City of Phoenix

Minutes

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

City Council Formal Meeting

Wednesday, May 20, 2020 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, May 20, 2020 at 2:35 p.m. in the Council Chambers.

Present: 8 - Councilmember Carlos Garcia, Councilman Michael Nowakowski, Councilwoman Laura Pastor, Councilwoman Debra Stark, Councilman Jim Waring, Councilwoman Thelda Williams, Vice Mayor Betty Guardado and Mayor Kate Gallego

Absent: 1 - Councilman Sal DiCiccio

The Mayor and Councilmembers attended the meeting virtually.

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

The City Clerk confirmed that copies of the titles of Ordinances G-6697 through G-6702; S-46551, S-46608 through S-46646; and Resolutions 21824 through 21830 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.

BOARDS AND COMMISSIONS

1 Mayor and Council Appointments to Boards and Commissions

Summary

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

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

Estrella Village Planning Committee
Appoint Parris Wallace, for a term to expire Nov. 19, 2020, as recommended by Councilwoman Pastor

Mayor's Commission on Disability Issues
Appoint Bill Manson, for a term to expire May 20, 2023, as recommended by Mayor Gallego
Appoint Jill Pleasant, for a term to expire May 20, 2023, as recommended by Mayor Gallego

Phoenix Arts and Culture Commission
Appoint Joe Netherwood, for a term to expire Sept. 30, 2022, as recommended by Councilman Waring

Phoenix Women's Commission
Appoint Tamara Wright, for a term to expire June 30, 2022, as recommended by Mayor Gallego

An electronic comment was submitted for the record with a neutral position on this item.

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

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

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.

Note: Electronic comments were submitted for the record in opposition of Items 2-3 and 5-6.

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Pastor, that Items 2 through 16 be recommended for approval. The motion carried by the following vote:

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

2 Liquor License - Pei Wei Fresh Kitchen

Request for a liquor license. Arizona State License Application 1207A393.

Summary

Applicant
Patrick Castle, Agent

License Type
Series 12 - Restaurant

Location
10450 N. 28th Drive
Zoning Classification: C-2
Council District: 1

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

The 60-day limit for processing this application is May 23, 2020.

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

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

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

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

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

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

3 Liquor License - Tikka Shack

Request for a liquor license. Arizona State License Application 012070004019.

Summary

Applicant
Parish Patel, Agent

License Type
Series 12 - Restaurant

Location

21001 N. Tatum Blvd., Ste. 48-1520
Zoning Classification: C-2 DRSP
Council District: 2

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

The 60-day limit for processing this application was April 10, 2020. However, the applicant submitted a written request for more time.

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

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

Blast & Brew (Series 12)
7000 E. Mayo Blvd., Ste. 1002, Phoenix
Calls for police service: 219
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have ran and operated several businesses in the past and have never

had any outstanding liabilities or litigations against me or any of the businesses I ran. I have a clean background and have never been convicted of any felonies or misdemeanors. I will be completing liquor license training and I understand the importance of my obligation to promote responsible drinking."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

4 Liquor License - GoPuff

Request for a liquor license. Arizona State License Application 100314.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 10 - Beer and Wine Store

Location
3510 E. Bell Road, Ste. 10 & 11
Zoning Classification: C-2
Council District: 2

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

The 60-day limit for processing this application is May 26, 2020.

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

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

Other Active Liquor License Interest in Arizona
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:
"As an experienced retail merchant with liquor licenses in many cities throughout the U.S., Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Applicant offers direct delivery of snacks, drinks, personal essentials and a variety of convenience items, and would like to offer customers 21 and over the opportunity to purchase beer and wine."

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

Attachments

Liquor License Data - GoPuff
Liquor License Map - GoPuff

This item was recommended for approval.

5 Liquor License - Rooster Tavern

Request for a liquor license. Arizona State License Application 06070463.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 6 - Bar

Location
14202 N. Scottsdale Road, Ste. 104
Zoning Classification: C-2 PCD
Council District: 2

This request is for an ownership and location transfer of a liquor license for a bar. This location is currently licensed for liquor sales with a Series 12 - Restaurant, liquor license.

The 60-day limit for processing this application was May 10, 2020. However, the applicant submitted a written request for more time.

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

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

Rooster (Series 12)
14202 N. Scottsdale Road, Ste. 104, Phoenix
Calls for police service: 52
Liquor license violations: In July 2019, a fine of $1,500 was paid for failure to derive 40 percent of income from food.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am currently operating the business under a series 12 and have now applied for a Series 6. I will continue to operate business abiding by Arizona Laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Would like to continue to offer my patrons a place to come and eat and have a good time."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Rooster Tavern
Liquor License Map - Rooster Tavern

This item was recommended for approval.

6 Liquor License - Pei Wei Fresh Kitchen

Request for a liquor license. Arizona State License Application 12076307.

Summary

Applicant
Patrick Castle, Agent

License Type
Series 12 - Restaurant

Location
267 E. Bell Road, Ste. 1
Zoning Classification: C-2
Council District: 3

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

The 60-day limit for processing this application is May 23, 2020.

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

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

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

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

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

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

7 Liquor License - Pei Wei Fresh Kitchen

Request for a liquor license. Arizona State License Application 12076981.

Summary

Applicant
Patrick Castle, Agent

License Type
Series 12 - Restaurant

Location
701 W. McDowell Road, Ste. 101
Zoning Classification: DTC - McDowell
Council District: 4

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

The 60-day limit for processing this application is May 23, 2020.

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

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

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

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

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

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

8 Liquor License - La Laguna Mariscos Y Mexican Food

Request for a liquor license. Arizona State License Application 108131.

Summary

Applicant
Maria Salinas, Agent

License Type
Series 12 - Restaurant

Location
4130 N. 27th Ave.
Zoning Classification: C-2
Council District: 4

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

The 60-day limit for processing this application is June 6, 2020.

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

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

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

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

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

"I am responsible enough to run an exellent business with a good mental and physical cabability."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Our best interest is to serve the costumer and to bring satifaction with each and every meal."

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

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

This item was recommended for approval.

9 Liquor License - Pei Wei Fresh Kitchen

Request for a liquor license. Arizona State License Application 12075203.

Summary

Applicant
Patrick Castle, Agent

License Type
Series 12 - Restaurant

Location
742 E. Glendale Ave., Ste. 110
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application is May 23, 2020.

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

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

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

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

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

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

10 Liquor License - Pei Wei Fresh Kitchen

Request for a liquor license. Arizona State License Application 12075472.

Summary

Applicant
Patrick Castle, Agent

License Type

Series 12 - Restaurant

Location
4340 E. Indian School Road, Ste. 23
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application is May 23, 2020.

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

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

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

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

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

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

11 Liquor License - 125 Lounge

Request for a liquor license. Arizona State License Application 06070007.

Summary

Applicant
Amy Nations, Agent

License Type
Series 6 - Bar

Location
188 E. Jefferson St.
Zoning Classification: DTC - Business Core
Council District: 7

This request is for an ownership and location transfer of a liquor license for a bar. This location was not previously licensed for liquor sales and does not have an interim permit.

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

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

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

in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We will be hiring servers and bartenders with liquor law certifications and will have ongoing liquor training for all new employees as they're hired. we have experienced certified managers operating the facility."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The lounge is located in an apartment complex for the need and convenience of the residents and all others who choose to patronize our business. The people in the area won't have to leave their home area to enjoy a cocktail and won't have to drive after."

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

Attachments
Liquor License Data - 125 Lounge
Liquor License Map - 125 Lounge

This item was recommended for approval.

12 Liquor License - Foodway Market

Request for a liquor license. Arizona State License Application 10073992.

Summary

Applicant
Deok Lee, Agent

License Type
Series 10 - Beer and Wine Store

Location
1151 E. Moreland St.
Zoning Classification: R-3 RI HP
Council District: 8

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

The 60-day limit for processing this application is May 26, 2020.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"There us no school nearby my store. People who live in the neighborhood have depended Foodway Market for years to purchase

Beer and Wine beverages. We have no violations with liquor department and have maintained a good relationship with neighborhood association. (Deok Lee has been working since 2002.) Residents don't have to go far for their Beer and Wine needs especially in this crisis when stay home order has been issued."

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

This item was recommended for approval.

13 Liquor License - Tacos Chiwas

Request for a liquor license. Arizona State License Application 1207A628.

Summary

Applicant
Nadia Delgado, Agent

License Type
Series 12 - Restaurant

Location
1923 E. McDowell Road
Zoning Classification: C-2
Council District: 8

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

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

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

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

in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I'm a responsible law abiding citizen that is aware of all expectations required to hold a liquor license. I have been in the industry for over 14 years and have the experience needed."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

14 Liquor License - Escape Lounge

Request for a liquor license. Arizona State License Application 101849.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 14 - Club

Location
3400 E. Sky Harbor Blvd., T3P F2
Zoning Classification: A-1
Council District: 8

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

permit. This business has plans to open in August 2020.

The 60-day limit for processing this application is May 24, 2020.

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

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

Escape Lounges (Series 14)
3800 E. Sky Harbor Blvd., T4 N4 IC
Calls for police service: 1,201
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
“Applicant is committed to upholding the highest standards for business and to maintaining 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:
“Applicant will open Escape Lounge in the newly-remodeled terminal 3 at Sky Harbor Airport. The lounge will offer guests a relaxing space to enjoy freshly prepared foods and beverages, private high-speed wi-fi, charging stations, magazines, newspapers, and printing services. Applicant would also like to offer alcoholic beverages to guests 21 and over.”

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

Attachments
Liquor License Data - Escape Lounge
Liquor License Map - Escape Lounge

This item was recommended for approval.

