resource for routine or unplanned urgent care level services.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the negative impact to City employees and their eligible dependents from not having the option of a near-site clinic for routine or unplanned urgent care level services. Human Resources staff carved out medical health near-site clinic services from the solicitation for Employee Medical Health Plans Administrative Services (Request for Proposal HR 23-001) presently in process. This ensures fairness to all interested offerors, since all known third party administrators cannot provide these services.

The City will be issuing a competitive solicitation process in 2024 for Medical Health Near-Site Clinic Services.

Contract Term

The contract will be effective through Dec. 31, 2025. Provisions of the contract include one additional one-year option to extend the term.

Financial Impact

The aggregate amount shall not exceed $3,000,000 and will be paid by the City's Health Care Benefits Trust Fund. No General Funds will be used.

This item was adopted.

32 Amendments to Classification Plan (Ordinance S-5815) in Accordance with Human Resources Committee 623 Recommendations (Ordinance S-50658)

The following amendments to the Classification Plan (Ordinance S-5815) are proposed in accordance with the recommendation of Human Resources Committee 623, to be effective on April 1, 2024. The

proposal will also require modifications to the City's Pay Ordinance (S-49802), which will be processed under a separate ordinance.

Regrade the classification of Airport Operations Assistant, Job Code: 24010, Salary Plan: 006, Grade/Range: 336 ($32,635 - $61,526/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Protective Service Nonsworn, FLSA Status: Nonexempt to Grade/Range: 344 ($34,258 - $74,797/annual).

Regrade the classification of Court Security Officer, Job Code: 80010, Salary Plan: 006, Grade/Range: 332 ($32,427 - $55,806/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Protective Service Nonsworn, FLSA Status: Nonexempt to Grade/Range: 342 ($32,635 - $71,240/annual).

Regrade the classification of Municipal Security Guard, Job Code: 80050, Salary Plan: 006, Grade/Range: 332 ($32,427 - $55,806/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Protective Service Nonsworn, FLSA Status: Nonexempt to Grade/Range: 340 ($32,635 - $67,850/annual).

Regrade the classification of Airport Security Guard, Job Code: 24000, Salary Plan: 004, Grade/Range: 232 ($32,427 - $55,806/annual), Labor Unit Code: 002, Benefit Category: 002, EEO-4 Category: Protective Service Nonsworn, FLSA Status: Nonexempt to Grade/Range: 240 ($32,635 - $67,850/annual).

Regrade the classification of Senior Municipal Security Guard, Job Code: 80070, Salary Plan: 001, Grade/Range: 036 ($32,635 - $61,526/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Protective Service Nonsworn, FLSA Status: Nonexempt to Grade/Range: 042 ($32,635 - $71,240/annual).

Regrade the classification of Assistant Security Systems Supervisor, Job Code: 74470, Salary Plan: 001, Grade/Range: 047 ($36,858 - $80,454/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Technicians, FLSA Status: Exempt to Grade/Range: 053 ($42,661 - $93,122/annual).

Regrade the classification of Senior Utility Operator, Job Code: 50340, Salary Plan: 004, Grade/Range: 249 ($38,688 - $84,469/annual), Labor Unit Code: 002, Benefit Category: 002, EEO-4 Category: Service Maintenance, FLSA Status: Nonexempt to Grade/Range: 253 ($42,661 - $93,122/annual).

Regrade the assignment of Senior Utility Operator*SCBA, Job Code: 50341, Salary Plan: 004, Grade/Range: 251 ($40,463 - $88,691/annual), Labor Unit Code: 002, Benefit Category: 002, EEO-4 Category: Technicians, FLSA Status: Nonexempt to Grade/Range: 255 ($44,803 - $97,781/annual).

Regrade and retitle the classification of Environmental Programs Coordinator, Job Code: 23030, Salary Plan: 001, Grade/Range: 066 ($58,594 - $127,920/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professionals, FLSA Status: Exempt to Job Title: Environmental Program Manager, Grade/Range: 069 ($63,045 - $137,592/annual).

Retitle the classification of Environmental Programs Manager, Job Code: 51300, Salary Plan: 018, Grade/Range: 912 ($133,307 - $173,306/annual), Labor Unit Code: 008, Benefit Category: 010, EEO-4 Category: Professionals, FLSA Status: Exempt to Job Title: Environmental Programs Administrator.

Regrade the classification of Equal Opportunity Specialist, Job Code: 07040, Salary Plan: 001, Grade/Range: 055 ($44,803 - $97,781/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professionals, FLSA Status: Exempt to Grade/Range: 057 ($47,029 - $102,669/annual).

Regrade the classification of Plan Review Coordinator, Job Code: 60960, Salary Plan: 001, Grade/Range: 060 ($50,627 - $110,510/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professionals, FLSA Status: Exempt to Grade/Range: 064 ($55,806 - $121,826/annual).

Regrade the classification of Secretary III, Job Code: 00330, Salary Plan: 001, Grade/Range: 034 ($32,635 - $58,594/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Administrative Support, FLSA Status: Nonexempt to Grade/Range: 036 ($32,635 - $61,526/annual).

Regrade the classification of Architect, Job Code: 23040, Salary Plan: 001, Grade/Range: 065 ($57,179 - $124,800/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professionals, FLSA Status: Exempt to Grade/Range: 067 ($60,029 - $131,040/annual).

Regrade the classification of Electrical Plans Engineer, Job Code: 23520, Salary Plan: 001, Grade/Range: 062 ($53,165 - $116,022/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professionals, FLSA Status: Exempt to Grade/Range: 067 ($60,029 - $131,040/annual).

Regrade the classification of Structural Plans Engineer, Job Code: 23540, Salary Plan: 001, Grade/Range: 062 ($53,165 - $116,022/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professionals, FLSA Status: Exempt to Grade/Range: 067 ($60,029 - $131,040/annual).

Reclassify the filled position of Admin Aide*U8, Position #: 00016014, Job Code: 06022, Salary Plan: 012, Grade/Range: 743 ($33,426 - $72,966/annual), Labor Unit Code: 008, Benefit Category: 008, EEO-4 Category: Administrative Support, FLSA Status: Nonexempt to Job Title: Human Resources Aide, Job Code: 05020, Salary Plan: 012, Grade/Range: 745 ($35,110 - $76,627/annual), Labor Unit Code: 008, Benefit Category: 008, EEO-4 Category: Administrative Support, FLSA Status: Nonexempt.

Summary

The Classification and Compensation study was implemented rapidly to address a systemic staffing and labor market crisis throughout the City. Adjustments to grade and salary ranges are necessary as the City adapts to the new pay structures that took effect on Aug. 7, 2023. These recommendations balance internal alignment with external market focus.

As a result of the changes made during the Classification and Compensation study, staff requests that the adjustments listed above be approved.

Financial Impact
The estimated cost for this action for the first year is $270,100.

Concurrence/Previous Council Action
On Feb. 13, 2024, Human Resources Committee 623 reviewed and recommended these modifications for approval effective on April 1, 2024.

This item was adopted.

33 Amendments to Pay Ordinance (Ordinance S-49802) in Accordance with Human Resources Committee 623 Recommendations (Ordinance S-50659)

The following amendments to the Pay Ordinance (Ordinance S-49802) are proposed in accordance with the recommendation of Human Resources Committee 623, to be effective on April 1, 2024. The proposal will also require modifications to the City's Classification Plan (Ordinance S-5815), which will be processed under a separate ordinance.

Regrade the classification of Airport Operations Assistant, Job Code: 24010, Salary Plan: 006, Grade/Range: 336 ($32,635 - $61,526/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Protective Service Nonsworn, FLSA Status: Nonexempt to Grade/Range: 344 ($34,258 - $74,797/annual).

Regrade the classification of Court Security Officer, Job Code: 80010, Salary Plan: 006, Grade/Range: 332 ($32,427 - $55,806/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Protective Service Nonsworn, FLSA Status: Nonexempt to Grade/Range: 342 ($32,635 - $71,240/annual).

Regrade the classification of Municipal Security Guard, Job Code: 80050, Salary Plan: 006, Grade/Range: 332 ($32,427 - $55,806/annual),

Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Protective Service Nonsworn, FLSA Status: Nonexempt to Grade/Range: 340 ($32,635 - $67,850/annual).

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Regrade the classification of Assistant Security Systems Supervisor, Job Code: 74470, Salary Plan: 001, Grade/Range: 047 ($36,858 - $80,454/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Technicians, FLSA Status: Exempt to Grade/Range: 053 ($42,661 - $93,122/annual).

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Environmental Program Manager, Grade/Range: 069 ($63,045 - $137,592/annual).

Retitle the classification of Environmental Programs Manager, Job Code: 51300, Salary Plan: 018, Grade/Range: 912 ($133,307 - $173,306/annual), Labor Unit Code: 008, Benefit Category: 010, EEO-4 Category: Professionals, FLSA Status: Exempt to Job Title: Environmental Programs Administrator.

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Regrade the classification of Electrical Plans Engineer, Job Code: 23520, Salary Plan: 001, Grade/Range: 062 ($53,165 - $116,022/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professionals, FLSA Status: Exempt to Grade/Range: 067 ($60,029 - $131,040/annual).

Regrade the classification of Structural Plans Engineer, Job Code: 23540, Salary Plan: 001, Grade/Range: 062 ($53,165 - $116,022/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professionals, FLSA Status: Exempt to Grade/Range: 067 ($60,029 - $131,040/annual).

Reclassify the filled position of Admin Aide*U8, Position #: 00016014, Job Code: 06022, Salary Plan: 012, Grade/Range: 743 ($33,426 - $72,966/annual), Labor Unit Code: 008, Benefit Category: 008, EEO-4 Category: Administrative Support, FLSA Status: Nonexempt to Job Title: Human Resources Aide, Job Code: 05020, Salary Plan: 012, Grade/Range: 745 ($35,110 - $76,627/annual), Labor Unit Code: 008, Benefit Category: 008, EEO-4 Category: Administrative Support, FLSA Status: Nonexempt.

Summary

The Classification and Compensation study was implemented rapidly to address a systemic staffing and labor market crisis throughout the City. Adjustments to grade and salary ranges are necessary as the City adapts to the new pay structures that took effect on Aug. 7, 2023. These recommendations balance internal alignment with external market focus. As a result of the changes made during the Classification and Compensation study, staff requests that the adjustments listed above be approved.

Financial Impact

The estimated cost for this action for the first year is $270,100.

Concurrence/Previous Council Action

On Feb. 13, 2024, Human Resources Committee 623 reviewed and recommended these modifications for approval effective on April 1, 2024.

This item was adopted.

34 Authorization To Apply for Local Judicial Collection Enhancement Fund Grant Funding to Purchase Computer Hardware (Ordinance S-50645)

Request authorization for the Phoenix Municipal Court to apply for grant funding in an amount not to exceed $180,000 from the Arizona Supreme Court administered Judicial Collection Enhancement Fund (JCEF) to purchase computers and related hardware. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The Phoenix Municipal Court will use these funds to replace aging desktop computers, laptops, and related hardware, as well as to replenish its stock of spare computers and hardware. The purchase of additional hardware, and replacement of existing hardware, will help the Court support expanded business needs, ensure the reliability of the Court's business systems, minimize potential hardware failure and support requirements, as well as maintenance costs.

Financial Impact

Funds will be made available in the Phoenix Municipal Court local JCEF account. The Phoenix Municipal Court must submit a funding plan and application to the Arizona Supreme Court Administrative Office of the Courts to secure approval for utilization of JCEF funds pursuant to Arizona Revised Statutes section 12-113. No General Fund dollars will be used.

This item was adopted.

35 Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-50637)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Michael Romeo in the amount of $18,372.87 to the Arizona State Retirement System. Further request to authorize the City Controller to disburse the funds.

Summary

Pursuant to Arizona Revised Statutes, sections 38-730 and 38-322, retirement service credits for former members of the City of Phoenix Employees' Retirement System (COPERS) may be transferred to the Arizona State Retirement System upon approval by the City Council. The

following former City of Phoenix employee has requested transfer of the balance of his credited service:

Romeo, Michael: $18,372.87

Concurrence/Previous Council Action
This item was approved by the COPERS Board at the Feb. 1, 2024, meeting.

This item was adopted.

36 Choice Neighborhoods Planning Grant for Marcos de Niza Public Housing Community (Ordinance S-50652)

Request to authorize the City Manager, or his designee, to submit a Choice Neighborhoods Planning Grant application for up to $500,000, or the maximum award to the U.S. Department of Housing and Urban Development (HUD) for the Marcos de Niza Public Housing community planning effort, and to enter into program contracts and agreements and to take any and all actions deemed necessary or appropriate to apply for and implement a Choice Neighborhoods Planning Grant, together with its City-approved consulting partners to assist with the grant application and planning processes. Further request to authorize the City Treasurer to accept and the City Controller to disburse all grant, partner leverage, and match funds for the life of the grant.

Summary
The objective of the HUD Choice Neighborhoods program is to support locally driven solutions for transforming neighborhoods using place-based strategies to address the interconnected challenges of distressed housing, low education attainment, poor health, crime, and lack of capital. Choice Neighborhoods Planning Grant funds would be utilized over a 24-month period to create a comprehensive neighborhood transformation plan with extensive input from the community. The transformation plan would be structured around the three core elements of the Choice Neighborhoods program (Housing, Neighborhood, and People) and would serve as the community's vision for housing redevelopment, neighborhood revitalization, and supportive services.

A planning process with residents and stakeholders would develop strategies to replace existing public housing in the Marcos de Niza community with mixed-income housing, improve educational outcomes for youth and families, and encourage public and private reinvestment to increase economic and housing stability. The goal of the community planning process is to create a resident and community-driven transformation plan that would meet the criteria to apply for a Choice Neighborhoods Implementation Grant in the future.