15 Liquor License - QuikTrip #1416

Request for a liquor license. Arizona State License Application 103758.

Summary

Applicant
Perry Huellmantel, Agent

License Type
Series 10 - Beer and Wine Store

Location
2255 N. 44th St.
Zoning Classification: C-1

Council District: 8

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

The 60-day limit for processing this application is May 30, 2020.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"At QuikTrip, we have a demonstrated record of our ability and commitment to act as a reliable and capable retailer. I currently serve as

the agent on more than 100 liquor licenses in Arizona for QuikTrip Stores. Since I began acting as the agent on QuikTrip liquor license in Arizona, we have not received a single citation for a violation of liquor laws. We ensure all store managers have current liquor training and maintain strict standards to ensure all our employees comply with state laws. QuikTrip has proven that it is a responsible operator and our record demonstrates that I - as an applicant- and QuikTrip - as an organization - have the capability, reliability and qualifications to hold a liquor license."

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

Staff Recommendation

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

Attachments

Liquor License Data - QuikTrip #1416
Liquor License Map - QuikTrip #1416

This item was recommended for approval.

16 Liquor License - Tap That Downtown

Request for a liquor license. Arizona State License Application 103900.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
909 N. 5th St.
Zoning Classification: DTC - East Evans Churchill
Council District: 8

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

The 60-day limit for processing this application is May 23, 2020.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We will train all of our employees in responsible liquor service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We would like the opportunity to sell adult beverages to clients of age. We would like to offer patrons a great place to come enjoy themselves while grabbing a drink and a bite to eat."

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

Attachments
Liquor License Data - Tap That Downtown
Liquor License Map - Tap That Downtown

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 in support of Items 39, 43, 44, 86 and 87; in opposition of Items 18, 25 and 50; neutral position on Item 17; and no position on Item 50.

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Williams, that Items 17 through 92 be approved or adopted, except Items 21, 28, 30-33, 35, 51 and 89-92; continuing Item 50 to the June 3, 2020 City Council Formal Meeting and Item 87 to the June 17, 2020 City Council Formal Meeting; and noting that Item 32 is as revised. The motion carried by the following vote:

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

Items 17-20, 22-27, 29, Ordinance S-46608 was a request to authorize the City Controller to disburse funds, up to amounts indicated, for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

17 Settlement of Claim(s) Antolin v. City of Phoenix

To make payment of up to $500,000.00 in settlement of claim(s) in *Antolin v. City of Phoenix,* Maricopa County Superior Court, case number CV2019-006509, 18-0785-001 AU BI, for the Finance Department pursuant to Phoenix City Code chapter 42.

This item was adopted.

18 Thermo Eberline, LLC.

For $24,000.00 in payment authority to purchase 10 Radeye Spectroscopy Personal Radiation Detectors for the Police Department. The Bomb Squad in the Police Department is responsible for identifying and mitigating potential hazardous devices and substances, which include radioactive items. Current radiation detectors used by the Bomb Squad are 14 years old and are degraded. With this upgraded purchase, the bomb technicians will have the tool necessary to be alerted to radioactive isotopes. The purchase will be using the State Homeland Security Grant Program fund. There will be no impact to the City's general

fund.

This item was adopted.

19 Leeds Precision Instruments, Inc. doing business as Leeds Forensic Systems, Inc.

For $24,000.00 in payment authority for the one-time purchase of a one-year extended warranty for the Evofinder 3D digital bullet comparison scope system for the Laboratory Services Bureau (LSB) for the Police Department. The Evofinder system is one of the LSB's newest pieces of enhanced technology that is being employed to aid in the comparison of forensic evidence. The extended warranty will provide necessary software updates and system hardware service and repair. Without the purchase of the extended warranty, one of the laboratory's newest pieces of equipment will be unsupported for any potential mechanical/service needs and will not receive future software updates. The extended warranty is necessary to guarantee the Evofinder system is always maintained and running at maximum capacity.

This item was adopted.

20 Clyde Armory, Inc.

For $75,000.00 in payment authority to purchase Clyde Armory Daniel Defense DDM4V7S Rifles for the Phoenix Police Department (PPD). PPD Airport Bureau is responsible for the safety and security of Phoenix Sky Harbor International Airport (PSHIA). The Clyde Armory Daniel Defense DDM4V7S rifles are needed to mitigate and deter onsite violent acts in the populated areas of PSHIA. Based on performance testing and evaluation the Daniel Defense rifles are identified as the rifles which best meet the standards and requirements of the Airport Bureau. Industry standards, supported by testing from engineers and armorer instructors, states that replacement is recommended due to negative effects in accuracy after 10,000 rounds. The rifles were purchased in 2013 and are used monthly for practice and training. Thus, putting the rounds count at or well above their service life. The purchase is critical and essential at this time to maintain industry standards in accuracy and performance needed for public safety by the PPD Airport Bureau at PSHIA.

This item was adopted.

22 Gabriel, Roeder, Smith & Company

For $80,000.00 in payment authority related to pension costs for FY 2020 and FY 2021 for Contract 144725 for actuarial services for the Finance Department. The services are required to determine assets and liabilities for Other Post-Employment Benefits and Compensated Absences as required by Governmental Accounting Standards 16, 74 and 75 and other special studies as needed.

This item was adopted.

23 Smiths Detection, Inc.

For $29,000.00 in payment authority to purchase a Smiths X-ray Inspection System and one additional year of preventative maintenance for the Phoenix Municipal Court. The purchase will assist the Phoenix Municipal Court in implementing new mandated security measures that must be in place by the end of calendar year 2020.

This item was adopted.

24 Global Music Rights, LLC

For $30,000.00 in payment authority to purchase annual music licenses for the Parks and Recreation Department. The license allows copyrighted music to be performed publicly at various City parks and events in compliance with the non-dramatic public performances of copyrighted works.

This item was adopted.

25 Dredger & Associates, Inc.

For $40,000.00 in additional payment authority for Contract 145728 for fiscal database consulting and maintenance services for the Public Works Department. The contract is utilized to provide technical support and maintenance for the Public Works Department's Operating and Capital Improvement Program Budget Databases on an on-call, as-needed basis. Services provide technical support and database maintenance, which includes responding to software and hardware related issues, generating customized reports and functions, and providing occasional training. The additional funds are needed to continue to provide services that are essential for budget development, tracking, reporting, and forecasting. The databases are designed, and custom built by Dredger & Associates, Inc. to be utilized by the department and interface with the City's financial and budget systems.

This item was adopted.

26 Salt River Project Agricultural Improvement and Power District doing business as SRP

For $9,900.00 in payment authority to SRP for street light installation work for the Street Transportation Department. Services are needed to provide a new street light 600 feet south of McDowell Road on 40th Street, which includes 369 feet of trenching, conduit, conductor installation, backfilling, landscaping repairs, and a street light junction box. The job was requested by residents for lighting next to the existing bus stop at the location. The work is necessary to ensure 40th Street meets arterial lighting standards. The work is budgeted and funded in fiscal year 2020 (Project ST87250001-510137).

This item was adopted.

27 Fire Protection Service Corporation dba CopperState Fire Protection

For $97,596.00 in additional payment authority for Agreement 147882, for Change Orders 1, 2, and 3 (Project 70614300), Phoenix City Hall Fire Alarm Replacement for the Public Works Department. The change orders cover work necessary to complete the project, including: remove and relocate multiple fire alarm devices for code compliance; replace an antiquated fire system in the Arizona Public Service vault in City Hall; and add one Notifier ONYXWorks Workstation at the Public Works Department Facilities Management Division located at 2631 S. 22nd Ave. to permit the City of Phoenix Fire and Security Systems group the ability to monitor, control, maintain and upgrade the City Hall Notifier Fire Alarm and ONYXWorks Workstation remotely from the Facilities Management Division offices. Additionally, this ONYXWorks will have the ability to activate the Emergency Communications System in the event alternative access is required by first responders during an emergency situation at City Hall. The work was not included as part of the original bid. These change orders are essential to the health, safety, and welfare of the public and critical operations for the City.

This item was adopted.

29 Synagro of California, LLC

For $741,000.00 in additional payment authority for Contract 147292, for

Biosolids Removal Services for the Water Services Department. Synagro of California, LLC transports, reuses and disposes of digested biosolids from the 23rd and 91st Avenue Wastewater Treatment Plants (WWTPs). Additional payment authority is needed due to an increase in the volume of biosolids being processed at the 91st Avenue WWTP. The load fees are based on weight and frequency and since both have increased, additional funds will be needed through May 31, 2020.

This item was adopted.

34 Emergency Declaration - Temporarily Extending Development Deadlines - Response to COVID-19

Request to authorize the Mayor to sign an emergency declaration to temporarily extend the development deadlines pursuant to the memo dated May 14, 2020, from the Planning and Development Director. The City of Phoenix is requesting the extension of development deadlines due to the current state of the national, state and local economy, in an effort to take action to support the vitality of development through the unprecedented challenges triggered by COVID-19.

Summary

This request is to temporarily extend the development deadlines and expand time frames from those identified in the City of Phoenix City Code, Zoning Ordinance and the adopted 2018 Phoenix Building Construction Code. Allowing these extensions will assist stakeholders in maintaining project sustainability and viability. Specific deadline extensions are outlined in **Attachment A** - Planning and Development Director Memo Dated May 14, 2020.