The Housing Department has successfully applied for and received three HUD Choice Neighborhoods Grants for the Edison-Eastlake Community (EEC): $1.5 million for Planning and Action, $30 million for Implementation, and $10 million for supplemental implementation to redevelop 577 public housing units as well as revitalize the surrounding neighborhood and provide supportive services in the EEC, located approximately 3.5 miles east of the Marcos de Niza site.

This Choice Neighborhoods Planning Grant effort will focus on the Marcos de Niza public and affordable housing community and the surrounding neighborhood. Marcos de Niza is located at 305 W. Pima Road and has a total of 374 units (281 Public Housing and 93 Project Based Voucher) in 124 buildings on 30.5 acres (Site). Major cross streets are West Buckeye Road and South Central Avenue, with the Site bounded by South 1st Avenue to the east, West Yavapai Street to the north, and West Mojave Street to the south. The Site is immediately adjacent to Harmon Park as well as Lowell Elementary School. Marcos de Niza, originally constructed in 1942, will require long-term development planning and is positioned close to downtown, with many family-oriented amenities nearby. It is also located within walking distance of a new station along the South Central Light Rail Extension.

The Housing Department will apply for a Choice Neighborhoods Planning Grant as soon as HUD’s 2024 Notice of Funding Opportunity is released, which is anticipated this spring. The grant application also requires at least a dollar-for-dollar match, which the Housing Department has secured from partners. After completion of the community planning effort, the resulting Transformation Plan will qualify for application to the

Choice Neighborhoods Implementation Grant program. The Housing Department anticipates to apply in 2026 or 2027. The Housing Department will return to the City Council to seek approval for the anticipated Implementation Grant application. The Housing Department has initiated the application planning process by engaging a planning coordination consulting team, which was approved by City Council on Dec. 13, 2023. This team will assist the Housing Department to complete the grant application, create community engagement strategies, assess needs, and conduct the planning process.

Contract Term
If awarded, the Housing Department will execute the appropriate contract agreement(s) with HUD.

Financial Impact
There is no impact to the General Fund. The Choice Neighborhoods Planning Grant is a federally funded program.

Concurrence/Previous Council Action
On Dec. 13, 2023, via Ordinance S-50414, City Council approved entering into a contract with The Liou Choice, LLC, to provide planning and coordination services in connection with the development of a neighborhood revitalization plan and preparation of a Choice Neighborhoods Planning Grant application for the Marcos de Niza community.

Location
305 W. Pima Road and surrounding neighborhood
Council District: 8

This item was adopted.

37 Authorization to Annually Submit Head Start Birth to Five Refunding Applications (Ordinance S-50622)

Request to authorize the City Manager, or his designee to: (a) annually submit the Head Start Birth to Five Refunding Applications for approximately $48,269,349 annually or an aggregate not to exceed $266,718,621 for the five years of the grant (2024-29) as approved by

the Head Start Birth to Five Governing Board and; (b) enter into or execute all contracts, documents, and agreements and take all other action necessary or appropriate to implement the Head Start Birth to Five grants subject to any necessary approval by the Head Start Birth to Five Governing Board. Further request authorization for the City Treasurer to accept and the City Controller disburse all funds related to this item. There is no impact to the General Fund.

Summary

The City of Phoenix Head Start Birth to Five program provides comprehensive education and social services through two programs: Early Head Start (0-3 years) and Head Start (3-5 years). There are 488 slots for infants and toddlers in Early Head Start and 2,963 preschool slots in Head Start. The terms of the Head Start Birth to Five grant is from July 1, 2024 and running through June 30, 2029. The grant require grantees to submit a refunding application each year.

On Oct. 13, 2023, a solicitation was issued to procure Education Service Providers to provide services for children birth to age five for the next five year grant cycle (2024-29). Proposals are currently under evaluation with the goal of entering into contract beginning July 1, 2024. Based on the evaluation process results, current contracts could be extended for up to one year if consensus cannot be reached.

Contract Term

The City of Phoenix, as the Grantee, will enter into the first year of a five-year grant for the Head Start Birth to Five program beginning July 1, 2024, with the remaining four years of the five year contract term beginning July 1, 2025 and running through June 30, 2029.

Financial Impact

The grant funding for the first year of $48,269,349 is inclusive of $9,244,794 for Early Head Start and $39,024,555 for Head Start funding. The aggregate contract total of $266,718,621 for the remaining four years of the grant (2025-29). Totals include a forecasted five percent Cost of Living Adjustment annually for each of the remaining four years of the grant. There is no impact to the General Fund.

Concurrence/Previous Council Action
This item was approved by the Economic Development and Housing Subcommittee, which serves as the Head Start Governing Board, on Feb. 14, 2024. This item is scheduled for review by the Head Start Policy Council on March 11, 2024.

This item was adopted.

38 Bookmobile for Underserved Areas - Architectural Services Amendment - ND30010039 (Ordinance S-50636)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 159421 with Holly Street Studio, LLC for architectural services for the Bookmobile for Underserved Areas project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed $42,491.

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

This amendment is necessary because the initial fee for services was determined to be insufficient for the comprehensive project costs proposed by the Consultant. This amendment will provide additional funds to the agreement.

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

Financial Impact

The initial agreement for Architectural Services was approved for an amount not to exceed $235,000, including all subconsultant and reimbursable costs.

This amendment will increase the agreement by an additional $42,491, for a new total amount not to exceed $277,491, including all subconsultant and reimbursable costs.

This amendment is funded by available Community Development Block Grant funds. 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 Architectural Services Agreement 159421 (Ordinance S-50292) on Nov. 1, 2023.

Location

6620 W. Lower Buckeye Road
Council District: 7

This item was adopted.

39 Yavapai County Consulting Services Intergovernmental Agreement Request (Ordinance S-50655)

Request to authorize City Manager, or his designee, to enter into an intergovernmental agreement with Yavapai County, through the Yavapai County School Superintendent (YCSS), to provide the City of Phoenix, through the Phoenix Public Library (PPL,) assistance in identifying and applying for funds, equipment, vendors, and service providers in order to support PPL's participation in the federal E-Rate Program. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $60,000 and the term will be five years with no option to extend.

Summary

Phoenix Public Library is a participant in the federal E-Rate Program, the

commonly used name for the Schools and Libraries Service Fund, which is administered by the Universal Service Administration Company under the direction of the Federal Communications Commission. The E-Rate Program provides discounts and financial support for telecommunications services, internet access, internal connections and basic maintenance of the internal connections for schools and libraries. In order to be eligible for the significant discount, PPL must provide certain resources such as: computers, telephones, software, and other elements necessary to fully utilize the connectivity funded by the E-Rate Program. The E-Rate Program ensures that library customers have access to advanced telecommunication services at reasonable rates regardless of their location.

YCSS is a designated local education agency that specializes in helping libraries apply for funding under the E-Rate Program by providing services such as identifying the appropriate funds available, selecting providers to qualify for E-Rate Program funding, and utilizing them in a manner that aligns with the goals of both the E-Rate Program and the PPL.

Contract Term
The agreement shall begin on or about July 1, 2024, for a five-year term with no options to extend.

Financial Impact
The total value of the agreement shall not exceed $60,000, with payment of up to $12,000 each year. Funding is available in the Library Department budget.

This item was adopted.

40 Request to Amend Contract with Central Arizona Shelter Services, Inc. for The Haven Facility Improvements (Ordinance S-50624)

Request to authorize the City Manager, or his designee, to extend Contract 156214 with Central Arizona Shelter Services, Inc. (CASS) for the completion of COVID-19 related essential public facility improvements to The Haven (formerly called The Haven 2). There is no impact to the contract value or General Fund.

Summary

On July 1, 2021, the City Council approved entering into a contract with CASS to utilize Community Development Block Grant Corona Virus (CDBG-CV) funds for public facility improvement costs to create 170 new emergency shelter bed facility, focused on individuals experiencing homelessness over the age of 55 years old. On May 31, 2023, the City Council approved an extension through Dec. 31, 2023, with an option to extend for an additional three months, to allow to allow CASS additional time to complete the scope of the contract.

Due to the substantial impact of unforeseen construction delays to the project and schedule, an extension through June 30, 2024, with an option to extend an additional three months, is necessary to complete the project and allow for final payment. The value of the contract will remain unchanged and will not exceed $4,000,000 in CDBG-CV funds.

Contract Term

The term of the contract extension period will be from March 31, 2024, through June 30, 2024, with an option to extend for an additional three months, exercised at the discretion of the City Manager, or his designee.

Financial Impact

The total contract value will remain unchanged and will not exceed $4,000,000. Funding is available from Community Development Block Grant CARES Act funds. There is no impact to the General Fund. Payments may be made up to agreement limits, which may extend past the agreement termination.

Concurrence/Previous Council Action

On July 1, 2021, the City Council approved Contract 156214 with Ordinance S-47805.

On May 31, 2023, the City Council approved an extension to Contract 156214 with Ordinance S-49786.

Location

8152 N. Black Canyon Highway

Council District: 5

This item was adopted.

41 Artist Contract for Lone Mountain Park Public Art Project (Ordinance S-50641)

Request to authorize the City Manager, or his designee, to enter into a contract, and amendments as necessary, with WOWHAUS for an amount not to exceed $450,000 to design, fabricate, and install public art at Lone Mountain Park. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Fiscal Year (FY) 2023-28 Public Art Plan includes funding for artwork to be located at Lone Mountain Park, currently 39.5 acres of undeveloped land at 56th Street and Montgomery Road in District 2. The Lone Mountain Park updated master plan was approved by the City of Phoenix Parks and Recreation Board in September 2023. The project, including integrated public art elements, is expected to be completed in 2025.

A selection panel reviewed applicants from the Pre-Qualified Artist Roster for City Parks which was established in May 2023. The recommended artist team of Ene Osteraas-Constable and Scott Constable (WOWHAUS) was chosen for their previous collaborations with public parks and experience with innovative, interactive, and functional artworks. WOWHAUS will work with the project design team, the Parks and Recreation Department, and the nearby community to identify the best locations for the integration of artwork within the park infrastructure.

The selection panel included Mary Beth Bannon, Arts Educator and District 2 resident; Jeff Lothner, Associate Principal Landscape Architect, Dig Studio; and Tony Salinas, Recreation Supervisor, City of Phoenix Parks & Recreation Department. WOWHAUS will be responsible for community outreach, design development, structural engineering, fabrication and installation of the artwork. Should WOWHAUS be unable to fulfill their contractual obligations, the panel recommends Dixie Friend Gay as the alternate artist for this project.

Financial Impact

The proposed $450,000 budget will cover all costs related to the design, fabrication, and installation of the artwork. Funding for this project was included in the FY2023-28 Public Art Plan approved by City Council on July 3, 2023. Funds are available in the department's Capital Improvement Budget using Percent-for-Art funds.

Concurrence/Previous Council Action

The Economic Development and Housing Subcommittee reviewed and approved this item at its Feb. 14, 2024 meeting.
The Phoenix Arts and Culture Commission reviewed and recommended this item for approval on Jan. 9, 2024, by a vote of 10-0.

This item was adopted.

42 National Endowment for the Arts Grants for Arts Projects (Ordinance S-50657)

Request authorization for the City Manager, or his designee, to apply for, accept, and if awarded, enter into an agreement for up to $150,000 in National Endowment for the Arts (NEA) for Arts Projects (Local Arts Agency) funding. The grant funds would be used by the Phoenix Office of Arts and Culture in Fiscal Year (FY) 2024-25 to continue the City's Artists to Work program. Further, authorize the City Treasurer to accept and the City Controller to disburse the funds for purposes of this ordinance.

Summary

The NEA Grants for Arts Project (Local Arts Agency) program is a flexible funding category developed to recognize and assist the cultural programming and achievements of the nation's local arts agencies. The Office of Arts and Culture is the designated local arts agency for the City of Phoenix.

If awarded, the grant funds will be used to continue the Artists to Work Program in FY 2024-25. The American Rescue Plan Act initially funded this program, and funds expire in December 2024. The NEA funds will enable the department to provide grant funds to individual artists to

support creating and presenting original, new, or in-process artistic work by practicing Phoenix artists. These artists will receive professional development and mentorship to build partnerships and project sustainability after the grant period.

Financial Impact

The NEA Grants for Arts Projects (Local Arts Agency) program requires a one-to-one match by applicants. The Office of Arts and Culture's FY 2024-25 General Fund appropriation will be used to match the grant award.

Concurrence/Previous Council Action

The Economic Development and Housing Subcommittee reviewed and approved this item at its Feb. 14, 2024 meeting with a 4-0 vote.

This item was adopted.

43 Native American Graves Protection and Repatriation Act Program Consultation/Documentation Grant (Ordinance S-50647)

Request to authorize the City Manager, or his designee, to apply for, accept and, if awarded, enter into agreements with the National Parks Service for the 2024 National Native American Graves Protection and Repatriation Program Consultation/Documentation Grant. Further request to authorize the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The Native American Graves Protection and Repatriation Act (NAGPRA) is a federal law which requires museums that receive federal funds to complete inventories and summaries of Native American cultural items in their collections. It is intended to facilitate the repatriation of Native American human remains (ancestors), funerary objects, sacred objects and objects of cultural patrimony. The law also requires museums to consult with culturally affiliated Native American tribes.

In 2017, the City received one NAGPRA grant which focused on the documentation of ancestors in the collection of S’edav Va’aki Museum (SVM, formerly Pueblo Grande Museum). This grant resulted in the repatriation of over 300 Ancestors and over 600 funerary objects from

the collections.