The following is an outline of the recommended extensions:

Preliminary Plats
Preliminary Development Reviews
Preliminary Development Review-Phased
Building and Civil Plan Review
Building and Civil Permit
Sign Permits
Zoning Adjustment Hearing Officer Cases (Approved and future cases)

For the period of May 20, 2020 through Dec. 31, 2020, the City of

Phoenix Community and Economic Development Department (CEDD) will consider administrative approval to extend performance benchmarks or defer initiating default or cure provisions under a Development Agreement managed by CEDD, for excusable delay for those defaults, breaches, and anticipatory breaches of obligations due in the time period set forth herein, upon the written request of the requesting party. Such request must include a sufficient factual basis to establish that the cause for the requested forbearance and excusable delay is related to the COVID-19 public health pandemic, and is subject to the City's review and sole discretion. Notice may be provided pursuant to the notice provisions of the agreement, or by electronic mail solely throughout the period set forth herein.

This item was approved.

36 Acceptance and Dedication of Easements for Multi Use Trail, Public Utility, and Sidewalk Purposes (Ordinance S-46617)

Request for the City Council to accept and dedicate easements for multi-use trail, public utility and sidewalk purposes; further ordering the ordinance to be recorded.

Summary

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

Easement (a)
Applicant: Empower Metro Center, LLC, its successor and assigns
Purpose: Sidewalk
Location: 10100 N. Metro Parkway
File: FN 200518
Council District: 1

Easement (b)
Applicant: BHA Real Estate Holdings, LLC, its successor and assigns
Purpose: Sidewalk
Location: 1521 E. Camelback Road
File: FN 200502
Council District: 4

Easement (c)
Applicant: Bortlock Holdings, LLC, its successor and assigns
Purpose: Sidewalk
Location: 2909 N. 56th St.
File: FN 200517
Council District: 6

Easement (d)
Applicant: Luis Carlos Rodriguez and Guadalupe A. Ramos, its successor and assigns
Purpose: Public Utility
Location: 1515 W. Baseline Road
File: FN 200514
Council District: 8

Easement (e)
Applicant: Vista Village on Van Buren, LLC, its successor and assigns
Purpose: Sidewalk
Location: 3541 E. Van Buren St.
File: FN 200511
Council District: 8

Easement (f)
Applicant: C & V Capital Investments, LLC, its successor and assigns
Purpose: Multi Use Trail
Location: 1750 E. Pearce Road
File: FN 200510
Council District: 8

Easement (g)
Applicant: C & V Capital Investments, LLC, its successor and assigns
Purpose: Public Utility
Location: 1750 E. Pearce Road
File: FN 200510
Council District: 8

Easement (h)
Applicant: C & V Capital Investments, LLC, its successor and assigns

Purpose: Sidewalk
Location: 1750 E. Pearce Road
File: FN 200510
Council District: 8

This item was adopted.

37 Acceptance of Easement for Drainage Purposes (Ordinance S-46619)

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

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

Easement (a)
Applicant: Rockridge Residence, LLC, its successor and assigns
Purpose: Drainage
Location: 4917 E. Rockridge Road
File: FN 200508
Council District: 6

This item was adopted.

38 Civil Service Board Legal Services (Ordinance S-46640)

Request to authorize the City Manager, or his designee, to enter into a contract with Gammage & Burnham, PLC to provide legal services to the Civil Service Board in an amount not to exceed $168,000 over five years. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
Section 4 of Chapter XXV of the City Charter authorizes the Civil Service Board to retain legal counsel as necessary to serve as an advisor to the Board. The Board is comprised of a five-member citizen volunteer panel who hear appeals of disciplinary demotions, discharges, and suspensions of employees. The Board also hears appeals from classified employees of interpretations of the Personnel Rules, and proposes Personnel Rules and amendments thereto. Gammage & Burnham will provide legal services to the Board.

Procurement Information

RFP HR 20-110 was conducted in accordance with Administrative Regulation 3.10. One offer was received by the Human Resources Department on April 9, 2020. An evaluation committee comprised of three voting members evaluated the offer. The Notice of Solicitation was emailed to 346 vendors registered in ProcurePHX. Three firms emailed their intent to submit proposals but only one submitted a proposal. The offer was evaluated based on the following criteria (1,000 points total): Qualifications and Experience (400 points), Method of Approach (200 points), and Price (400 points). The evaluation committee determined that the one offer received was in the competitive range and reached consensus to move forward with the Best and Final Offer (BAFO) process. After the BAFO process, the evaluation committee recommended awarding a contract to Gammage & Burnham, PLC. The offeror and the final score is as follows:

Gammage & Burnham: 920 points

The Human Resources Director recommends the offer from Gammage & Burnham be accepted as the highest scored, responsive, and responsible offeror.

Contract Term

The five-year contract shall begin on or about June 3, 2020.

Financial Impact

The aggregate five-year contract value shall not exceed $168,000. The contract value is based on historical spend. Funds are available in the Human Resources Department's budget.

This item was adopted.

39 Phoenix Food Day and Healthfest Partnership with Junior League of Phoenix (Ordinance S-46641)

Request to authorize the City Manager, or his designee, to enter into a Memorandum of Understanding with the Junior League of Phoenix for the 2020 through 2022 Phoenix Food Day events. The Junior League of Phoenix desires to continue to partner with the City of Phoenix with a total

contribution of $26,696 (2020-$6,696; 2021-$10,000; 2022-$10,000) for various event expenses. Further request to authorize execution of amendments to the Memorandum of Understanding as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item.

Summary

The first Phoenix Food Day was held for city employees only in 2013. The event was focused on healthy eating, growing food, nutrition and was a resounding success. In subsequent years, the event was opened to the public, held downtown near City Council Chambers and attendance grew.

Since then, the goal for the event has shifted to serve those most impacted by hunger and food insecurity by hosting the event in food desert areas. Currently, the event is held for two to three years in a specific location within a food desert area and strives to empower partners to continue the event. Events have been held in these locations:

- 2016 and 2017 - Edison-Eastlake area, 16th Street and Jefferson.

- 2018, 2019, and 2020 - Maryvale - Cartwright Community Garden, 4208 N. 51st Ave. (the 2018 event was rained out, therefore, the desire is to host the event again at this location in 2020). The Cartwright School District and its families experience hunger and food insecurity with an average of 85 percent of its students provided with free or reduced-cost lunch. Isaac and Alhambra School Districts are also invited to participate in the event.

The Office of Environmental Programs (OEP), as Local Food System Goal Leader, has taken responsibility for coordination of the Phoenix Food Day and Healthfest events held annually in October. The annual budget is dependent on sponsor/partner contributions and varies from year to year. Event activities are offered within the constraints of the available annual budget. The event is free and open to the public.

OEP’s partnership with the Junior League of Phoenix (JLP) for the 2019 event was a success and has resulted in JLP committing funding on an annual basis through 2022. The long-term partnership will enable the

event to continue to take place with the level of education, services, and family friendly activities that have been a trademark of the event. JLP is an organization of women committed to promoting volunteerism, developing the potential of women, and improving the community through effective action and leadership of trained volunteers. Its purpose is exclusively educational and charitable. Phoenix Food Day aligns directly with their mission. In addition to the financial contribution, JLP members volunteer to serve on the event planning committee and provide support the day of the event, and bring resources from their vast network.

Phoenix Food Day offers several interactive exhibits for children and families to learn about nutrition, fitness, physical and mental health, tips to take home to assist in making healthy choices, as well as information about resources in their community that can enable a healthier lifestyle. There are cooking and gardening demonstrations that teach about healthy, affordable, and sustainable food. The Healthy Kids Zone includes obstacle courses and exercise classes to promote physical activity.

Partners for previous events have included: Milwaukee Brewers, Fry's/Kroger, Vitalyst Health Foundation, Cartwright School District, Valley of the Sun United Way, University of Arizona Cooperative Extension, Grand Canyon University, Maricopa County Food System Coalition, and Green on Purpose. City staff from Public Works, Neighborhood Services, Parks and Recreation, Office of Sustainability, and Fire departments serve on the event planning committee.

Given the unprecedented COVID-19 pandemic in 2020, event feasibility will be re-evaluated 60 days prior to the scheduled calendar event to ensure that it is safe to move forward based on recommendations, mandates, and restrictions announced by federal, state, and local governments. If mutually agreeable to both parties, the event may be postponed to a later date.

Contract Term
The term of the Memorandum of Understanding is from June 1, 2020 through May 31, 2023.

Financial Impact

JLP is contributing a total of $26,696 solely for Food Day expenses as agreed upon in the Memorandum of Understanding. It is expected that the total amount received will be spent.

Public Outreach

Public outreach for the event includes notifications through PHX at Your Service newsletter; Neighborhood Services newsletter, social media, website, flyers at community and recreation centers. Partners provide outreach through their networks, including notifications to students and parents within the school district. Funds are also allocated for paid advertising.

This item was adopted.

40 Classroom Assessment Scoring System Observation Services (Ordinance S-46621)

Request to authorize the City Manager, or his designee, to enter into a contract with Southwest Human Development to administer the Classroom Assessment Scoring System Observation Services (CLASS) Observation tool in Head Start Birth to Five preschool classrooms. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate value of the contract will not exceed $900,000. There is no impact to the General Fund.

Summary

The Head Start Birth to Five program is a federally funded program administered by the Office of Head Start. It is a comprehensive program for income-eligible children birth to age five and their families who live within the City of Phoenix program boundary area. The program serves 3,451 children of which 2,963 are classroom-based slots for preschool aged children.

The Improving Head Start for School Readiness Act of 2007 requires the use of a valid and reliable research-based instrument to assess the quality of learning experiences in the classroom. The Office of Head Start has identified the CLASS as the appropriate tool. The criteria in the CLASS tool focuses on interactions between teachers and children, the quality of emotional support given to children, classroom organization, and the instructional supports provided by teachers. These components

play a critical role in positive child outcomes.

Procurement Information
RFP-20-EDU-37 was issued on Feb. 25, 2020. The solicitation was conducted in accordance with Administrative Regulation 3.10. Three offers were received:

Southwest Human Development: 1,000 points
Teachstone, LLC: 750 points
Lakeshore Learning Materials: 450 points

Southwest Human Development was determined to be the most highly rated, responsible offeror and therefore is recommended for award.

Contract Term
The contract term will begin on or about July 1, 2020, and end June 30, 2025, with no option to extend.

Financial Impact
Funding is available from the U.S. Department of Health and Human Services, Administration of Children, Youth and Families. No additional general funds are required.

Concurrence/Previous Council Action
The Head Start Birth to Five Policy Council approved the request to release the CLASS Observation Services RFP on March 9, 2020.

This item was adopted.

41 Foreign-Trade Subzone Expansion Application for Lucid Motors USA, Inc. (Resolution 21829)

Request to authorize the City Manager, or his designee, to submit a subzone expansion application to the Foreign-Trade Zones Board of the U.S. Department of Commerce for Lucid Motors USA, Inc. (Lucid). Also request authorization to amend the Foreign-Trade Zone (FTZ) Operations Agreement with Lucid, to amend the Intergovernmental Agreement (IGA) with the City of Casa Grande, to enter into an IGA with the City of Tempe, and to enter into all necessary and appropriate agreements and other documents. Further request authorization for the

City Treasurer to accept funds related to this item. The City will incur no costs associated with this request.

Summary

The City of Phoenix, as Grantee of FTZ 75, is authorized to apply for boundary modifications to its existing foreign-trade subzones. Lucid has requested a minor boundary modification to expand their existing Subzone 75N in Casa Grande to add the following two properties it leases at 2592 E. Hanna Road, Casa Grande consisting of 10.6 acres, and 1115 W. Alameda Drive, Tempe consisting of 17 acres, resulting in a net increase in total acreage from 496 acres to 524 acres.

The cities of Casa Grande and Tempe have provided to the City of Phoenix letters of support for the FTZ expansion application. The City of Phoenix will amend the IGA with the City of Casa Grande and will enter into an IGA with the City of Tempe to add the new properties and to evidence conditions of support of the subzone expansion application for the Casa Grande and Tempe sites, and to outline the cities' responsibilities to one another. An amendment to the FTZ Operations Agreement with Lucid will be necessary to add the proposed additional acreage.

The activities to be performed in the expanded Subzone 75N include assembly and distribution. Lucid will be required to pay an application fee to the City of Phoenix.

Contract Term

The term of the contract with Lucid will be through Jan. 31, 2040.

Financial Impact

The City will incur no costs associated with this request.

Concurrence/Previous Council Action

City Council approved and adopted Resolution 21755 on June 19, 2019 to submit an FTZ application for Lucid, to enter into an FTZ Operations Agreement and to enter into an IGA with Casa Grande.

Location

2592 E. Hanna Road, Casa Grande, AZ 85222 and 1115 W. Alameda

Drive, Tempe, AZ 85282
Council District(s): Out of City

This item was adopted.

42 Foreign-Trade Zone Application for SKU Distribution (Resolution 21830)

Request to authorize the City Manager, or his designee, to submit a Minor Boundary Modification application to the Foreign-Trade Zones Board of the U.S. Department of Commerce for SKU Distribution (SKU). Also, request authorization to enter into a Foreign-Trade Zone (FTZ) Operations Agreement (Agreement) and any other necessary documentation with SKU or City-approved nominee, and to enter into an Intergovernmental Agreement (IGA) with the Town of Gilbert. Further request authorization for the City Treasurer to accept funds related to this item.

Summary

The City of Phoenix, as Grantee of FTZ 75, has the right and authority to apply for FTZ site designations. SKU offers order fulfillment, e-commerce fulfillment, and third party logistics services. SKU has requested an FTZ Subzone designation for property it leases at 2075 W. Obispo Ave., Suite 102 in Gilbert, AZ, where it plans to provide distribution, warehouse and e-commerce activities for their clients. The proposed Subzone site includes approximately 41,000 square feet.

The Town of Gilbert has provided to the City of Phoenix a letter of support for SKU's FTZ application for the site in Gilbert. With City Council authorization, the City of Phoenix will enter into an IGA with the Town of Gilbert to evidence conditions of Gilbert's support of the subzone application and outline the cities' responsibilities to one another. City staff will prepare an Operations Agreement with SKU requiring the company to:

Comply with U.S. Department of Commerce Foreign-Trade Zones Board standards.

Maintain record keeping satisfactory to the U.S. Customs and Border Protection.

Obtain business bonding and insurance satisfactory to the City and the U.S. Customs and Border Protection.

Indemnify the City of Phoenix against claims arising from their FTZ

operations.

Pay to the City of Phoenix all fees pursuant to the current zone fee schedule.

The Agreements will contain other terms and conditions deemed necessary or appropriate.

Contract Term

The term of the agreement, if approved, will be for 20 years unless the FTZ designation terminates sooner. Provisions of the contract may include an option to extend for as long as the FTZ designation exists which may be exercised by the City Manager or his designee.

Financial Impact

The City will incur no costs associated with SKU’s application.

Location

2075 W. Obispo Ave., Suite 102, Gilbert, AZ
Council District(s): Out of City

This item was adopted.

43 Agreement with Mr. Jonathan Pring for Resolution of Physical Encroachments at 814 N. 5th Ave. (Ordinance S-46609)

Request to authorize the City Manager, or his designee, to enter into an agreement, and other agreements as necessary (Agreements), with Mr. Jonathan Pring for the resolution of physical encroachments at 814 N. 5th Ave. Further request authorization for the City Treasurer to accept funds related to this item and the City Controller to disburse funds related to this item. This item has no impact on the General Fund.

Summary

The City owns a vacant parcel in the downtown Roosevelt Neighborhood at 814 N. 5th Ave. (Site). The Site was purchased by the City's Neighborhood Services Department in the early 2000's with federal Community Development Block Grant funds to facilitate revitalization through blight elimination. In April 2017, the Community and Economic Development Department issued a Request for Proposals (RFP) for the sale and development of the Site. The sole proposal for this RFP was received from Yosemite Partners, LLC (Developer) and, in June 2018,

City Council authorized staff to enter into a development agreement with the Developer.

Through the due diligence process, the Developer identified physical encroachments on the Site likely built by a previous owner of the adjacent property located at 818 N. 5th Ave., a property currently owned by Mr. Jonathan Pring and operated as a local business known as the Teapot. The encroachments consist of a block wall, a metal and wood cladded fence, and portions of a patio and shade structure. City staff intends to reissue an RFP for the sale and development of the Site; however, a resolution to the encroachments must be completed before the Site can be disposed.

City staff negotiated with Mr. Pring and proposes entering into an agreement which would require Mr. Pring to deposit funds into an escrow account in an amount equal to the cost to remove the encroachments based on three bids, plus 10 percent for the increasing cost of construction and any fees associated with the escrow account. Upon the disposition of the Site, the funds would be transferred to the new owner. This agreement would give Mr. Pring the flexibility to negotiate with the new owner of the Site regarding alternative solutions to the encroachments. In the event the disposition of the Site does not occur within three years of opening of escrow, the City would have the option to accept the funds and remove the encroachments. The agreement would include standard terms, conditions and other necessary requirements.

Financial Impact
There is no financial impact to the General Fund with this action.

Location
814 N. 5th Ave.
Council District: 7

This item was adopted.

44 Authorization to Reissue a Request for Proposals for Sale and Development of City-Owned Property at 814 N. 5th Ave.

Request to authorize the City Manager, or his designee, to reissue a Request for Proposals (RFP), select a development team, and begin

negotiations for the sale and urban infill development of City-owned property located at 814 N. 5th Ave. There is no impact to the General Fund with this action.

Summary

The City owns a vacant parcel in the downtown Roosevelt Neighborhood, comprising of approximately 7,000 square feet, or 0.16 acres, at 814 N. 5th Ave. (Site). The Site was purchased by the City's Neighborhood Services Department in the early 2000's with federal Community Development Block Grant funds to facilitate revitalization through blight elimination. In November 2005, the structure on the Site suffered severe fire damage and was subsequently demolished. In April 2017, the Community and Economic Development Department issued an RFP for the sale and development of the Site. The sole proposal for this RFP was received from Yosemite Partners, LLC (Developer) and, in June 2018, City Council authorized staff to enter into a development agreement with the Developer.

Through the due diligence process, the Developer identified physical encroachments on the Site, likely built by a previous owner of the adjacent property located at 818 N. 5th Ave. The Developer also discovered historic preservation restrictions on the Site that limited its ability to develop the Site as initially proposed. In May 2019, the Developer terminated negotiations. City staff has continued discussions with the owner of the 818 N. 5th Ave. property to resolve the encroachment issue and has prepared a separate legislative file (20-0441) for City Council's consideration on March 4, 2020 to resolve this matter.

City staff is proposing to reissue an RFP for the sale and development of the Site. Staff has commissioned an appraisal of the Site, which will be made available to potential proposers. The minimum purchase price will be set at the greater of the appraised value or $245,000. The return to the City will be based on fair market value and may include payments and other consideration that provide public benefit. The RFP will include standard terms, conditions and other necessary requirements, and the following evaluation criteria:

Return to the City: 0-375 points

Concept to Activate the Site: 0-325 points
Proposer's Qualifications and Experience: 0-300 points

The RFP will be reissued in spring 2020 after the encroachment issue is resolved and will remain open for at least 60 days. Minor modifications such as details regarding the resolution to the encroachment issue will be included in the RFP. Responsive proposals will be evaluated by a diverse panel including City staff and community representatives. Following negotiations with the recommended proposer, business terms will be presented to the Workforce and Economic Development Subcommittee and the full City Council for approval prior to entering into an agreement.