In consultation with Native American tribes, SVM has identified additional issues with potential funerary objects in its collection. Under NAGPRA, a funerary object is “any object reasonably believed to have been placed intentionally with or near human remains… either at the time of death or later, to a death rite or ceremony of a Native American culture…” The question with objects in the collection at SVM is with the research methods used to identify the objects. Prior to 2017, research methods used the standard of proof “beyond a reasonable doubt” to identify funerary objects in the collection. The current standard of proof required by law is “preponderance of the evidence” which is a lower standard.

To remedy this issue, the Parks and Recreation Department requests permission to apply for a NAGPRA Consultation/Documentation Grant. The large amount of time and specialized skill required by this project necessitates the documentation be conducted by individuals with professional experience doing archaeological research, working with archaeological objects and writing NAGPRA summaries and notices.

The grant will be used to pay for contracted researchers at SVM to review project reports, field notes and context information for archaeological specimens. The researchers will then make recommendations regarding objects that are reasonably believed to be funerary objects and will also identify potential sacred objects which may need repatriation as well.

The contractor will write the legally required NAGPRA paperwork which includes summaries to be sent to Native American tribes, as well as notices to be published in the Federal Register. SVM will use the information generated by this research to consult with Native American tribes concerning the identification of funerary objects and sacred objects. The cost of this contracted work is beyond the scope of the Parks and Recreation Department budget; therefore, the department would like to apply for the National NAGPRA Program Consultation/Documentation Grant. The United States Department of the Interior administers these funds through the National Parks Service.

Financial Impact

If awarded, the grant will provide up to $100,000 to review the archaeological collection at SVM. No matching funds are required.

Concurrence/Previous Council Action
This item was heard by the Transportation, Infrastructure and Planning Subcommittee on Feb. 21, 2024, and approved by a vote of 4-0.

Location
S'edav Va'aki Museum, 4619 E. Washington St.
Council District: 8

This item was adopted.

44 ***REQUEST TO CONTINUE (SEE ATTACHED MEMO)* (CONTINUED FROM FEB. 7, 2024) - Central Business District Boundary Update (Resolution 22183)**

Request to amend Resolution 17093 to modify the boundaries of the Phoenix Central Business District (CBD).

Summary
The original City of Phoenix CBD was established on Dec. 28, 1961. This original area was approximately 30 blocks in the City Center and was expanded in 1987 through Resolution 17093 to include just over two square miles of downtown (**Attachment A**). In 1993, a second CBD was established for part of the Sky Harbor Center Redevelopment Area to assist with the redevelopment of the areas south and west of Phoenix Sky Harbor International Airport. The Sky Harbor CBD was expanded in 1993, 1996, and 2003. The purpose of creating a CBD was to establish a "Phoenix Tax Incentive District" to encourage private investment in the construction of substantial new improvements.

In 2018, the Arizona Legislature modified the Arizona Revised Statutes (A.R.S.) requirements for a CBD, making several changes that impacted how Arizona cities could establish the boundaries for a CBD. The modifications included a restriction on the size of a CBD, limiting areas to not more than two-and-one-half percent of that total land area of the municipality. In Phoenix this is just over 12 square miles. Additionally, the CBD must be contiguous and geographically compact with a form that

has a length that is not twice its width. Despite legislative changes, the existing CBD boundary of Phoenix is grandfathered in and remains in its approved form, with the exception of the second CBD near Phoenix Sky Harbor Airport which has remained inactive since 2018. Modification of the CBD is possible; however, the new boundary for the CBD would need to comply with the modified requirements regarding the size and shape of the district boundary.

The proposed modifications to the CBD would be to expand the boundary to be generally from Thomas Road on the north to one half block south of Broadway Road on the south and the 23rd Avenue alignment on the west to 7th Street on the east. The boundaries are more specifically shown in **Attachment B**. The proposed updated boundary complies with the modified requirements in state law and will provide new opportunities for redevelopment in the updated Downtown Redevelopment Area, the Rio Salado Redevelopment Area and the Target Area B Redevelopment Area.

Concurrence/Previous Council Action
Updates on the Phoenix Central Business District were presented to the Economic Development and Equity Subcommittee on Feb. 22, 2023 and June 14, 2023. On June 28, 2023, staff presented a modified proposal for recommendation to Economic Development and Equity Subcommittee and the item was approved by a vote of 4-0.

Public Outreach
Staff presented to the Phoenix Community Alliance Public Affairs Committee on Jan. 9, 2024, the Phoenix Community Alliance Social & Housing Advancement Committee on Jan. 11, 2024, and the Downtown Voices Coalition on Jan. 13, 2024. Presentations were also offered to the Central City and Encanto village planning committees.

Location
Boundaries of the updated Central Business District are generally Thomas Road on the north and Broadway Road on the south, 23rd Avenue on the west and 7th Street on the east.
Council Districts: 4, 7 and 8

This item was continued to the April 17, 2024 City Council Formal Meeting.

45 Metro District Community Organizing Consulting Services SOL-CED23-MDCS - Request for Award (Ordinance S-50656)

Request to authorize the City Manager, or his designee, to enter into contract with Gordon C. James Public Relations, Inc. (Consultant) for the delivery of community organizing services for the Metro District. Further request to authorize to enter into an agreement with Concord Wilshire Capital, LLC (Developer), or its designee, for cost sharing purposes, and authorization to receive and disburse funds related to this item. Additionally, request staff authority to enter into agreements as necessary to enable Consultant to establish the Metro District organization as a 501(c)(3) non-profit. Further request to authorize the City Controller to disburse all fund related to this item and authorize the City Treasurer to accept funds associated with this request. The value of the Consultant's contract will not exceed $125,000.

Summary

In 2021, an effort led by the 19 North Community Alliance created the Metro District Community Collaboration (MDCC). The MDCC consisted of businesses and property owners centered around the former Metrocenter Mall which closed in June 2020. The MDCC sought to brand and market the area and focus on building capacities to collaborate on public safety matters.

In 2022, the Council-approved 27th Avenue Corridor Community Safety and Crime Prevention Plan called for strengthening partnerships with groups such as the MDCC. Additionally, the Developer announced its intent to purchase the former mall. The City and Developer agreed to financially support the MDCC. A one-year consulting services contract was awarded to Community Alliance, LLC (Community Alliance) on May 25, 2022, with a commitment to competitively procure the work for a longer term.

Upon conclusion of the agreement with Community Alliance, an informal solicitation was issued and resulted in a recommendation to contract with the Consultant, which will continue to deliver services for the MDCC that include:

Enhance Public Safety - proactively engage the community to combat blight, litter, graffiti, trespassing and other conditions negatively impacting safety in the area.

Business Assistance - promote the general welfare of businesses in the area and work with stakeholders to raise awareness of businesses in the area through events and marketing efforts.

Building Relationships - serve as the conduit for connecting businesses and property owners with one another and with external agencies. The Consultant will serve as the focal point for connecting businesses and property owners with one another and with external agencies.

Delivery of these services by the Consultant will enhance the effectiveness of the Crime Prevention Plan and better position the area for future redevelopment by the Developer. Some of the achievements of the previous investment include a dedicated community office at 9610 N. Metro Parkway West, sign toppers branding the area, and the launch of a private security collaborative funded by area businesses and property owners. The Consultant will continue to build on these successes to make the MDCC an effective organization that creates a sense of place and advocates for the Metro District.

To support long term sustainability of the MDCC, the Consultant is also tasked with creating a 501(c)(3) non-profit organization as well as developing and executing a fundraising plan to make the non-profit financially self-sufficient without City support.

Procurement Information

The Metro District Community Organizing Consulting Services Informal Solicitation (SOL-CED23-MDCS) was issued on Sep. 1, 2023, and conducted in accordance with Administrative Regulation 3.10. Two proposals were received; one of which was deemed non-responsive. On Oct. 12, 2023, staff identified Consultant as the sole responsive proposer for this business opportunity.

Contract Term

The term of the contract is for one year, with two one-year renewal options.

Financial Impact

The value of the contract shall not exceed $125,000. Funds will be programmed in the Downtown Community Reinvestment Fund within the Community and Economic Development Department and the Developer will fund 50 percent of the Consultant's total annual costs through a contribution paid directly to the City.

Location

The Metro District Community Collaboration focus area is bounded by Peoria Avenue to the north, Interstate 17 to the east, Dunlap Avenue to the south and 31st Avenue to the west.
Council District: 1

This item was adopted.

46 Holmatro Equipment, Parts and Service - Requirements Contract - RFA 24-0076 (Ordinance S-50620)

Request to authorize the City Manager, or his designee, to enter into a contract with Extrication Concepts, LLC to provide Holmatro equipment, parts, and service to the Fire Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $2,500,000.

Summary

The contract will allow for the purchase of Holmatro rescue and extrication equipment, parts, and services on an as-needed basis. The Fire Department uses Holmatro rescue and extrication equipment to extricate victims of motor vehicle accidents and building collapses. This equipment has the capability to lift, spread, cut, and breach vehicles and building walls and is a critical part of the Fire Department's efforts to provide life safety services to the public.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances without Competition.The Fire Department requests a contract with Extrication Concepts, LLC for the purchase of Holmatro rescue and extrication equipment, parts, and

services. Extrication Concepts, LLC is the only authorized distributor in Arizona of Holmatro equipment, parts and services.

Contract Term
The contract will begin on or about March 1, 2024. For a five-year term with no options to extend.

Financial Impact
The aggregate contract value will not exceed $2,500,000 for the five-year aggregate term. Funding is available in the Fire Department's budget.

This item was adopted.

47 Leather Bunker Boots - PS16004 - Letter of Agreement to Extend Contract for Leather Bunker Boots (Ordinance S-50627)

Request to authorize the City Manager, or his designee, to enter into Letter of Agreement with United Fire Equipment Company to continue to provide Leather Bunker Boots. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using Ordinance S-47222.

Summary
The purpose of this Letter of Agreement is to continue to provide leather bunker boots to protect firefighters from toxic and dangerous chemicals while responding to calls for service. The Fire Department supplies leather bunker boots to firefighters as part of their personal protective equipment (PPE) worn on-call or in training. The supply of leather bunker boots will ensure that the Fire Department has adequate stock for use in their inventory. This equipment is a critical part of the Fire Department's efforts to provide the life safety services to the public.

Contract Term
The term of the Letter of Agreement will begin on or about March 1, 2024 and expire on Jan. 1, 2025.

Financial Impact
The aggregate value of the contract will not exceed $4,000,000 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

Leather Bunker Boots Contract 149255 (Ordinance S-50437) on Dec. 13, 2023.

Leather Bunker Boots Contract 149255 (Ordinance S-48939) on Aug. 31, 2022.

Leather Bunker Boots Contract 149255 (Ordinance S-47222) on Jan. 6, 2021.

Leather Bunker Boots Contract 149255 (Ordinance S-45296) on Jan. 9, 2019.

This item was adopted.

48 Firefighter Equipment - National Purchasing Partners Cooperative Contract - NPP 00000170 - Amendment (Ordinance S-50628)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 150751 with LN Curtis & Sons for the purchase of Firefighter Equipment for the Fire and Public Works departments. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $608,929.

Summary

This contract will provide essential tools for the Fire Department to accurately and efficiently fight brush fire operations. These tools and equipment assist the Fire Department to provide life safety services to the public in critical incidents and complicated scenes to protect structures, land and people from the threat of fire when a limited water supply is available.

The Public Works Department Fleet Services Division requests authority to use the cooperative contract to purchase specialty products for Police and Fire vehicles. The cooperative contract offers a wide variety of products such as extraction tools and supplies, hazardous materials equipment, hoses, pumps, and other emergency-related systems. The contract will allow Public Works Fleet Services to directly acquire specialized products from multiple Fire Fighting Gear manufacturers to

keep public safety fleet ready for optimal service.

Contract Term
The contract term remains unchanged, ending on Aug. 31, 2024.

Financial Impact
Upon approval of $608,929 in additional funds, the revised aggregate value of the contract will not exceed $1,260,929. Funds are available in the Fire and Public Works departments' budgets.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
Firefighter Equipment Contract 150751 (Ordinance S-45997) on Sept. 4, 2019; and
Firefighter Equipment Contract 150751 - Amendment (Ordinance S-47040) on Nov. 4, 2020;
Firefighter Equipment Contract 150751 - Amendment (Ordinance S-48266) on Jan. 26, 2022.

This item was adopted.

49 Class A Uniforms for the Fire Department - RFA 17-160 - Amendment (Ordinance S-50635)

Request to authorize the City Manager, or his designee to allow additional expenditures under Contract 144899 with United Fire Equipment Company for the purchase of Class A Uniforms for the Fire Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $150,000.

Summary
This contract will provide Class A dress uniforms for the Fire Department in accordance with the terms set forth in the 2016-19 Memorandum of Understanding (MOU) between the City of Phoenix and the Phoenix Fire Fighters Association Local 493. This MOU requires that Class A dress uniforms be provided for all new hires and promotions up to the level of Captain as a one-time benefit effective July 1, 2017.

Contract Term

The contract term remains unchanged, ending on June 30, 2024 with the option to extend to June 30, 2025.

Financial Impact

Upon approval of $150,000 in additional funds, the revised aggregate value of the contract will not exceed $940,000. Funds are available in the Fire Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

Class A Uniforms for the Fire Department Contract 144899 (Ordinance S-43415) on April 19, 2017.

Class A Uniforms for the Fire Department Contract 144899 (Ordinance S-49875) on June 14, 2023.

This item was adopted.

50 Phoenix Fire Department Ambulance Model Conversion (Ordinance S-50661)

Request to convert part-time ambulance units to full-time status, reactivate frozen firefighter positions, and create new firefighter and administrative support positions.