Financial Impact
There is no financial impact to the General Fund with this action.

Public Outreach
Staff presented this proposal to the Downtown Voices Coalition on Feb. 8, 2020, and the Roosevelt Action Association on Feb. 18, 2020.

Location
814 N. 5th Ave.
Council District: 7

This item was approved.

45 TBConsulting L.L.C. Agreement and Request to Authorize Exceptions to Liability Provisions (Ordinance S-46615)

Request authorization for the City Manager, or his designee, to enter into contract with TBConsulting L.L.C. for configuration assistance consulting services on Oracle Acme Packet Session Border Controllers (SBC) and Oracle Talari systems required for the 9-1-1 Network for the Fire Department (PFD). The total amount will not exceed $75,000. Additionally request that the City Council authorize an exemption from the indemnification prohibition set forth in Phoenix City Code §42-18. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The City of Phoenix was designated as the contracted agent for the

Regional 9-1-1 system in 1989 by the Maricopa Association of Governments (MAG) to provide services for the Maricopa Region, consisting of 25 9-1-1 Public Safety Answering Points throughout the greater Phoenix area, including Phoenix Police and Fire departments. In FY20, the State 9-1-1 Office has mandated that procurement be done at the local level. The State implemented and manages a 9-1-1 grant funded by the Emergency Telecommunications Fund that would allow agencies to manage the 9-1-1 contracts, procurement of 9-1-1 equipment, and secure 9-1-1 services on a local level. This authorization would ensure the City of Phoenix and the entire Maricopa Region will continue to benefit from reliable 9-1-1 services without interruption.

Due to the critical nature of 9-1-1 services, it is imperative that Regional 9-1-1 Services be able to continue to operate a region-wide and region-serving 9-1-1 data network. The 9-1-1 data network includes Oracle Acme Packet SBCs, which are used to secure the 9-1-1 data network edge and ESInet services through the Oracle Talari Access Point Name (APN). TBConsulting L.L.C. is a certified partner with Oracle in providing professional support and integration assistance for these vital components.

TBConsulting L.L.C. has taken exception to the nonwaiver of liability, specifically unlimited liability. PFD is seeking an exception to Phoenix Code §42-18 in allowing a limitation of damages to three times the Agreement value; and a waiver of indirect damages.

This item was approved by Business Investment Request Form 3106.

Contract Term

The term of the agreement with TBConsulting L.L.C., if approved, will be for five years, beginning on or about June 1, 2020 through May 31, 2025.

Financial Impact

The aggregate contract value will not exceed $75,000 over the life of the contract. The City of Phoenix will act as a pass-through agency for procurement of 9-1-1 equipment, 9-1-1 networking, and 9-1-1 services on behalf of the Maricopa Association of Governments (MAG) member agencies. The City of Phoenix will be reimbursed through the 9-1-1 grant

that was awarded to the City of Phoenix specifically for these purchases.

This item was adopted.

46 American Medical Response of Maricopa, LLC Contract for 9-1-1 System (Ordinance S-46633)

Request authorization for the City Manager, or his designee, to enter into contract with American Medical Response of Maricopa, LLC (AMR) for annual online support reimbursement of the Dispatch Works Baker 9-1-1 System in the operation of Regional 9-1-1 program services. The total amount will not exceed $100,236.16. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The City of Phoenix, as a political subdivision of the state and through resolutions by the Maricopa Association of Governments (MAG) member agencies, was designated as the contracted agent for the 9-1-1 system in 1989. Regional 9-1-1 Services was established as a section of the Phoenix Fire Department to oversee the 9-1-1 program. The 9-1-1 Administrator, head of the Regional 9-1-1 Services, manages the 9-1-1 system throughout the Maricopa region. Responsibilities of the 9-1-1 Administrator include budget and billing, on behalf of the Public Safety Answering Points (PSAPs) in the Maricopa region, to the State 9-1-1 Office who manages the 9-1-1 fund. The AMR PSAP is part of the Maricopa region and the annual support for their Dispatch Works Baker 9-1-1 system costs are eligible for costs reimbursed by the 9-1-1 Program Grant Agreement between the State of Arizona acting through the Arizona Department of Administration Office of Grants and Federal Resources and the City of Phoenix acting as System Administrator.

The City of Phoenix will administer funds to American Medical Response of Maricopa, LLC for reimbursement of online annual support for the Dispatch Works Baker 9-1-1 System incurred while engaged in the joint operation of the Regional 9-1-1 Program services outlined in this Agreement.

This item was approved by Business Investment Request Form 3106.

Contract Term

The term of the agreement with American Medical Response of

Maricopa, LLC, if approved, will be for two years, beginning on or about June 1, 2020 through May 31, 2022. Provisions of the contract may include an option to extend the term up to two years, which may be exercised by the City Manager or designee.

Financial Impact

The estimated annual expenditure is $50,118.08 with an aggregate value not to exceed $100,236.16 over the two-year contract period. The City of Phoenix will act as a pass-through agency for procurement of 9-1-1 equipment, 9-1-1 networking, and 9-1-1 services on behalf of the Maricopa Association of Governments (MAG) member agencies. The City of Phoenix will be reimbursed through the 9-1-1 grant that was awarded to the City of Phoenix specifically for these purchases.

This item was adopted.

47 Agreement with State of Arizona Department of Administration for 9-1-1 Program (Ordinance S-46638)

Request authorization for the City Manager, or his designee, to authorize the Phoenix Fire Department to apply for, accept, and enter into an agreement with the State of Arizona Department of Administration Office of Grants and Federal Resources to receive a 9-1-1 grant not to exceed $9,938,358. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The Arizona Department of Administration requires 9-1-1 planning be conducted at a local level as referenced in the State of Arizona Administrative Code, Title 2, Chapter 1, Article 4 Emergency Telecommunications Services Revolving Fund (https://aset.az.gov/administrative-code). The State of Arizona Office of Grants and Federal Resources, Arizona 9-1-1 Program Office, has announced the availability of funds for the Arizona 9-1-1 Program to be distributed during FY 2021. Funding will be available for multiple grants and allocated to each System Administrator Agency to pay, on behalf of the Public Safety Answering Points (PSAP), 9-1-1 system costs and approved projects that support the goals of the Arizona 9-1-1 Program.

The System Administrator Agency for the Maricopa Region is the City of

Phoenix (Fire Department). The City of Phoenix is the contracting agent of ongoing operations of the 9-1-1 system. This authority is given through signed resolutions by Maricopa Association of Governments (MAG) member agencies. These agreements act as the governing documents for the oversight of the 9-1-1 system design, implementation, and management in the MAG Region.

The 9-1-1 Grant funding would be used to support:

- 9-1-1 networking, telecom, and IP infrastructure.
- 9-1-1 related hardware, software, and maintenance equipment.
- 9-1-1 related services and support.
- Continue to fund current staff of the Regional 9-1-1 Services section along with one additional new position.

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

Contract Term
The grant Period of Performance is projected to begin on or around July 1, 2020 and end one year later.

Financial Impact
There is no cost to the City of Phoenix. All equipment, services, and personnel-related costs are reimbursed by the State of Arizona.

Concurrence/Previous Council Action
This item was recommended for approval by the Public Safety and Justice Subcommittee on May 13, 2020.

Location
The Phoenix Fire Department Regional 9-1-1 Services section provides 9-1-1 service, and related technical support, across the Valley.

This item was adopted.

48 Request Authorization to Accept Grant for a Shade Structure from Phoenix Police Foundation (Ordinance S-46642)

Request authorization for the City Manager, or his designee, to accept a grant from the Phoenix Police Foundation in the amount of $12,449.06, for a shade structure in the canine training area located at the Phoenix Regional Police Academy.

Summary

Canine teams are an invaluable tool in the rapid detection of criminal suspects and in the protection of the community and officers. Handlers and their canines constantly train on obedience, search work and bite work. Currently, this training occurs in a dedicated training area on the grounds of the Phoenix Regional Police Academy. However, the current training area has no overhead shade. Placing a shade structure over this training area will provide a decompression and cooling area to allow training to occur during the daytime hours, protecting the health and safety of officers and canines.

The Phoenix Police Foundation is a 501(c)(3) charitable organization that was founded in late 2001. The purpose of the Foundation is to address unmet capital needs of the Phoenix Police Department and to provide financial assistance in crisis situations.

Financial Impact

There is no cost to the City. The grant will provide funding in the amount of $12,449.06 for the purchase of the shade structure.

Location

10001 S. 15th Ave.
Council District: 8

This item was adopted.

49 Request Authorization to Accept Grant for Replacement Fence from Phoenix Police Foundation (Ordinance S-46643)

Request authorization for the City Manager, or his designee, to accept a grant from the Phoenix Police Foundation in the amount of $11,886, for the replacement of a fence in the canine training area located at the Phoenix Regional Police Academy.

Summary

Canine teams are an invaluable tool in the rapid detection of criminal suspects and in the protection of the community and officers. Handlers

and their canines constantly train on obedience, search work and bite work. Currently, this training occurs in a dedicated training area on the grounds of the Phoenix Regional Police Academy. Funding from this grant will be used to replace an existing fence that has rusted and separated from the support structure. The fence provides a secure training facility to ensure no unauthorized persons inadvertently enter the training area while canine training is occurring. The fencing also ensures the canines are secured to a specific area for training that is conducted without a leash.