Summary

For nearly 40 years, the Phoenix Fire Department has provided an emergency ambulance service, designed to offer the people of Phoenix the highest standard of care and hospital transport in times of need. This service guarantees that anyone in Phoenix requiring emergency help receives continuous, reliable care from the moment they dial 9-1-1 until they reach the hospital. Despite handling an increasing number of patient transports annually, a marked surge began in late 2022. This surge, continuing through 2023, has placed considerable strain on the system's ability to consistently meet the rising demand for services.

Like all ambulance services, the Fire Department's operation is regulated by the Arizona Department of Health Services, which mandates the issuance of a Certificate of Necessity. The department is required to

charge for ambulance rides, with fees set by the State. While the ambulance service generates revenue for the City of Phoenix General Fund, it is not classified as an Enterprise Fund.

Faced with escalating pressures on the current model, the Fire Department undertook an in-depth evaluation to identify ways to improve efficiency, effectiveness, and solutions to alleviate the system's current strains. This led to the development of a reorganization plan aimed at enhancing service delivery and mitigating the adverse effects experienced by fire department personnel.

The Fire Department requests to convert 10 part-time, two-hour rescues to six full-time rescues. This request includes creating 34 new 56-hour firefighter positions, four new administrative support positions to support ambulance billing, and the reactivation of 14 frozen 56-hour firefighter positions. This request totals 48 new sworn positions and four non-sworn positions. Staggered start dates include 16 firefighters and four administrative support positions, with a target start in May 2024 and the remaining firefighter positions in Fiscal Year 2024-25.

The 34 new firefighter positions include 17 firefighters 56-hour (Job code 61010) and 17 firefighters 56-hour *Paramedic (Job code 6101C). The four new administrative support positions for ambulance billing services include one Administrative Assistant I (Job code 06030) and three Administrative Aides (Job code 06020). The 14 frozen firefighter positions comprise of seven firefighters 56-hour (Job code 61010) with the remaining seven positions to be reallocated to firefighter 56-hour *Paramedic (Job code 61010C).

Financial Impact

The ambulance restructuring proposal will result in a nominal cost to cover new firefighter turnout gear for new hires, which will be absorbed into the Fire Department’s budget.

Concurrence/Previous Council Action

This item was approved by the Public Safety and Justice Subcommittee on Feb. 7, 2024.

This item was adopted.

52 Reimburse Frontier for Terminal 3 Baggage Service Office Build Out

Request to authorize the City Manager, or his designee, to issue terminal rent credits to reimburse Frontier Airlines (Frontier) up to $217,190, for the construction of a Baggage Service Office (BSO) in Terminal 3 (T3) at Phoenix Sky Harbor International Airport (PHX).

Summary

Frontier currently operates approximately 28 flights per day at PHX and due to this flight growth, they have determined a need for a dedicated BSO to better serve their passengers. Frontier requested approximately 288 square feet for a BSO. All BSO spaces built out by PHX during the T3 Modernization Project are currently under lease and occupied by other T3 airlines. As a result, there is no vacant BSO available space to lease to Frontier.

Frontier is willing to build out the BSO space as a terminal improvement. Staff is seeking approval to reimburse Frontier through terminal rent credits for the construction of an approximately 288 square foot BSO. The terminal rent credits would apply to the construction of the base BSO build components consisting of electrical, mechanical, plumbing & HVAC system connections, structural components and fire life safety systems in an amount up to $217,190. Frontier will be responsible for the cost of the interior BSO tenant improvements to meet their operational requirements. Upon completion of the BSO build, Frontier will then lease the BSO at the prevailing airport terminal rental rates.

Financial Impact

If approved, Aviation will apply a rental credit up to $217,190 to Frontier's terminal lease upon completion of the BSO build out. Rent paid by Frontier for the added BSO space will be approximately $48,764 per year based on FY2023-24 Airport Rates and Charges for terminal rental rate.

Location

Phoenix Sky Harbor International Airport, 2485 E. Buckeye Road
Council District: 8

This item was approved.

53 Vehicle/Car Wash and Pressure Wash Equipment Preventative Maintenance and Repair Services Contract IFB 24-0179 - Request for Award (Ordinance S-50640)

Request to authorize the City Manager, or his designee, to enter into a contract with EST Companies LLC to provide preventative maintenance and repair services for vehicle/car wash and pressure wash equipment on an as-needed basis for the Aviation Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will be up to $650,000.

Summary

The Aviation Department maintains a combination of vehicle/car wash systems and pressure wash systems at Phoenix Sky Harbor International Airport. This contract will provide preventative maintenance, inspections, and repair services for various vehicle/car wash systems, vacuum systems, and pressure wash systems on an as-needed basis and according to the manufacturers' recommendations.

Procurement Information

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

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

Selected Bidder
EST Companies LLC

Contract Term

The contract will begin on or about April 1, 2024, for a two-year contract term with three one-year options, to be exercised at the sole discretion of the Aviation Director, for a total five-year contract.

Financial Impact

The contract value will be up to $650,000 for the total five-year contract term.

Funding is available in the Aviation Department Operating budget.

Location
Phoenix Sky Harbor International Airport, 2485 E. Buckeye Road
Council District: 8

This item was adopted.

54 Secret Shopper Services and Americans with Disabilities Act Quality Monitoring RFP 23-0141 - Request for Award (Ordinance S-50651)

Request to authorize the City Manager, or his designee, to enter into a contract with H2 Consulting Partners LLC to provide secret shopper services and Americans with Disabilities Act (ADA) quality monitoring at Phoenix Sky Harbor International Airport (PHX). Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will be up to $300,000.

Summary

This contract will provide secret shopper services, as well as subject matter expertise in ADA compliance and disability-related issues to ensure PHX contractors and permittees operate in compliance with federal, state and local laws, City of Phoenix rules and regulations, and contractual requirements for the Aviation Department. Secret shoppers will assess and provide record of the passenger's transportation experience, contract compliance with airport rules and regulations, and quality of service, which will be used to improve the overall customer service at PHX.

Procurement Information

In accordance with Administrative Regulation 3.10, a Request for Proposal was issued. Two proposals were deemed responsive and responsible. An evaluation committee evaluated the proposals based on the following criteria with a maximum possible point total of 1,000:

Method of Approach (0-350 points)
Qualifications & Experience of Offeror (0-300 points)
Samples (0-200 points)
Pricing (0-150 points)

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

H2 Consulting Partners LLC - 740 points

Contract Term
The contract will begin on or about April 1, 2024 for a three-year term with two one-year options to extend at the sole discretion of the Aviation Director, for a total five-year contract.

Financial Impact
The contract value will be up to $300,000 for the total five-year contract term.

Funding is available in the Aviation Department's budget.

Location
Phoenix Sky Harbor International Airport, 2485 E. Buckeye Road
Council District: 8

This item was adopted.

56 West Transit Facility Request for Proposals

Request to authorize the City Manager, or his designee, to issue a Request for Proposals for fixed-route bus service operated from the City's West Transit Facility.

Summary
The City's West Transit Facility, located at 405 N. 79th Ave., is a 22-acre site owned by the Phoenix Public Transit Department (PTD) that accounts for approximately 30 percent of Phoenix's contracted transit

services, with some routes also providing service to adjacent cities.

The West Transit Facility has: buildings for administration, operations, safety/training, and facility-maintenance staff; fueling stations; a bus wash; vehicle maintenance bays; and vehicle fleet/employee parking. There are currently 169 transit vehicles assigned to the facility that provide service on 12 routes throughout the metropolitan area for an average of 546,000 service miles per month. These routes consist of 11 local routes and one neighborhood circulator route, all of which provide an average of over one million passenger boardings per month. Routes operated from the West Transit Facility include some of the region's most highly utilized routes, including Route 17 (McDowell Road), Route 29 (Thomas Road), and Route 41 (Indian School Road), and service to the region's busiest transit center (Desert Sky Transit Center).

PTD currently has a seven-year contract with First Transit, Inc. for the services operated at the facility, which started July 1, 2018, and ends June 30, 2025. First Transit, Inc. (as recently acquired by Transdev Services, Inc. in 2023) currently employs 488 local staff at this facility.

Procurement Information
PTD plans to issue the solicitation in Spring 2024.

Contract Term
The contract will be fixed-price (cost per revenue mile) for a five-year term beginning July 1, 2025, with one, two-year option to extend at the City's discretion. An additional six-month extension beyond the two-year extension will be included to allow for any future unexpected service transition impacts, to be utilized only if necessary.

The contract dates and terms are staggered from Phoenix's other transit facilities to mitigate potential impacts of transitioning transit services from multiple contractors at once. The total contract term will provide known costs as efforts continue moving forward under the City's Transportation 2050 plan, and allows proposers to spread fixed and capital costs over a longer period, resulting in lower-cost proposals to the City. The two-year extension option will be exercised only if it is in the City's best interest to do so, and the proposed contractor has performed satisfactorily during

the initial five-year contract period.

Federal Transit Administration (FTA) guidelines, terms, and conditions will also be included in the RFP and resulting contract, as Phoenix receives federal funds to partially fund the operations and maintenance components of these services.

The RFP will contain evaluation criteria and processes, as well as a transparency in lobbying clause. The RFP criteria will focus on the following areas:

Method of approach
Qualifications and experience
Price

Financial Impact
The contract will be funded with T2050 and federal funds.

This item was approved.

57 Purchase of Petroleum Products IFB 23-FSD-031 - Request for Award (Ordinance S-50618)

Request to authorize the City Manager, or his designee, to enter into contracts with Cummins Inc, Flyers Energy LLC, Safety-Kleen Systems Inc., and Senergy Petroleum LLC, to provide the labor materials, equipment, transportation, and other incidental items necessary to furnish petroleum products to the various City facilities. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $3,552,700.

Summary
These contracts will provide products including engine oils, lubricants, grease, transmission fluids, synthetics, re-refined oils, and other petroleum products as specified for the Public Works, Aviation and Water Services departments.

Procurement Information
An Invitation for Bid IFB 23-FSD-031 was processed in accordance with

City of Phoenix Administrative Regulation 3.10. Nineteen groups were identified for various types of petroleum products. The Public Works Department, Procurement Section received four bids with all groups having bids deemed responsive and responsible. The requesting departments approved a multiple award recommendation for all groups to allow adequate coverage to procure all products. The award recommendation with the following vendors can be found in **Attachment A**.

Selected Bidders
Cummins Inc: $461,786.29
Safety-Kleen Systems, Inc: $1,052,186.75
Flyers Energy, LLC: $1,231,778.31
Senergy Petroleum LLC: $1,414,525.79

Contract Term
The contracts will begin on or about April 1, 2024, for a three-year term with two one-year options to extend.

Financial Impact
The aggregate contracts value will not exceed $3,552,700.

Funding is available in the Public Works, Aviation and Water Services departments' budgets.

This item was adopted.

58 Removal and/or Recovery of Refrigerant From Appliances Contract RFA 24-SW-037 - Request for Award (Ordinance S-50629)

Request to authorize the City Manager, or his designee, to enter into a contract with A-Gas Inc. dba Rapid Recovery to provide on-site removal or recovery of chlorofluorocarbon (CFC), hydrochlorofluorocarbon (HCFC), and hydrofluorocarbon (HFC) gas from appliances for the Public Works Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $312,500.

Summary

This contract will provide on-site removal and recovery of CFC, HCFC, and HFC from appliances, in accordance with the Environmental Protection Agency (EPA) regulations for the Aviation and Public Works departments. These refrigerant-based appliances are dropped off by residents at city transfer stations and designated city locations. This contract is essential to maintain regulatory compliance to ensure that CFCs are removed and recovered from appliances prior to disposal of the appliances. The contractor will determine if these appliances contain a refrigerant and charge the City for removal.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Without Competition. Rapid Recovery has provided this service for over 10 years and the only offer when this contract was solicited in the past.

Contract Term

The contract will begin on or about April 1, 2024 for a two-year term with three one-year options to extend.

Financial Impact

The contract value will not exceed $312,500 for the five-year contract term.

Funding is available in the Aviation and Public Works departments' budgets.

This item was adopted.

59 CNG Fueling Station Maintenance and Repair IFB 24-FSD-033 - Contract Recommendation (Ordinance S-50632)

Request to authorize the City Manager, or his designee, to enter into a contract with Zeitenergy, LLC and Clean Energy Fuels Corp for compressed natural gas (CNG) fueling station inspections, maintenance, and repairs. Further request to authorize the City Controller to disburse all funds related to this item. These contracts will have a not to exceed value

of $1,260,000.

Summary
The Public Works Department is responsible for eight CNG compressors, four fast-fill dispensers and 286 time-fill (slow) dispensing stations. Due to the highly pressurized CNG systems, a third-party vendor is needed to inspect, maintain and repair this equipment. These contracts will provide weekly, monthly and annual inspections to note the general condition of the stations and conduct any maintenance and repairs necessary to keep them up and running.

Procurement Information
Invitation for Bid 24-FSD-033 was conducted in accordance with Administrative Regulation 3.10. The Public Works Department received two offers on Dec. 13, 2023.Two bids were received with both vendors bidding on all three groups: Group I - Inspection and Maintenance; Group II -Repair Services; Group III - Sample Parts. All Groups and line items had successful bids with both vendors being awarded.The grand total of all groups was used for evaluation purposes.

Zeitenergy, LLC: $279,891.00
Clean Energy Fuels Corp: $530,874.96

Contract Term
These contracts will begin on or about March 6, 2024 with a three-year initial term and two one-year options to extend, for a total contract term of five years.

Financial Impact
These contracts will have an estimated annual expenditure of $252,000 with a total value not to exceed $1,260,000.

Funding is available in the Public Works department budget.

This item was adopted.

60 Preformed Thermoplastic Pavement Marking Materials - IFB 18-249 - Letters of Agreement to Extend Contract for Preformed

Thermoplastic Pavement Marking Materials with Centerline Supply West Inc. and Ennis Flint Inc. (Ordinance S-50625)

Request to authorize the City Manager, or his designee, to enter into Letters of Agreement with Centerline Supply West Inc. and Ennis Flint Inc. to continue to provide Preformed Thermoplastic Pavement Marking Materials to the Street Transportation Department. Request to continue using funds previously approved via Ordinances S-44815, S-46432, S-47429, and S-49945. No additional funds are needed. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

The purpose of the Letters of Agreement is to continue to provide the Street Transportation Department Signing and Striping Shop a variety of preformed thermoplastic pavement marking materials, such as turn arrows and bicyclist symbols, in addition to straight line segments to enhance traffic pavement markings throughout the City on street infrastructure. In addition to standard white and yellow material, these contracts will also include colored marking materials for specialized applications.

The Letters of Agreement are required to provide the Street Transportation Department these services until June 30, 2024. Further, options to extend the Letters of Agreement through June 30, 2025, are included in the event a new solicitation cannot be completed on time.

Contract Term

The terms of the Letters of Agreement will begin on or about Feb. 21, 2024, and expire on June 30, 2024, with options to extend through June 30, 2025.

Financial Impact

No additional funds are needed.

Concurrence/Previous Council Action

The City Council previously approved:

Preformed Thermoplastic Pavement Marking Materials Contract 147996 (Ordinance S-44815) on June 20, 2018;

Additional expenditures for Preformed Thermoplastic Pavement Marking Materials Contract 147996 (Ordinance S-46432) on March 18, 2020;
Additional expenditures for Preformed Thermoplastic Pavement Marking Materials Contract 147996 (Ordinance S-47429) on April 7, 2021; and
Preformed Thermoplastic Pavement Marking Materials Contract 147996 Amendment (Ordinance S-49945) on June 28, 2023.

This item was adopted.

62 Large Valve Repair and Replacement Job Order Contracting Services - 4108JOC218 (Ordinance S-50633)

Request to authorize the City Manager, or his designee, to enter into separate master agreements with two contractors listed below to provide Large Valve Repair and Replacement Job Order Contracting services for the Water Services Department. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for all services will not exceed $24 million.

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

Summary

The Job Order Contracting (JOC) contractors' services will be used on an as-needed basis to provide Large Valve Repair and Replacement JOC services to assess the repair work needed, prepare the site for repair, perform a variety of repairs to the operator mechanisms, install

manholes over valve operators, and backfill and compact final street pavement restoration. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

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

Selected Firms
Rank 1: WACO LLC dba WACO Contracting
Rank 2: FPS Civil, LLC

Contract Term
The term of each master agreement is up to five years, or up to $12 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact
The master agreement value for each of the JOC contractors will not exceed $12 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed $24 million.

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

Funding is available in the Water Services Department’s Capital Improvement Program. 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.

63 Northwest Wastewater Master Plan Package 4B - 51st Avenue Gravity Sewer - Design-Bid-Build Services - WS90500307 (Ordinance S-50639)

Request to authorize the City Manager, or his designee, to accept Action Direct LLC dba Redpoint Contracting as the lowest-priced, responsive and responsible bidder and to enter into an agreement with Action Direct LLC dba Redpoint Contracting for Design-Bid-Build Services for the Northwest Wastewater Master Plan Package 4B - 51st Avenue Gravity Sewer project. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed $29,021,161, including any change orders.

Summary

The purpose of this project is to install approximately 17,500 feet of 36-inch gravity sewer pipeline and manholes along 51st Avenue, from the Central Arizona Project (CAP) Canal south to Pinnacle Peak Road and then east to 47th Avenue terminating in a new junction structure constructed on an existing 36-inch sewer. The project also includes a bid alternate to jack and bore 405 feet of 60-inch steel casing and install 458 feet of 36-inch sewer under the CAP Canal at 51st Avenue.

Procurement Information

The selection was made using an Invitation for Bids procurement process set forth in section 34-201 of the Arizona Revised Statutes. Three bids were received on Dec. 5, 2023, and were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and contractor responsiveness in demonstrating responsiveness to Small Business Enterprise program requirements.

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

Opinion of Probable Cost: $28,896,907.07
Action Direct LLC dba Redpoint Contracting: $26,382,873
McCarthy Building Companies: $36,981,790

Bidders who were deemed non-responsive are listed below, in alphabetical order:
B&F Contracting, Inc.

Due to volatile material costs and increased labor prices in the construction industry, a 10 percent contingency is being requested to allow for project uncertainties. The initial contract will be executed at the bid amount of $26,382,873. Use of the 10 percent contingency above the amount will not be allowed without the prior written approval of the Water Services Department Director and the City Engineer. The bid award amount is within the total budget for this project.

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 initial agreement value for Action Direct LLC dba Redpoint Contracting will not exceed $26,382,873, including all subcontractor and reimbursable costs. The total agreement value, including any change orders, for Action Direct LLC dba Redpoint Contracting will not exceed $29,021,161, including all subcontractor and reimbursable costs.

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

Location
51st Avenue from the Central Arizona Project Canal south to Pinnacle Peak Road then east to 47th Avenue.
Council District: 1

This item was adopted.

64 Salt River Project Land Use License for 25th Avenue Siphon at Arizona Canal Diversion Channel - WS90500273-10 (Ordinance S-50648)

Request to authorize the City Manager, or his designee, to enter into a Land Use License with Salt River Project for work associated with City of Phoenix project WS90500273-10, 25th Avenue Siphon at Arizona Canal Diversion Channel. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18.

Summary
The City is performing maintenance on existing facilities that encroach on the Arizona Canal Diversion Channel and it was discovered that a Salt River Project Land License for the City's facilities crossing under the canal did not exist. The purpose of the Land Use License is to allow the City's existing facilities to remain in place. The work associated with this license is in conjunction with City Project WS90500273-10.

Contract Term
The term of the Land Use License shall be for 15 years beginning April 1, 2024, ending March 31, 2039.

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

Location
25th Avenue and Arizona Canal Diversion Channel
Council District: 3

This item was adopted.

65 Salt River Project Land Use License for Private Commercial Development - Camelback Ranch (Ordinance S-50649)

Request to authorize the City Manager, or his designee, to enter into a land use license with Salt River Project for a private commercial development project, Camelback Ranch, located on 107th Avenue, north of Camelback Road. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18.

Summary

The land use license is necessary to facilitate the development of property located on 107th Avenue north of Camelback Road. This license will allow for construction of onsite and right-of-way improvements, including sidewalk, curb, gutter, and landscaping and will be consistent with, and shall not interfere with, U.S. Bureau of Reclamation fee property.

Contract Term

The term of the license shall be for 25 years beginning April 1, 2024, and ending March 31, 2049. The license may be renewed upon written agreement by the parties.

Financial Impact

There is no financial impact to the City of Phoenix for this license.

Location

107th Avenue north of Camelback Road
Council District: 5

This item was adopted.

66 Intergovernmental Agreement with the City of Glendale for the Installation, Operation, and Maintenance of Street Lighting on 43rd Avenue between Bethany Home Road and Glendale Avenue

(Ordinance S-50654)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the City of Glendale for the City of Phoenix to design and install streetlights along the west side of 43rd Avenue between Bethany Home Road and Glendale Avenue and then turn the streetlights over to Glendale for operation and maintenance.

Summary

The City of Phoenix Street Transportation Department (Streets) requests to coordinate with the City of Glendale for the installation of streetlights in 14 locations that do not meet current City of Phoenix streetlight standards. Construction of the project is fully funded by Federal Highway Safety Improvement Program (HSIP) funds. The segment of the project on 43rd Avenue between Bethany Home Road and Glendale Avenue is included in the project. While the roadway right-of-way in this area is within the City of Phoenix, the actual location of the new streetlights behind the sidewalk on the west side of 43rd Avenue is within the City of Glendale limits. The City of Phoenix area of maintenance responsibility is limited to the back of the curb on the west side of 43rd Avenue.

The IGA will authorize the City of Phoenix to design and install the new streetlights within the City of Glendale limits. The City of Glendale will operate and maintain the lights once construction is completed and the project is accepted.

Contract Term

This agreement will become effective on the date it is executed and approved by all of the parties and shall remain in effect for 30 years.

Financial Impact

There is no financial impact for this agreement.

Location

43rd Avenue, Bethany Home Road to Glendale Avenue
Council District: 5

This item was adopted.

68 **Chlorine for Water and Wastewater Contract - IFB-2324-WPP-588 Request for Award (Ordinance S-50631)**

Request to authorize the City Manager, or his designee, to enter into a contract with PVS DX, INC. to provide Chlorine for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $12,000,000.

Summary

This contract will provide Chlorine for the treatment of water and wastewater, on an as needed basis. Chlorine is utilized as a disinfectant to continuously treat surface water and wastewater to meet federal, state, and local regulations.

Procurement Information

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

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

Selected Bidder
PVS DX, INC.: $6,120,947.50

Contract Term

The contract will begin on or about April 1, 2024, for a five-year term with no options to extend.

Financial Impact

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

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

This item was adopted.

69 **Val Vista Transmission Main Rehabilitation - Construction Manager at Risk Services - WS85500439 (Ordinance S-50638)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Achen-Gardner Construction, LLC to provide Construction Manager at Risk Preconstruction and Construction Services for the Val Vista Transmission Main Rehabilitation 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 $35,705,000.

Summary

The project consists of 12,400 linear feet of steel slip-lining pipe rehabilitation along various locations of the Val Vista Transmission Main with an inside diameter of 96 inches.

Achen-Gardner Construction, LLC (Achen) will begin in an agency support role for Construction Manager At Risk Preconstruction Services. Achen will assume the risk of delivering the project through a Guaranteed Maximum Price agreement.

Achen's Preconstruction Services include, but are not limited to: providing detailed cost estimating, project planning and scheduling, providing alternate systems evaluation and constructability studies and participating with the City in a process to establish a Small Business Enterprise (SBE) goal for the project.

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

Achen's additional Construction Services include constructing 12,400 linear feet of steel slip-lining pipe rehabilitation, arranging for procurement of materials and equipment, scheduling and managing site operations, and maintaining a safe work site for all project participants.

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

Selected Firm
Rank 1: Achen-Gardner Construction, LLC

Additional Proposers
Rank 2: Kiewit Infrastructure West Co.
Rank 3: Sundt Construction, Inc.

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

Financial Impact
The agreement value for Achen-Gardner Construction, LLC will not exceed $35,705,000, 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.

Location
Lindsey Road and McDowell Road to 48th Street north of University Drive
Council District: Out of City

This item was adopted.

70 Purchase of Materials Locker Vending Machines, Maintenance, and Parts Contract - RFQ-2324-WAD-610 - Request for Award (Ordinance S-50642)

Request to authorize the City Manager, or his designee, to enter into a contract with Copper State Bolt & Nut Company, Inc. to provide materials locker vending machines, maintenance, and parts for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $500,000.

Summary

This contract will provide Water Services the ability to purchase a variety of stand-alone locker vending machines, that vary in size, to hold various type of warehouse items. The vending machines will allow Water Services staff to stock, track, and secure City-owned inventory to be available for staff. The lockers will be used to dispense various sized items, such as water meters, brass fittings, and personal protective equipment.

Procurement Information

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

One vendor submitted a bid deemed to be responsive to posted specifications and responsible to provide the required goods and services.

Selected Bidder

Copper State Bolt & Nut Company, Inc.: $11,295.

Contract Term

The contract will begin on or about March 1, 2024, for a five-year term with no options to extend.

Financial Impact

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

Funding is available in the Water Services Department Operating Budget.

This item was adopted.

71 Water Pipeline Emergency Repair and Replacement - Job Order Contracting Services - JOC217 (Ordinance S-50646)

Request to authorize the City Manager, or his designee, to enter into a master agreement with WaCo LLC dba WaCo Contracting, to provide Water Pipeline Emergency Repair and Replacement Job Order Contracting services for the Water Services Department. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below and for the City Controller to disburse all funds related to this item. The total fee for all services will not exceed $8,750,000.

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

Summary

The Job Order Contracting (JOC) contractor's services will be used on an as-needed basis to provide Water Pipeline Emergency Repair and Replacement JOC services for excavation, assessment, work site preparation and closeout, and backfill/compact and pavement restoration. The JOC contractor shall also have available skilled labor to make repairs to water pipelines and operator mechanisms. The JOC contractor shall be responsible for inspection of faulty water line mechanisms and able to secure the appropriate materials/parts to successfully perform the

repairs. Additionally, the JOC contractor will be responsible for fulfilling Small Business Enterprise program requirements.

Procurement Information
The selection was made using a qualifications-based selection process set forth in section 34-603 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 Firms
Rank 1: WaCo LLC dba WaCo Contracting

Additional Proposers
Rank 2: Arrowmark Underground LLC dba Local Underground Construction
Rank 3: Rainwater Plumbing, LLC

Contract Term
The term of the master agreement is for up to five years, or up to $8,750,000, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact
The master agreement value for WaCo LLC, dba WaCo Contracting, will not exceed $8,750,000, including all subcontractor and reimbursable costs.

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

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

72 Apply for Water Infrastructure Finance Authority - Water Conservation Grant Fund Opportunity: Cooling Water Conservation Program Development Grant Opportunity for Fiscal Year 2023- 24. Water Infrastructure Finance Authority - Water Conservation Grant Fund Opportunity Funding Source: American Rescue Plan Act of 2021 (Ordinance S-50650)

Request to retroactively authorize the City Manager, or his designee, to apply for a Water Conservation Grant, in partnership with the Bonneville Environmental Foundation, from the Arizona Water Infrastructure Finance Authority, beginning in or about May 2023 through the Fiscal Year 2026-27. The Arizona Water Infrastructure Finance Authority has federal American Rescue Plan Act of 2021 funds available for this Water Conservation Grant. Further request authorization for the City Manager, or his designee, to enter into any agreements or attestations necessary for Bonneville Environmental Foundation to accept and implement funding, if the grant is awarded, and to include an exception to the indemnity and assumption of liability provision found in Phoenix City Code 42-18.