The Phoenix Police Foundation is a 501(c)(3) charitable organization that was founded in late 2001. The purpose of the Foundation is to address unmet capital needs of the Phoenix Police Department and to provide financial assistance in crisis situations.

Financial Impact
There is no cost to the City. The grant will provide funding in the amount of $11,886 for the purchase of a replacement fence.

Location
10001 S. 15th Ave.
Council District: 8

This item was adopted.

50 (CONTINUED FROM MAY 6, 2020) - Water Remote Facilities General Construction - Job Order Contracting Services - 4108JOC173 (Ordinance S-46551)

Request to authorize the City Manager, or his designee, to enter into a master agreement with Felix Construction Company, to provide Water Remote Facilities General Construction Job Order Contracting (JOC) Services for the Water Services Department. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $45 million.

Additionally, request to authorize the City Manager, or his designee, to take all action deemed necessary to execute all utilities-related design

and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project and to include disbursement of funds. Utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads, and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

Summary

Felix Construction Company's services will be used on an as-needed or emergency basis to provide Water Remote Facilities General Construction JOC services for the Water Services Department. These services include, but are not limited to: installation and/or repair of mechanical equipment, such as well and booster pumps; installation of instrumentation and electrical equipment such as analyzers, meters, sensors, and Supervisory Control and Data Acquisition system components; drilling of water supply wells; general work such as building modifications, painting, specialized maintenance and concrete masonry or steel structural work; emergency repair services; and engineering design services as needed. Additionally, the contractors will be responsible for fulfilling Small Business Enterprise program requirements.

This Agreement is essential to the health, safety, and welfare of the public and critical operations for the City. In an emergency, this agreement provides the Water Services Department the availability of additional resources to ensure continuity of operations.

Procurement Information

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

Selected Firm

Rank 1: Felix Construction Company

Additional Proposers
Rank 2: Hunter Contracting Co.
Rank 3: J.R. Filanc Construction Company, Inc.
Rank 4: MGC Contractors, Inc.
Rank 5: Mortenson Construction Co., Inc.
Rank 6: Archer Western Construction, LLC

Contract Term
The term of the master agreement is for up to five years, or up to $45 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact
The master agreement value for Felix Construction Company will not exceed $45 million, including all subcontractor and reimbursable costs. The value for each job order agreement performed under this master agreement will be up to $4 million each. In no event will any job order agreement exceed this limit without Council approval to increase the limit.

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

This item was continued to the June 3, 2020 City Council Formal Meeting.

52 Video Surveillance System Licensing, Maintenance and Repair Services - Contract Recommendation (Ordinance S-46610)

Request to authorize the City Manager, or his designee, to enter into a contract with Wilson Electric Services Corp. dba Netsian Technologies Group to provide Video Surveillance System (VSS) licensing, installation, maintenance and repair services for the Aviation, Phoenix Convention Center, and Water Services departments, in an amount not to exceed

$5.5 million for a five-year aggregate contract term. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

This contract will provide licensing, installation, maintenance and repair services to the VSS cameras owned and operated by the Aviation, Phoenix Convention Center, and Water Services departments. The contract will also provide ongoing licensing of City's VSS camera software and periodic maintenance to all City-owned cameras to ensure continual performance in support of the security operations at City airports and facilities. The cameras to be maintained by this contract provide video security surveillance in support of aviation and other city facilities. This system is not used for facial recognition and does not have licensing required for facial recognition.

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

Procurement Information

An Invitation for Bid (IFB) 20-017 was conducted in accordance with Administrative Regulation 3.10. Four offers were received on Feb. 17, 2020. Offers were evaluated based on minimum qualifications, price, responsiveness and responsibility to provide the required goods and services. The following is a summary of offers:

Netsian Technologies Group: $3,284,131.68
Premise ONE LLC: $3,603,423.97
Pueblo Mechanical and Controls, LLC: $3,688,677.01
Koro BAS Inc.: $3,732,627.40

The Aviation Department recommends that it is in the best interest of the City to award the contract to Wilson Electric Services Corp. dba Netsian Technologies Group as the lowest responsive and responsible offeror.

Contract Term

The contract will begin on or about July 1, 2020 for an initial two-year term with three one-year options to extend for a five-year aggregate contract term.

Financial Impact

The contract value will not exceed $5.5 million for the Aviation, Phoenix Convention Center and Water Services departments for the five-year aggregate contract term. Funds are available in the Aviation, Phoenix Convention Center, and Water Services departments' budgets.

This item was adopted.

53 Mid-Size Mowers Lease and Blade/Preventative Maintenance - EXC 20-084 (Ordinance S-46635)

Request to authorize the City Manager, or his designee, to enter into a contract with Simpson Norton Corporation to provide mid-size lawnmowers and associated maintenance services for the Parks and Recreation Department. The department has elected to utilize the leasing option, therefore a third-party leasing source, De Lage Landen Financial Service, Inc., will collect payment under the agreement. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $581,000 over the life of the contract.

Summary

The Parks and Recreation Department is undertaking an effort to phase out the current fleet of gang mowers and replace with leased mid-sized mowers in order to increase efficiency and reduce costs by ensuring less equipment downtime and lower repair costs. This contract will provide a 60-month lease of five additional mid-sized mowers, including a service plan to cover maintenance, and will allow for continued reduction of the gang mower fleet. Every two gang mowers that are eliminated provide funding for three mid-sized mowers. The Parks and Recreation Department is currently leasing six mid-size mowers.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved determination memo citing the proprietary and specialized nature of the needed goods.

Contract Term

The term of the contract is five years, which will begin on or about June 1, 2020.

Financial Impact

The aggregate contract value will not exceed $581,000 over the life of the contract, with an annual estimated expenditure of $116,200. Funds are available in the Parks and Recreation Department's budget.

This item was adopted.

54 Purchase of Two Polaris Ranger XP1000 Vehicles (Ordinance S-46613)

Request to authorize the City Manager, or his designee, to enter into a contract with C&W Motors, Inc., dba RideNow Powersports Chandler to purchase two Polaris Ranger XP1000 units. This contract will have an aggregate total of $40,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department seeks to purchase two Polaris Ranger units for the Police Department. These units were identified to be purchased through the Federal Fiscal Year 2020 Department of Homeland Security Grant using the Urban Area Initiative and the State Homeland Security Grant Program. The two Polaris units will be used by the Police Department's Special Assignment Unit to respond to a variety of critical incidents including search warrants, barricades, and maintaining crowd control for emergency response to large scale events in populated areas.

Procurement Information

Request for Quote (RFQ) 20-FSD-043 was conducted in accordance with Administrative Regulation 3.10. Two bids were received, both being deemed responsive and responsible, with RideNow being recommended for award based on low bid for the cost of two units found below:

RideNow Powersports Chandler: $34,051
Genuine Parts Company: $41,250

Contract Term

This contract will begin on or about Council approval on May 20, 2020.

Financial Impact

This contract will have a one-time expenditure of $40,000. Funds are available in the Police Department's budget.

This item was adopted.

55 Purchase of Trailer-Mounted Asphalt Melter (Ordinance S-46624)

Request to authorize the City Manager, or his designee, to enter into a contract with Crafco, Inc. for purchase of one trailer-mounted asphalt melter. This contract will have a one-time expenditure of $70,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department is responsible for the purchase of all fleet equipment within the City and seeks to purchase one trailer-mounted asphalt melter on behalf of the Street Transportation Department. This item of equipment is critical in the maintenance and repair of City streets, and is used to seal cracks in City streets to prolong their life.

Procurement Information

Request for Quote (RFQ) 20-FSD-048 was conducted in accordance with Administrative Regulation 3.10. One bid was received, with 38 vendors being emailed in regards to the solicitation. Crafco, Inc. was deemed responsive and responsible, and is being recommended with the price below for the machine:

Crafco, Inc.: $64,896.05 (excluding taxes)

Contract Term

This contract will start on or about May 20, 2020, upon Council approval.

Financial Impact

This contract will have a one-time expenditure of $70,000 for purchase of a trailer-mounted asphalt melter. Funds are available in the Street Transportation Department's budget.

This item was adopted.

56 Purchase of Snap-On Diagnostic Scanners (Ordinance S-46626)

Request to authorize the City Manager, or his designee, to enter into a contract with IDSC Holdings, LLC, dba Snap-On Industrial for purchase

of three Pro Link Ultra Master Kits. This contract will have a one-time expenditure of $32,352. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department is seeking to purchase three new Snap-On diagnostic scanners to assist technicians with determining failures on heavy-duty vehicles throughout the fleet. These scanners will help to reduce vehicle downtime and allow maintenance repairs to be conducted in-house to reduce costs. These scanners are critical to the maintenance operations to find and repair items on fleet units.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a determination memo citing sole source. Snap-On is the only diagnostic tool that is licensed to read original equipment manufacturer (OEM) proprietary fault codes from several major heavy-duty manufacturers such as Freightliner, International, Volvo, Mack, and Peterbilt. The following is the price of one kit:

Snap-On Industrial: $10,000 per kit excluding taxes

Contract Term

This contract will begin on or about Council approval on May 20, 2020.

Financial Impact

This contract will have a one-time expenditure of $32,352. Funds are available in the Public Works Department's budget.

This item was adopted.

57 Bender Associates Inc. Contract for Badging Printers (Ordinance S-46628)

Request to authorize the City Manager, or his designee, to enter into a contract with Bender Associates, Inc. for purchase of badging printers required to print City employee identification badges, contractor badges, and other badges as needed in an amount not to exceed $30,000 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department Badge Imaging Office is responsible for printing and maintaining approximately 3,000 badge proxy cards per year for approximately 15,000 employees and contractors that require badges. This contract will allow Public Works to purchase replacement printers that exceeded their useful life and are heavily used to create badges for City employees and contractors. The contract will also provide parts and accessories needed to use the badging printers such as laminate material and transfer film.

Procurement Information

Request for Quote 20-FMD-046 was conducted in accordance with Administrative Regulation 3.10. One offer was received by the Public Works Department on Feb. 26, 2020. The offer was evaluated based on price, responsiveness to all specifications, and the responsibility to provide the required goods. The offer submitted by Bender Associates, Inc. was deemed to be fair and reasonable.

Bender Associates, Inc.:
Group A: $10,540 total for various printer models, as requested.
Group B: $721.04 total for various accessories and materials available for the printers, as requested.

Contract Term

The initial one-year contract term will begin on or about June 1, 2020, with two option years to extend in increments of up to one year, for a total contract term of three years.

Financial Impact

The aggregate contract value including all option years will not exceed $30,000, including applicable taxes, over the contract term. Funds are available in the Public Works Department's budget.

This item was adopted.

58 Intergovernmental Agreement with Gila River Indian Community for Processing Recyclable Materials (Ordinance S-46637)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the Gila River Indian Community to accept and process recyclable materials collected in Gila River Indian

Community and delivered to the City of Phoenix's North Gateway and 27th Avenue Material Recovery Facilities (MRF). Additionally request the City Council to grant an exception pursuant to Phoenix City Code section 42-20(B) to authorize inclusion of the following mutual indemnification language that otherwise would be prohibited by Phoenix City Code section 42-18(A) and (B). Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

Gila River Indian Community offers recycling services to its residents and has delivered these recyclables to the City of Phoenix. Gila River Indian Community would like to continue this arrangement. The City of Phoenix can accept these materials with some change of terms to address changing market conditions resulting in lower commodity prices and increased processing costs from contamination in the recyclables. This IGA will authorize the City of Phoenix to charge a processing fee to Gila River Indian Community for recycling tonnage processed at the two City MRFs, which is designed to ensure all costs associated with processing recyclables are recovered. The terms of this IGA include:

In a market with low recycling commodity prices, the City of Phoenix will charge a processing fee to Gila River Indian Community, and no revenue share to Gila River Indian Community will be available.

In a market with high recycling commodity prices, Gila River Indian Community will pay a processing fee and will receive 50 percent of the net revenue share and the City of Phoenix will receive the remaining 50 percent.

Annually, Gila River Indian Community will deliver up to 500 tons of recyclable materials to City of Phoenix facilities.

Mutual indemnification: “Each party (as "Indemnitor") agrees to defend, indemnify, and hold harmless the other party (as "Indemnitee") from and against any and all claims, losses, liability, costs, or expenses (including reasonable attorney's fees) (hereinafter collectively referred to as "Claims") arising out of bodily injury of any person (including death) or property damage, but only to the extent that such Claims which result in vicarious/derivative liability to the Indemnitee are caused by the act, omission, negligence, misconduct, or other fault of the Indemnitor, its officers, officials, agents, employees, or volunteers.”

Contract Term

The one-year term of this IGA will begin on or about June 1, 2020 and conclude on or about May 31, 2021. Provisions of the IGA include four, one-year options to extend the agreement.

Financial Impact

Over the life of the agreement, Gila River Indian Community's 50 percent of the revenue share is not expected to exceed $10,000. Funds for the revenue share payments to Gila River Indian Community are available in the Public Works Department's budget.

Location

North Gateway Material Recovery Facility, 30205 N. Black Canyon Hwy.
27th Avenue Material Recovery Facility, 3060 S. 27th Ave.
Council Districts: 2 and 7

This item was adopted.

59 16-Inch Paradise Valley Zone 3C Improvements - Construction Administration and Inspection Services Amendment 1 - WS85500418 (Ordinance S-46611)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 148835 with Entellus, Inc. to provide funding for Construction Administration and Inspection (CA&I) Services for the 16-Inch Paradise Valley Zone 3C Improvements project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed $472,531.

Summary

The purpose of this project is to design approximately 21,500 linear feet of 16-inch Ductile Iron Pipe transmission main within Pressure Zone 3C in the Town of Paradise Valley, and a new Pressure Reducing Valve Station (PRV) proposed to be located within Pressure Zone 4A on an existing City of Phoenix retention basin property on the southwest corner of Shea Boulevard and 45th Place. This will relieve Booster Station 3C-B1 and Well 235, which are located southwest of Invergordon and

Doubletree Ranch roads. The new 16-inch transmission main will connect to the existing 16-inch transmission main within Shea Boulevard.

This amendment is necessary to include funding for CA&I services for the project. This amendment will provide additional funds and time to the agreement. This agreement is essential to the health, safety, and welfare of the public and critical operations for the City.

Contract Term

The term of the agreement amendment is 248 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The initial agreement for Engineering Services was authorized for a fee not-to-exceed $1.3 million, including all subconsultant and reimbursable costs.

Amendment 1 will increase the agreement by an additional $472,531, for a new total not-to-exceed agreement value of $1,772,531, including all subconsultant and reimbursable costs.

Funding for this amendment 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 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:

Engineering Services Agreement 148835 (Ordinance S-45144) on Nov. 14, 2018.

Location

Shea Boulevard from 45th Place to Tatum Boulevard

Tatum Boulevard from Shea Boulevard to Doubletree Ranch Road
Doubletree Ranch Road from Tatum Boulevard to 56th Street
56th Street from Doubletree Ranch Road to Mockingbird Lane
Mockingbird Lane from 56th Street to Invergordon Road
Council District: 3 and Out of City

This item was adopted.

60 16-Inch Paradise Valley Zone 3C Improvements - Construction Manager at Risk Construction Services - WS85500418 (Ordinance S-46612)

Request to authorize the City Manager, or his designee, to enter into an agreement with Hunter Contracting Co. (Hunter) to provide Construction Manager at Risk (CMAR) Construction Services for the 16-Inch Paradise Valley Zone 3C Improvements project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $9.875 million.

Summary

The purpose of this project is to construct approximately 21,500 linear feet of 16-inch Ductile Iron Pipe transmission main within Pressure Zone 3C in the Town of Paradise Valley and a new Pressure Reducing Station (PRV) proposed to be located within Pressure Zone 4A on an existing City of Phoenix retention basin property on the southwest corner of Shea Boulevard and 45th Place. This will relieve Booster Station 3C-B1 and Well 235, which are located southwest of Invergordon and Doubletree Ranch Roads. The new 16-inch transmission main will connect to the existing 16-inch transmission main within Shea Boulevard.

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

Hunter's services include, but are not limited to: construction of the selected alternative per final plans and specifications; solicitation of bids for major portions of the work; scheduling and managing site operations; acquisition and maintenance of required permits and licenses and coordinating with various City of Phoenix departments, other agencies, utility companies, etc.

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

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

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

Financial Impact
The agreement value for Hunter will not exceed $9.875 million, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action
The City Council approved:
CMAR Preconstruction Services Agreement 148834 (Ordinance

S-45143) on Nov. 14, 2018.

Location
Shea Boulevard from 45th Place to Tatum Boulevard.
Tatum Boulevard from Shea Boulevard to Doubletree Ranch Road.
Doubletree Ranch Road from Tatum Boulevard to 56th Street.
56th Street from Doubletree Ranch Road to Mockingbird Lane.
Mockingbird Land from 56th Street to Invergordon Road.
Council District: 3 and Out of City

This item was adopted.

61 Environmental, Natural-Cultural Resources, and National Environmental Policy Act - On-Call Services Amendment 1 (Ordinance S-46614)

Request to authorize the City Manager, or his designee, to amend Agreement 148749 with Archaeological Consulting Services, Ltd. to provide continued On-Call Professional Services for Environmental, Natural-Cultural Resources, and National Environmental Policy Act (NEPA) services. 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 $600,000.

Summary
The purpose of this work is to provide on-call environmental, technical and/or regulatory assistance services for various disciplines, on an as-needed basis, including archaeology, historic preservation, biology and natural resources, Clean Water Act Sections 404, 401, and 402, NEPA documentation and related supporting technical analyses and reports, Clean Air Act permitting, monitoring, modeling, source testing, reporting, and document preparation.

This amendment is needed for continued archaeological monitoring for several projects including the Talking Stick Resort Arena Renovations, West Anthem Water and Wastewater Infrastructure Improvements, and Phoenix Sonoran Preserve Acquisition.

This amendment would allow for proper handling of archaeological

discoveries as required under various laws including the City's Historic Preservation Ordinance, Arizona Antiquities Act, Arizona Burial Law, and/or applicable federal laws.

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

Contract Term

The term of the agreement is unchanged, with an expiration date of Dec. 31, 2020. 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 Environmental, Natural-Cultural Resources, National Environmental Policy Act On-Call Services was executed for a fee not-to-exceed $600,000, including all subconsultant and reimbursable costs.

Amendment 1 will increase the agreement value by an additional $600,000, for a new total not-to-exceed agreement value of $1.2 million, including all subconsultant and reimbursable costs.

Funding for this amendment is available in the Capital Improvement Program and Operating budgets of the various City departments that will utilize this agreement. The Budget and Research Department will separately review and approve funding availability prior to the execution of any on-call task orders of $100,000 or more. 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:

Agreement 148749 (Ordinance S-45137) on Nov. 14, 2018.

This item was adopted.