Summary

Under Arizona Revised Statues section 49-1333, a non-governmental entity may apply to Arizona Water Infrastructure Finance Authority (WIFA) for Water Conservation Grant (WCG) funds if done in partnership with a public entity. Under this provision, the Bonneville Environmental Foundation (BEF) submitted a grant application to WIFA for a WCG Fund under their Business for Water Stewardship program in partnership with the City of Phoenix Water Services Department (WSD). This award would be used to support ongoing municipal water conservation efforts to increase the efficiency of large-scale, wet cooling systems serviced by municipal water utilities, specifically the City of Phoenix. The City has an

existing Memorandum of Understanding (MOU), No. 156940 (Ordinance S-48597) with BEF's Business for Water Stewardship and New venture Fund's Blue Commons program to promote this program. If awarded, BEF would work with BlueCommons to put grant monies toward BlueCommons' Cooling Water Conservation Fund (Fund). The Fund will provide "repay-for-performance" financing to projects that increase water use efficiency in these cooling systems. Projects supported will initially be focused on appropriate implementations of water softening and chemical treatment retrofits, media replacement, plumbing system upgrades, metering, and other potential retrofits and upgrades that help to reduce overall water use in existing wet cooling system applications. The program would be a collaborative effort, as outlines in the MOU. The City of Phoenix will not be receiving any funding distributed as a result of this grant application.

The grant program would have an outreach and recruitment phase beginning in Summer 2023 and ending in Summer 2024. Funding and project completion would occur in Fiscal Year 2024-25, and savings verification taking place from Fiscal Year 2025-26 to Fiscal Year 2027-28. The deadline to utilize the WIFA-WCG funds is June 31, 2026.

The WIFA-WCGF submittal deadline was May 19, 2023.

Due to the timing of the deadline put forth by WIFA, WSD submitted an application prior to obtaining City Council approval. If City Council does not approved this retroactive request, the application will be withdrawn by WSD.

Financial Impact
There is no financial impact to the city.

This item was adopted.

73 Final Plat - Union Grove - PLAT 230085 - Southwest Corner of Union Hills Drive and 11th Avenue

Plat: 230085
Project: 21-889
Name of Plat: Union Grove

Owner: Union Grove, LLC
Engineer: Robert J. Blake, RLS
Request: A 13-Lot Detached Single Family Planned Subdivision Plat
Reviewed by Staff: Jan. 31, 2024
Final Plat requires Formal Action Only

Summary
Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with Abandonment 210027. The sequence of recording is that the resolution of abandonment is recorded first, and the plat second.

Location
Generally located at the southwest corner of Union Hills Drive and 11th Avenue
Council District: 3

This item was approved.

74 Abandonment of Easement - ABND 210027 - Southwest Corner of Union Hills and 11th Avenue (Resolution 22186)

Abandonment: 210027
Project: 21-889
Applicant: Jeff A. Giles
Request: To abandon the north 20-feet of existing 33-foot public utility easement as dedicated on the final plat, Book 335, Page 16.
Date of Decision: June 30, 2021

Summary
The resolution of the abandonment, ABND 210027, and the subdivision plat, PLAT 230085, are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

Location
Generally located on the southwest corner of Union Hills and 11th

Avenue
Council District: 3

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

This item was adopted.

75 Abandonment of Right of Way - ABND 220011 - 4640 E. Camelback Heights Way (Resolution 22185)

Abandonment: 220011
Project: 99-3459
Applicant: Lauren Proper Potter
Request: To abandon triangular portion of right-of-way, where North Camelback Canyon Drive and East Camelback Heights Way meet as illustrated on the attached exhibit.
Date of Hearing: March 22, 2023

Location
Generally located at 4640 E. Camelback Heights Way
Council District: 6

Financial Impact
A fee was also collected as part of this abandonment in the amount of $308.70.

This item was adopted.

76 Amend City Code - Ordinance Adoption - Rezoning Application Z-45-23-1 (The Shops at Norterra PUD) - Northwest Corner of Norterra Parkway and Happy Valley Road (Ordinance G-7235)

Request to amend the Phoenix Zoning Ordinance, Section 601, the

Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-45-23-1 and rezone the site from C-2 M-R PCD (Intermediate Commercial, Mid-Rise District, Planned Community District) to PUD PCD (Planned Unit Development, Planned Community District) to allow a shopping center (existing) with temporary/promotional events.

Summary
Current Zoning: C-2 M-R PCD
Proposed Zoning: PUD PCD
Acreage: 46.45
Proposal: Existing shopping center with temporary/promotional events

Owner/Applicant: Yam Norterra, LLC
Representative: Jason Morris, Withey Morris Baugh, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Info: The Deer Valley Village Planning Committee was scheduled to hear this case on Nov. 16, 2023, for information only; however, there was no quorum.
VPC Action: The Deer Valley Village Planning Committee heard this case on Jan. 16, 2024, and recommended approval, per the staff recommendation, with a modification, by a vote of 9-0.
PC Action: The Planning Commission heard this case on Feb. 1, 2024, and recommended approval, per the staff memo dated Jan. 31, 2024, by a vote of 8-0.

Location
Northwest corner of Norterra Parkway and Happy Valley Road
Council District: 1
Parcel Address: 2304, 2310, 2330, 2350, 2370, 2390, 2392, 2402, 2404, 2420, 2424, 2430, 2440, 2442, 2446, 2490, 2450, 2460, 2470, 2480, 2510, 2530, 2550, and 2600 W. Happy Valley Road; and 25250, 25252, 25254, and 25256 N. Norterra Parkway

This item was adopted.

77 (CONTINUED FROM FEB. 7, 2024) - Amend City Code - Ordinance Adoption - Rezoning Application Z-61-23-2 (The Villas of Cave

Creek Senior Living PUD) - Northwest Corner of 53rd Street and Dynamite Boulevard (Ordinance G-7222)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-61-23-2 and rezone the site from R1-10 (Single-Family Residence District) to PUD (Planned Unit Development) to allow senior housing.

Summary
Current Zoning: R1-10
Proposed Zoning: PUD
Acreage: 4.35
Proposal: Senior housing

Owner: George F Rivera Trust
Applicant: Learsi Capital Group, LLC
Representative: Heather Personne, Evolve Ventures, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Info: The Desert View Village Planning Committee heard this case on Oct. 3, 2023, for information only.
VPC Action: The Desert View Village Planning Committee was scheduled to hear this case on Dec. 5, 2023; however, there was no quorum.
PC Action: The Planning Commission heard this case on Jan. 4, 2024, and recommended approval, per the staff recommendation, by a vote of 7-0.

Location
Northwest corner of 53rd Street and Dynamite Boulevard
Council District: 2
Parcel Address: 28255 N. 52nd St. and 5214, 5218, 5221, 5222, 5225, 5226, 5229, 5230, 5233, 5234, 5237, 5238, 5241, 5242 and 5246 E. Silver Sage Lane

This item was adopted.

79 ***REQUEST TO CONTINUE (SEE ATTACHED MEMO)* Amend City Code - Ordinance Adoption - Rezoning Application Z-87-22-6 (Broadstone 56 PUD) - Approximately 875 Feet South of the Southwest Corner of 56th Street and Van Buren Street (Ordinance G-7234)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-87-22-6 and rezone the site from C-3 (General Commercial) to PUD (Planned Unit Development) to allow multifamily residential and commercial uses per the Walkable Urban Code Transect 5:6 District.

Summary
Current Zoning: C-3
Proposed Zoning: PUD
Acreage: 4.48
Proposal: Multifamily residential and commercial uses per the Walkable Urban Code Transect 5:6 District
Owner: Randum Properties, LLC
Applicant/Representative: George Pasquel, Withey Morris Baugh, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Info: The Camelback East Village Planning Committee heard this case on Nov. 14, 2023, for information only.
VPC Action: The Camelback East Village Planning Committee heard this case on Jan. 9, 2024, and recommended approval, per the staff recommendation, by a vote of 16-0.
PC Action: The Planning Commission heard this case on Feb. 1, 2024, and recommended approval, per the Camelback East Village Planning Committee recommendation, by a vote of 8-0.

Location
Approximately 875 feet south of the southwest corner of 56th Street and Van Buren Street
Council District: 6
Parcel Address: 17, 25 and 29 N. 55th Place; 51 N. 55th St.; and 52, 60 and 80 N. 56th St.

This item was continued to the June 26, 2024 City Council Formal Meeting.

80 Modification of Stipulation Request for Ratification of Planning Commission Action - PHO-1-23--Z--73-01-6(8) - Southwest Corner of 32nd Street and Baseline Road

Request to authorize the City Manager, or his designee, to approve Planning Commission's recommendation without further hearing by the City Council on matters heard by the Planning Commission on Feb. 1, 2024. This ratification requires formal action only.

Summary
Application: PHO-1-23--Z-73-01-6(8)
Existing Zoning: MUA BAOD
Acreage: 3.64

Owner: Zanbour, LLC
Applicant/Representative: Tim Rasnake, Archicon LC

Proposal:
1. Request to modify Stipulation 1.a regarding general conformance with the site plan dated Aug. 27, 2001.
2. Request to delete Stipulation 1.b regarding landscape strips.
3. Request to delete Stipulation 1.d regarding creation of a Homeowners Association.
4. Request to delete Stipulation 1.e regarding Planning Hearing Officer review of gated entry design.
5. Request to delete Stipulation 1.g regarding alternative paving materials for parking stalls.

VPC Action: The South Mountain Village Planning Committee heard the request on Aug. 8, 2023, and continued the request with direction, by a vote of 9-1. The South Mountain Village Planning Committee heard the request on Nov. 14, 2023, and recommended approval with modifications and additional stipulations, by a vote of 14-0.
PHO Action: The Planning Hearing Officer heard the request on Nov. 15, 2023, and recommended a continuance to the Dec. 20, 2023, PHO hearing. The Planning Hearing Officer heard the request on Dec. 20,

2023, and recommended approval with a modification and additional stipulations.
PC Action: The Planning Commission heard the request on Feb. 1, 2024, and recommended approval, per the Planning Hearing Officer recommendation, with a deleted stipulation and additional stipulations, by a vote of 8-0.

Location
Southwest corner of 32nd Street and Baseline Road
Council District: 8
Parcel Address: 7698 S. 32nd St. and 3179 E. Baseline Road

This item was approved.

81 **Modification of Stipulation Request for Ratification of Planning Commission Action - PHO-2-23--Z--73-01-6(8) - Approximately 275 Feet South of the Southwest Corner of 32nd Street and Baseline Road**

Request to authorize the City Manager, or his designee, to approve Planning Commission's recommendation without further hearing by the City Council on matters heard by the Planning Commission on Feb. 1, 2024. This ratification requires formal action only.

Summary
Application: PHO-2-23--Z-73-01-6(8)
Existing Zoning: MUA BAOD
Acreage: 4.60

Applicant/Owner: Brian Stillman, Baseline & 32nd, LLC / CG6, LLC
Representative: William F. Allison, Withey Morris Baugh, PLC

Proposal:
1. Request to modify Stipulation 1.a regarding general conformance with the site plan dated Aug. 27, 2001.
2. Request to modify Stipulation 1.b regarding a detached sidewalk.
3. Request to delete Stipulation 1.c regarding commercial building height.
4. Request to modify Stipulation 1.d regarding a Homeowners Association.

5. Request to modify Stipulation 1.f regarding interior perimeter walls.
6. Request to delete Stipulation 1.g regarding parking stalls.
7. Request to delete Stipulation 2.1a regarding commercial building elevations.
8. Request to modify Stipulation 2.2a regarding one-story houses.
9. Request to modify Stipulation 2.2b regarding floor plans.
10. Request to delete Stipulation 3 regarding streets and rights-of-way.
11. Request to modify Stipulation 4.a regarding a 25-foot easement on the west side of 32nd Street.
12. Technical corrections to Stipulation 4.b.
13. Request to modify Stipulation 5.a regarding South Mountain Village Planning Committee notification.
14. Request to delete Stipulation 5.b regarding construction commencement.

VPC Action: The South Mountain Village Planning Committee heard the request on Dec. 12, 2023, and recommended approval, with a modification and additional stipulations, by a vote of 11-0.
PHO Action: The Planning Hearing Officer heard the request on Dec. 20, 2023, and recommended denial as filed, approval with modifications and additional stipulations.
PC Action: The Planning Commission heard the request on Feb. 1, 2024, and recommended approval, per the Planning Hearing Officer recommendation, with modifications and additional stipulations, by a vote of 8-0.

Location
Approximately 275 feet south of the southwest corner of 32nd Street and Baseline Road
Council District: 8
Parcel Address: 7700 S. 32nd St.

This item was approved.

Item 23, Ordinance S-50616 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.

23 AGAS MFG, Inc.

For $65,000 in payment authority for a new contract, entered on or about March 15, 2024, for a term of five years for flags, flagpoles, and accessories for Citywide departments. This contract will provide all-weather flags for display at various locations throughout the City on an as-needed basis. Flags provided will include the United States, State of Arizona, City of Phoenix, and various international flags. This contract will also provide flagpoles, mounting hardware, and flag-related accessories necessary for flag display.

Discussion

Vice Mayor Stark made a motion to adopt Item 23.

Councilwoman O'Brien seconded the motion.

Lezley Shepard spoke in opposition, and took issue with the City spending money on international flags. She advocated for spending money to help those experiencing homelessness.

Note: Six electronic comments were submitted for Item 23, with five in opposition and one indicating no position.

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

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

51 JSI Telecom Software and Hardware Support - 149174 - Letter of Agreement to Extend Contract for Hardware and Software Support with JSI Telecom, Inc. (Ordinance S-50619)

Request to authorize the City Manager, or his designee, to enter into Letter of Agreement with JSI Telecom, Inc. to continue providing wire tap and surveillance system support and maintenance to the Police Department. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using Ordinance S-45216.

Summary

The purpose of this Letter of Agreement is to continue to provide support for wire intercept systems for the Police Department's Drug Enforcement Bureau to conduct joint complex investigations with the United States Drug Enforcement Administration and other federal, state, and local agencies. The system will provide the ability to continue providing wire intercepts, geo-locate cellular phones, investigate various crimes, and locate endangered citizens. The support and maintenance agreement includes warranties on all software, hardware, 24-hour technical support, engineering support, and upgrades.

The use of this system requires a department or agency to present evidence to a judge or magistrate and a search warrant to be issued. The request must include the criminal offense under investigation, the type of intercept device, the physical location of the device and the duration of intercept.

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

Contract Term

The term of the Letter of Agreement will begin on or about March 6, 2024 through Dec. 12, 2028.

Financial Impact

The aggregate value of the contract will not exceed $1,042,571 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

JSI Telecom Intercept Wire Tap and Surveillance System Contract 4701006344 (Ordinance S-45216) on Dec. 5, 2018;
JSI Telecom Intercept Wire Tap and Surveillance System Contract 4701006344 (Ordinance S-49206) on Dec. 7, 2022.

Discussion
Vice Mayor Stark made a motion to adopt Item 51.

Councilwoman O'Briend seconded the motion.

Lezley Shepard spoke in opposition, and suggested governments should not use television to broadcast information to residents. She asked why the City would advertise the subjects listed in the council report.

Councilwoman O'Brien commented what was described by Ms. Shepard was not in this item.

Note: Five electronic comments were submitted in opposition of Item 51.

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

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

No: 0

55 Air Service Incentive Program (Ordinance S-50660)

Request to authorize the City Manager, or his designee, to approve a new 2024-28 Air Service Incentive Program for Phoenix Sky Harbor International Airport (Program). The maximum amount being requested to support new international nonstop flights will be up to $5 million per incentive contract and this amount will include airport fee waivers and marketing fund reimbursements. The amount per destination is prorated based on distance, frequency, and location. Further request authorization for the City Controller to disburse all monies related to this item.

Summary

International flights result in a $3.4 billion economic impact to the Greater Phoenix region each year. Obtaining new nonstop international air service is extremely competitive. Aircraft are scarce and movable assets that may be placed between any two destinations in the world. Airlines choose new service routes based on several factors including passenger demand, competitive environment, and the revenue opportunity in relation to the route operational expenses. Incentives for airport fee waivers help reduce the significant operational costs an airline incurs when starting new international service. Marketing funds also assist to promote the new service and support its continued success.

It is an industry-wide and federally-approved practice for airports to support new air service through the implementation of an incentive program that reduces an airline's financial risk during the critical route start-up period. When faced with a choice between where to place new service, airline incentive programs make the business case stronger for an airport.

On Dec. 7, 2023, the Federal Aviation Administration (FAA) released new guidelines for airport air service incentive programs. The program for Phoenix Sky Harbor International Airport has been revised to comply with the new guidelines.

Contract Term

The Program will be effective on or about April 10, 2024 through April 10, 2028. The terms of individual incentive contracts under the approved Program will range between one and three years as provided by the FAA's guidance.

Concurrence/Previous Council Action

The Phoenix Aviation Advisory Board recommended approval of this item on the Feb. 15, 2024, by a vote of 7-0.

The Transportation, Infrastructure and Planning Subcommittee recommended approval of this item on Feb. 21, 2024, by a vote of 4-0.

Financial Impact

The maximum amount being requested for supporting each new international nonstop route will not exceed $5 million per incentive contract. This amount includes airport fee waivers and marketing reimbursement funds. The amount per destination is then prorated based on distance, frequency, and location. Funds are available in the Aviation Department budget to support the program.

Location
Phoenix Sky Harbor International Airport, 2485 E. Buckeye Road
Council District: 8

Discussion
Vice Mayor Stark made a motion to adopt Item 55.

Councilwoman O'Brien seconded the motion.

Lezley Shepard spoke in opposition, and suggested there were not that many residents who have flown internationally non-stop. She commented this item would not benefit the average resident, and asked Council to focus on those experiencing homelessness.

Note: Six electronic comments were submitted in opposition of Item 55.

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

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

No: 0

61 Traffic Signal Poles and Components - C20-083 - Amendment (Ordinance S-50630)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contracts 152971 with Econolite Control Products Inc., 152991 with Advanced Traffic Products Inc.,152955 with AM Signal Inc.,152993 with Iteris Inc.,152961 with Sierra Transportation

and Technologies LLC.,152962 with Solar Traffic Controls LLC., and 152959 with Wesco, dba Brown Wholesale, for the purchase of traffic signal poles and components for the Street Transportation Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $2,000,000.

Summary
This contract will provide traffic signal poles, hardware, video detection, and traffic signal controller components essential for maintaining over 1,100 signalized junctions.

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

Financial Impact
Upon approval of $2,000,000 in additional funds, the revised aggregate value of the contract will not exceed $7,000,000. Funds are available in the Street Transportation Department's budget.

Concurrence/Previous Council Action
The City Council previously approved:
Traffic Signal Poles and Components Contracts 152971, 152991, 152955, 152993, 152961, 152962, and 152959 (Ordinance S-46788) on June, 24, 2020.

Discussion
Vice Mayor Stark made a motion to adopt Item 61.

Councilwoman O'Brien seconded the motion.

Lezley Shepard spoke in opposition, and talked about her issue with government surveillance. She discussed issues regarding those experiencing homelessness.

Note: Three electronic comments were submitted in opposition for Item 61.

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

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

No: 0

67 **Large Water User Ordinance (Ordinance G-7237)**

Request City Council to adopt the Sustainable Desert City Development Policy-Large Water User Ordinance that places additional water conservation requirements on new large water use developments in the City. Large water user developments are those that are projected to use more than 250,000 gallons of water per day.

Summary

The history of City of Phoenix is built on water management and conservation. From the canals of ancient Hohokam societies through the Salt River Project, to the construction of the Central Arizona Project, human's ability to thrive in the desert has always depended first and foremost on our ability to use the limited water resources available with care. For this reason, the City and Central Arizona more broadly, have elected to develop on a backbone of renewable surface water resources rather than a finite resource of groundwater, unlike many other communities in the American West.

It is not sustainable to revert to groundwater supplies; therefore, the City has taken great care to protect surface water in the region. In 2014, the Council authorized the Colorado River Resiliency fund, improving local watershed resiliency and providing for underground water storage. Water supply is only one side of the equation. Due to the foresight of current and previous civic leaders, the City has made significant progress in demand management and conservation. In 1980, the State of Arizona passed the Groundwater Management Act, becoming the first state to regulate groundwater and mandate water conservation measures at that scale. Because of these measures and other efforts, per-person water

use has fallen by more than 30 percent over the last 30 years. However, hydrologic conditions in the Colorado River, which currently comprise approximately 40 percent of the water delivered to residents, is currently experiencing significant reduction in flow. Therefore, the City can no longer depend on receiving its full allocation from the Colorado River.

For this reason, in June 2023 City Council Adopted the "Sustainable Desert City Development Policy-Water" (Resolution 22129). This resolution had four components:
Section 1: Conservation Measures for New Development.
Section 2: Conservation and Restrictions on New Large Water Users.
Section 3: Annexations outside the current Water Department Service Area.
Section 4: Applicability and implementation.

Section 2 outlined a proposed "Large Water User Ordinance," which would place additional requirements on new large water users projected to use more than 250,000 gallons per day. Staff has continued to meet with multi-departmental, inter-disciplinary teams to evaluate the Ordinance and met with stakeholders to refine the proposed ordinance. The basic tenets of the Ordinance are the same as the approved concept in the Resolution, but staff has added other provisions to implement and enforce the Ordinance (**Attachment A**). Specifically, the Ordinance requires:

For new large water users projected to use more than 250,000 gallons per day, users must submit a Water Conservation Plan that is approved by the Water Department.

For new large water users projected to use more than 500,000 gallons per day, in addition to requirements listed above, users must also:
Meet at least 30 percent of their consumptive water demand with recycled or conserved water;
Fit within the City's existing Water Resource Portfolio; and
Economic benefit analysis can be considered when evaluating the 30 percent requirement.

Financial Impact

This item has no expected financial impact.

Concurrence/Previous Council Action

The Transportation, Infrastructure and Planning Subcommittee received an update on Supply Shortages in the Colorado River on June 15, 2022;

The Transportation, Infrastructure and Planning Subcommittee received an update on Proposed Water Conservation Measures for New Development on Jan. 18, 2023;

City Council adopted Resolution 22129, the Sustainable Desert City Development Policy, which outlined this ordinance on June 13, 2023; and

The Transportation, Infrastructure and Planning Subcommittee unanimously approved the Sustainable Desert City Development - Water Ordinance on Feb. 21, 2024.

Public Outreach

On Dec. 5, 2023, staff held a meeting to discuss and receive feedback on the proposed Ordinance and invited 20 stakeholders in the field of business development and water conservation. Staff also asked for any comments or concerns to be shared with staff by the middle of January 2024. We received one comment but no objections. In general, the stakeholders understood that this Ordinance will impact a small group of large water users and that the City needs to be good stewards of water for existing and future residents and businesses.

Discussion

City Clerk Denise Archibald read the title of Ordinance G-7237.

Vice Mayor Stark mentioned this item was vetted at the Transportation, Infrastructure and Planning Subcommittee and added there was more discussion needed for the subcommittee.

Vice Mayor Stark made a motion to adopt Item 67.

Councilwoman Hodge Washington seconded the motion.

Mayor Gallego commented she was excited about this item because of

the commitment to protecting water supply. She said this was the next step in the City's Sustainable Desert Development Guidelines and added today's vote would show Phoenix takes its role seriously in shoring up supply during drought. She noted industrial water use was only 4 percent of the City's total water usage, and mentioned the City would plan ahead with large water users to submit a great water conservation plan. She stated she looked forward to working with new businesses for collaborating on new projects that chose Phoenix as their home, and thanked the Water Services Department for creating this ordinance.

Councilwoman Ansari said the water future of Phoenix was top-of-mind for most residents and people around the country and the world for those who look to move her or establish businesses, and suggested this ordinance was a common sense way to make the water system more resilient. She mentioned a quarterly meeting hosted by herself and Councilwoman Hodge Washington in the Laveen area and added they were asked about why so much growth was allowed given the water issues in Phoenix. She stated Phoenix had a plentiful water supply, and mentioned work on reclaiming waste water to help make Phoenix a sustainable place to live.

Councilwoman Hodge Washington commented she was happy to support this ordinance, and mentioned a few months ago the City asked residential users to make some adjustments to water use. She stated Phoenix was moving in the right direction by asking large water users to undertake the same steps residential users made. She said she was grateful the City would look at existing large water users in the future to make the same adjustment, and thanked the Water Services Department for their leadership to ensure the preservation of water in Phoenix.

Councilwoman Pastor talked about her experience on leadership for water conservation, and discussed the importance of this ordinance. She asked staff how many different resources are available for Phoenix's water supply.

Water Services Director Troy Hayes replied the City's water portfolio included a lot of different water sources, noting the primary sources were the Salt and Verde rivers, the Colorado River, groundwater and different

divisions of those entities.

Councilwoman Pastor asked for confirmation the City had three different portfolios of where Phoenix received water.

Mr. Hayes confirmed in general that was correct.

Councilwoman Pastor questioned if every 15 years the City had to go to the State to show how the City's water demand and supply would be determined and if there would be enough available.

Mr. Hayes replied that was correct, and said under the Assured Water Supply Program the City had to submit on a 15-year basis an assurance to the State that Phoenix had more supply than needed to build out over 100 years.

Councilwoman Pastor inquired if the City was not at the level needed at the 15-year mark and if growth or water use was more than supply, what would happen.

Mr. Hayes answered this was not necessarily on a 15-year basis, and added the City's concern was with the Colorado River system. He mentioned when the federal government decides the allocation that would be available to the City or on an annual basis based on their declaration, the City would analyze this and would have to either identify additional supplies or the overall plan of the City's growth would need to be looked at. He commented there needed to be a balance with supply and demand of water, and noted since the inception of the 100-year assured water supply, the City had shown those amounts had been exceeded.

Councilwoman Pastor commented her understanding was the Colorado River was one of the City's main water supplies, and added the Federal government would be in control of decisions if the water level decreases. She said California and the Tribal Nations had the larger portion of Colorado River compared to Arizona.

Mr. Hayes responded what was happening was on a statewide basis

there were negotiations between the seven Basin States trying to come to a consensus, and added there would be a decision made in early 2026.

Councilwoman Pastor stated the City had been proactive in conservation, and suggested there should be more tools available for people to conserve.

Mr. Hayes discussed different conservation programs available for industrial and commercial uses, and added their planning group was looking to expand that to residential uses towards the end of 2024. He noted residential uses were a majority of the water use, and said those conservation programs would be vital for the water supply.

Councilwoman Pastor questioned if the City could look at having residents infill their pools, and suggested there would be some residents willing to do that through incentives. She asked what amount or measure would ensure the City look at the future of growth.

Mr. Hayes answered looking at the water demands from the build-out scenario, it would be in the realm of 350,000 acre feet. He explained looking at the City's supplies today there were extensively more supplies than there would be in the future. He noted the amount of water cut from the Colorado River should be more clear over the next few years.

Note: Four electronic comments were submitted in opposition for Item 67.

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

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

No: 0

78 Amend City Code - Ordinance Adoption - Rezoning Application Z-110-23-5 - Approximately 310 Feet North and 280 Feet West of the

Northwest Corner of 19th Drive and Northern Avenue (Ordinance G-7236)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-110-23-5 and rezone the site from C-2 (Intermediate Commercial District) to WU Code T5:5 (Walkable Urban Code, Transect 5:5 District) to allow multifamily residential.

Summary
Current Zoning: C-2
Proposed Zoning: WU Code T5:5
Acreage: 0.82
Proposed Use: Multifamily residential

Owner: West Royal Development, LLC
Applicant/Representative: Reid Butler, Butler Housing Company, Inc.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The North Mountain Village Planning Committee heard this case on Jan. 17, 2024, and recommended approval, per the staff recommendation, by a vote of 12-0.
PC Action: The Planning Commission heard this case on Feb. 1, 2024, and recommended approval, per the North Mountain Village Planning Committee recommendation, by a vote of 8-0.

Location
Approximately 310 feet north and 280 feet west of the northwest corner of 19th Drive and Northern Avenue
Council District: 5
Parcel Addresses: 2050 W. Northern Ave.

Discussion
Councilwoman Guardado made a motion to adopt Item 78.

Councilwoman Ansari seconded the motion.

Councilwoman Guardado stated this item was important to her, and would

provide 80 units of affordable housing for seniors. She mentioned this was a land gift from the Wayne Howard family and acknowledged those representing the family in the audience. She talked about working with Wayne on this property and his vision for the property. She thanked additional people for their efforts on bringing this project to Council District 5, and added this property would be an asset for the community. She noted the senior community was the fastest growing demographic experiencing homelessness, and commented the enthusiasm for this project was contagious as the HAVEN project would be built close by that would provide more affordable housing.

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

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

No: 0

82 **Public Hearing and Resolution Adoption - General Plan Amendment GPA-CE-1-23-8 - Northwest Corner of 46th Street and Belleview Street (Resolution 22184)**

Request to hold a public hearing on a General Plan Amendment for the following item to consider the Planning Commission's recommendation and the related resolution if approved. Request to amend the General Plan Land Use Map designation on 6.70 acres from Residential 5 to 10 dwelling units per acre to Mixed Use. This is a companion case to Z-25-23-8 and should be heard first, followed by Z-25-23-8.

Summary

Application: GPA-CE-1-23-8
Current Designation: Residential 5 to 10 dwelling units per acre
Proposed Designation: Mixed Use
Acreage: 6.70
Proposed Use: A minor General Plan Amendment to allow mixed use (multifamily/retail)

Owner & Applicant: Endres Belleview, LLC
Representative: Michael Maerowitz, Esq., Snell and Wilmer, LLP

Staff Recommendation: Approval.
VPC Info: The Camelback East Village Planning Committee heard this case on Oct. 3, 2023, for information only.
VPC Action: The Camelback East Village Planning Committee heard this case on Jan. 9, 2024, and recommended approval, by a vote of 16-0.
PC Action: The Planning Commission heard this case on Feb. 1, 2024, and recommended approval, per the Camelback East Village Planning Committee recommendation, by a vote of 8-0.

Location

Northwest corner of 46th Street and Belleview Street
Council District: 8
Parcel Address: 4540 E. Belleview St. and 4515 E. Willetta St.

Discussion

Mayor Gallego announced items 82-83 we companion cases at the northwest corner of 46th Street and Belleview Street in Council District 8, and noted each item would be voted separately with one public hearing.

Councilwoman Hodge Washington mentioned this project would bring a mixed-use project to the area, and asked if there was anyone available to speak on this project.

Mayor Gallego confirmed the applicant was available to speak if necessary.

Councilwoman Hodge Washington made a motion to approve Item 82 per the Planning Commission recommendation, with adoption of the related resolution.

Councilwoman Pastor seconded the motion.

Councilwoman Hodge Washington commented this was a prime example of how community outreach should be done, and noted there were 235 statements of support and two in opposition. She noted there was

unanimous decisions in favor at both the Camelback East Village Planning Committee and the Planning Commission, and said she was delighted to support this project.

Mayor Gallego declared the public hearing open.

After declaring there were no members of the public wishing to speak, Mayor Gallego closed the public hearing.

Mayor Gallego expressed appreciation for those showing support, and asked for support petitions to have multiple signatures on one page instead of one per page.

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

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

83 Public Hearing and Ordinance Adoption - Rezoning Application Z-25-23-8 (Endres Belleview PUD) - Northwest Corner of 46th Street and Belleview Street (Ordinance G-7238)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-25-23-8 and rezone the site from R-3 (Multifamily Residence District) and R-5 (Multifamily Residence District) to PUD (Planned Unit Development) to allow multifamily and retail. This is a companion case and must be heard following GPA-CE-1-23-8.

Summary
Current Zoning: R-3 (3.56 acres) and R-5 (3.14 acres)
Proposed Zoning: PUD
Acreage: 6.70

Proposed Use: Multifamily and retail

Owner & Applicant: Endres Belleview, LLC
Representative: Michael Maerowitz, Snell & Wilmer, LLP

Staff Recommendation: Approval, subject to stipulations.
VPC Info: The Camelback East Village Planning Committee heard this case on Oct. 3, 2023, for information only.
VPC Action: The Camelback East Village Planning Committee heard this case on Jan. 9, 2024, and recommended approval, per the staff recommendation, by a vote of 15-1.
PC Action: The Planning Commission heard this case on Feb. 1, 2024, and recommended approval, per the Camelback East Village Planning Committee recommendation, by a vote of 8-0.

Location
Northwest corner of 46th Street and Belleview Street
Council District: 8
Parcel Address: 4540 E. Belleview St. and 4515 E. Willetta St.

Note: For discussion on Item 83, refer to discussion on Item 82.

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

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

No: 0

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

84 Consideration of a Citizen Petition by Mr. Roland Harris

This report provides the City Council with information in response to a citizen petition submitted by Mr. Roland Harris at the Feb. 7, 2024, Formal City Council meeting regarding the U.S. Department of Justice

(DOJ) investigation of the Phoenix Police Department (**Attachment A**).

Summary

On Feb. 7, 2024, Mr. Roland Harris submitted a citizen petition to request the City of Phoenix "[e]nact a resolution calling on the Department of Justice to publicly release its full investigatory report of the City of Phoenix and the City of Phoenix Police Department as soon as such investigation and report are complete and final." Mr. Harris further requests that "[t]he investigatory report released should include the totality of the Department of Justice's findings against the City of Phoenix and the City of Phoenix Police Department, as well as the factual bases for the findings, and should not be a mere summary of the Department's findings." Upon review by the Law Department, this submittal was determined to qualify as a citizen petition requiring action by the City Council.

Staff Response

On Aug. 5, 2021, the US Department of Justice (DOJ) announced its civil investigation into the Phoenix Police Department. The investigation is an independent review to determine if the Phoenix Police Department has engaged in a pattern or practice of misconduct and whether systemic deficiencies enable misconduct to persist.

The investigation mainly focuses on five areas:
Excessive force in violation of the Fourth Amendment.
Discriminatory policing that violates the Constitution and Federal law.
Retaliation against those engaged in First Amendment-protected activities.
Violations of the Americans with Disabilities Act (ADA) related to behavioral health disabilities.
Violations of the rights of individuals experiencing homelessness with regards to the disposal of property.

The DOJ made four formal requests for the production of documents containing 234 specific requests. In response, as of Feb. 1, 2024, the City has provided:
More than 179,258 documents;
Approximately 20TB of data from multiple systems

Approximately 22,458 Body Worn Camera (BWC) videos
Interviews of over 130 City employees
200 hours of ride alongs with PPD

Additionally, since the DOJ opened its investigation in August 2021, the City has spent a little over $7.5 million on costs associated with the investigation as of Dec. 31, 2023.

While staff does not recommend that the Council concede to any of the WHEREAS statements preceding the petition, staff does recommend submitting a formal letter to the US Department of Justice requesting the public release of the investigation report as soon as the investigation and report are complete and final, and that the investigatory report released should include the totality of the Department of Justice's findings against the City of Phoenix and the City of Phoenix Police Department, as well as the factual bases for the findings, and should not be a mere summary of the Department's findings.

Discussion
Mayor Gallego noted this was a citizen petition related to the United States Department of Justice (DOJ), and added staff recommendation would be to request the DOJ to release the investigation report as soon as the investigation and report are complete and final. She said the investigatory report should include the totality of the DOJ's findings.

Vice Mayor Stark commented she agreed, and said the report should not be a summary of the DOJ's findings. **She made a motion to approve Item 84 per staff's recommendation to submit a formal letter to the DOJ.**

Councilwoman Hodge Washington seconded the motion.

Councilwoman Pastor asked why staff did not accept the complete citizen petition.

Assistant City Attorney Lori Bays answered the citizen petition asked for a resolution adopted by Council, and noted staff recommended Council to send a letter with the request outlined in the citizen petition in order to

have a more direct communication with the DOJ. She commented this would be more effective in getting that communication to the DOJ rather than adopting a resolution.

Councilwoman Pastor questioned why a citizen petition would be needed, and if Council could just write a letter to the DOJ.

Ms. Bays replied that would be within the purview of Council to do so with or without a citizen petition.

Mayor Gallego noted the citizen petition was submitted by Roland Harris, so Council would hear from him first.

Mr. Harris spoke in favor, and commented he submitted this petition because he lost his son due to an interaction with the Police Department. He stated the DOJ report was important, and advocated for more safety in regards to interactions with the public and the Police Department.

Kathy Brody spoke in favor, and mentioned she was a criminal defense and civil rights lawyer. She noted she represented two individuals mentioned in the citizen petition and asked Council to take responsibility for actions made by the Police Department. She requested Council to side with citizens over the Police Department.

Roberta Marteniez spoke in favor, and talked about her aunt who was the victim in an accident while walking across a street. She asked the City to support families of those involved in incidents with the Police Department, and requested more investigation into the Police Department.

Blakenya Wilder spoke in favor, and talked about her aunt mentioned by Ms. Marteniez. She advocated for crosswalks on City streets.

Beatrice Johnson spoke in favor, and said the DOJ should finish their report completely. She talked about her sister mentioned by Ms. Marteniez and Ms. Wilder, and repeated the DOJ should finish their report.

Stephani Gonzalez spoke in favor and mentioned she was a Youth Organizer with Poder in Action. She read a story from a resident who was not able to attend the meeting who had an interaction with the Police Department.

Rebecca Denis spoke in favor, and read a story from a resident who was not able to attend the meeting that had an interaction with the Police Department. She described an incident involving her brother and the Police Department.

Isabel Garcia spoke in favor, and suggested reports had been hidden from the public in regards to the Police Department.

Luke Black spoke in favor, and suggested all records should be made public regarding interactions between the public and the Police Department. He stated the public deserved more than a summary of the report.

Viri Hernandez spoke in favor, and asked for a full report from the DOJ instead of a summary. She requested Council ask for the full report immediately once it is available.

Jose Hernandez spoke in favor, and discussed an incident involving the death of his brother and the Police Department. He asked Council to do the right thing and demand the full report from the DOJ.

Maria Sanchez spoke in favor, and asked for the full report from the DOJ be available once it is ready.

Miros Domenzain spoke in favor, and asked for the full report from the DOJ be available once it is ready.

Jared Keenan spoke in favor, and mentioned he was the Legal Director of the American Civil Liberties Union (ACLU) of Arizona. He commented the ACLU had to sue the City over incidents involving the Police Department, and discussed litigation over recent events involving the Police Department.

Alejandro Hernandez spoke in favor, and talked about ongoing issues his son has had with the Police Department.

Sandra Netkin spoke in favor, and described an incident she had with the Police Department. She asked Council to get the reports from the DOJ, and to help create a better community.

Prior to her vote, Councilwoman Pastor stated Council should be voting on the citizen petition rather than sections of the citizen petition. She said she would be voting yes after hearing from the community.

Note: Eleven electronic comments were submitted for Item 84, with 10 in support and one indicating no position.

A motion was made by Vice Mayor Stark, seconded by Councilwoman Hodge Washington, that this item be approved per staff's recommendation to submit a formal letter to the U.S. Department of Justice. The motion carried by the following vote:

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

No: 0

000 CITIZEN COMMENTS

City Attorney Julie Kriegh stated during Citizen Comment, members of the public may address the City Council for up to three minutes on issues of interest or concern to them. She advised the Arizona Open Meeting Law permits the City Council to listen to the comments, but prohibits council members from discussing or acting on the matters presented.

Lezley Shepard thanked Councilwoman Pastor for her comments earlier, and advocated for the City to help those experiencing homeless rather than spending money in other areas.

Ari Huber mentioned he was an Organizer with Unite Here Local 11. He stated nine activists had been fired from SSP America since they went on strike, and commented it was the City's responsibility because SSP America was the

contractor.

Jasmine Glass said she was a cashier for SSP America at Sky Harbor International Airport, and noted she was fired for being a whisteblower for being an activist. She asked for the City to take this situation seriously.

Roberta Marteniez discussed an incident involving her aunt who passed away after being hit by a vehicle while crossing a road. She asked the City to address her family's concerns and needs.

Beatrice Johnson discussed an incident involving her aunt who passed away after being hit by a vehicle while crossing a road. She said the person who hit her aunt was able to make bail, and took issue with the City not prosecuting this person.

Terrion Ross talked about quitting her pursuit to be a Phoenix police officer, and described an incident involving her family and the Police Department.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 4:02 p.m.

MAYOR

ATTEST:

CITY CLERK

TS

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the formal session of the City Council of the City of Phoenix held on the 6th day of March, 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 13th day of November, 2024.

CITY CLERK