62 Street Transportation Department Environmental On-Call Consulting Services for Fiscal Years 2020-21 and 2021-22

(Ordinance S-46632)

Request to authorize the City Manager, or his designee, to enter into separate agreements with the consultants on **Attachment A**, to provide Environmental On-Call Consulting services for the Street Transportation 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 services will not exceed $7.5 million.

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

Summary

The On-Call consultants will be responsible for providing On-Call Environmental Consulting services that include, but are not limited to: performing Phase I, Phase II, and Phase III environmental site assessments; biological surveys for endangered and threatened species of flora and fauna; Brownsfields related work, environmental program support services, and other related environmental studies and investigation on real property.

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

Procurement Information

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

and are listed in **Attachment A**.

Contract Term
The term of each agreement is up to two years, or up to $750,000, whichever occurs first. 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 contract term.

Financial Impact
The agreement value for each of the On-Call consultants will not exceed $750,000, including all subconsultant and reimbursable costs. The total fee for all services will not exceed $7.5 million.

Funding is available in the Capital Improvement Program and Operating budgets of the various City departments that will utilize this agreement. The contracts will be managed by the Street Transportation Department. The Budget and Research Department will review and approve funding availability prior to the issuance of any On-Call task order of $100,000 or more. 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 Bridge and Dam Safety Repair Program - Job Order Contracting Services - 4108JOC191 (Ordinance S-46618)

Request to authorize the City Manager, or his designee, to enter into separate master agreements with two contractors, to provide Bridge and Dam Safety Repair Program Job Order Contracting (JOC) services for the Street Transportation 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 services will not exceed $30 million.

Additionally, request to authorize the City Manager, or his designee, to take all action deemed necessary to execute all utilities-related design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the

project and to include disbursement of funds. Utility services include, but are not limited to: electrical; water; sewer; natural gas; telecommunications; cable television; railroads; and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

Summary

The JOC contractors' services will be used on an as-needed basis to provide Bridge and Dam Safety Repair Program services for the restoration and rehabilitation of 623 bridges located throughout Phoenix (Street Transportation structures, Aviation Department structures, Phoenix Convention Center structures, Valley Metro structures, and various roadways). The bridges vary in size and complexity from pedestrian bridges to taxiway bridges to large scale bridges with some over waterways or dry bed canals, including repair and maintenance work on City owned dams, levees, drainage structures and basins. Some bridges will require emergency repair, restoration, and rehabilitation due to damage caused by natural disasters, accidents, or other unknown causes requiring expedited schedules for repair.

Services will include, but are not limited to: restoration and rehabilitation to bridge drainage structures and structural integrity, concrete repairs, guardrail installation, fence repair and restoration, minor and major safety defects, preparation of Repairs Accomplished reports for each project, and other work as needed, all adhering to local, state, and federal requirements, as applicable. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

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

Procurement Information

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

Selected Firms:
Rank 1: The Truesdell Corporation
Rank 2: Hunter Contracting Co.

Additional Proposers:
Rank 3: J. Banicki Construction, Inc.
Rank 4: DBA Construction, Inc.

Contract Term
The term of each master agreement is for up to five years, or up to $15 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact
The master agreement values for each of the JOC contractors will not exceed $15 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed $30 million. The value for each job order agreement performed under this master agreement will be up to $4 million each. In no event will any job order agreement exceed this limit without Council approval to increase the limit.

Funding is available in the Street Transportation 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.

64 Water Main Replacement Area Bounded By: Mountain View Road to Peoria Avenue and 15th to 19th Avenues - Construction Manager at Risk Construction Services - WS85509031 (Ordinance S-46620)

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

agreement with J. Wise Corporation (J. Wise) to provide Construction Manager at Risk (CMAR) Construction Services for the Water Main Replacement Area Bounded By (ABB): Mountain View Road to Peoria Avenue and 15th to 19th Avenues CMAR project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $7,678,716.

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

Summary

The purpose of this project is to replace approximately 5.5 miles of 4-inch to 12-inch aging water mains, 42 fire hydrants, and 515 service connections within an area bounded by Mountain View Road to Peoria Avenue and 15th to 19th Avenues.

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

J. Wise's construction services include but are not limited to: construction of the selected alignment design per final plans and specifications; bond and insure the construction; address all federal, state and local permitting requirements; arrange for procurement of materials and equipment;

schedule and manage site operations; address owner issues; maintain a safe work site for all project participants; and provide quality controls.

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

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

Contract Term
The term of the agreement is 450 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for J. Wise Corporation will not exceed $7,678,716, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action
The City Council approved:
CMAR Preconstruction Services Agreement 149488 (Ordinance S-45463) on March 20, 2019.

Location
ABB: Mountain View Road to Peoria Avenue and 15th to 19th Avenues
Council District: 3

This item was adopted.

65 Citywide Fire Sprinkler - Job Order Contracting Services - 4108JOC190 (Ordinance S-46622)

Request to authorize the City Manager, or his designee, to enter into separate master agreements with three contractors, to provide Citywide Fire Sprinkler Job Order Contracting (JOC) services. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for services will not exceed $5 million.

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

Summary

The JOC contractors services will be used on an as-needed basis to provide Citywide Fire Sprinkler services for new construction, tenant improvements, system replacement, retrofit and repairs. Services will include, but are not limited to: wet sprinkler systems, dry systems, gas systems, clean agent suppression, kitchen suppression systems, nitrogen generators, standpipe systems, both manual and automatic, fire pumps and all piping with fire pumps, underground fire line supplies, fire sprinkler supplies, fire hydrants, backflow preventers, fire hoses and all associated equipment, adhering to codes and standards as applicable. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

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

Procurement Information

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

Selected Firms:
Rank 1: American Fire Equipment Sales & Service, Corporation
Rank 2: RCI Systems, Inc.
Rank 3: Summit Fire Protection Co. dba Summit Companies

Additional Proposers:
Rank 4: Metro Fire Equipment, Inc.

Contract Term
The term of each master agreement is for up to five years, or up to $5 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact
The master agreement values for each of the JOC contractors will not exceed $5 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed $15 million. The value for each job order agreement performed under this master agreement will be up to $1 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 Capital Improvement Program and Operating budgets of the various City departments that will utilize these Agreements. 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.

66 Intergovernmental Agreement with Maricopa County for the Bell Road Adaptive Signal Control Technology Phase 2 Deployment Project (Ordinance S-46625)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the Maricopa County Department of Transportation (MCDOT) for the installation of Adaptive Signal Control Technology (ASCT) at three signalized intersections for a total not to exceed $20,000. Further request the City Controller to disburse all funds related to this item. Further request an exemption of the prohibition set forth in Phoenix City Code section 42-18 for a governmental entity pursuant to Phoenix City Code section 42-20.

Summary

In association with MCDOT (lead agency), the Street Transportation Department is participating in a Federal Aid multi-jurisdictional project to deploy ASCT at 13 signalized intersections along Bell Road from Del Webb Boulevard to Boswell Boulevard and from 69th Avenue to 39th Avenue. Within this project there are three signalized intersections in Phoenix located on Bell Road between 51st Avenue and 39th Avenue. This project will provide a system with the ability to adjust traffic signal operations in real time to reduce delays; reduce travel times; improve safety for vehicles, pedestrians, transit, and emergency services; reduce vehicle emissions at arterial intersections and the freeway/highway interchanges; and improve cross-jurisdictional traffic flow, making travel appear more seamless to drivers. The City will own, operate, and maintain the equipment installed at the three signalized intersections upon completion of the project.

Contract Term

The term of the IGA is five years and will begin on or about May 20, 2020. The IGA will expire at the end of the five-year term or when the project is completed and accepted, whichever comes first.

Financial Impact

The local match requirement with the agreement is $20,000 to cover the three signalized intersections associated with Phase 2. Funding is available in the Street Transportation Department's Capital Improvement Program budget.

Location
Bell Road from 51st Avenue to 39th Avenue
Council District: 1

This item was adopted.

67 Intergovernmental Agreement with Maricopa County for the Olive/Dunlap Avenue Adaptive Signal Control Technology Deployment Project (Ordinance S-46627)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the Maricopa County Department of Transportation (MCDOT) for the installation of Adaptive Signal Control Technology (ASCT) at five signalized intersections for a total not to exceed $35,000. Further request the City Controller to disburse all funds related to this item. Further request an exemption of the prohibition set forth in Phoenix City Code section 42-18 for a governmental entity pursuant to Phoenix City Code section 42-20.

Summary
In association with MCDOT (lead agency), the Street Transportation Department is participating in a Federal Aid multi-jurisdictional project to deploy ASCT at 28 signalized intersections along Olive/Dunlap Avenue from Agua Fria Ranch Road to Interstate 17. Within this project, there are five signalized intersections in Phoenix located on Dunlap Avenue from 43rd Avenue to 29th Avenue. The adaptive signal technology will provide full detection at each traffic signal and communicate traffic signal metrics to adjacent intersections to improve corridor travel times and reduce side street delays. The system will adaptively change traffic signal timing/sequence on a cycle-by-cycle basis to improve traffic flow. The City will own, operate, and maintain the equipment installed at the five signalized intersections upon completion of the project.

Contract Term
The term of the IGA will be five years. The IGA will begin on or about May 20, 2020 and will expire at the end of the five-year term or when the project is completed and accepted, whichever comes first.

Financial Impact
The local match requirement with the agreement is $35,000 to cover the

five signalized intersections associated with the project. Funding is available in the Street Transportation Department's Capital Improvement Program budget.

Location
Dunlap Avenue from 43rd Avenue to 29th Avenue
Council District: 1

This item was adopted.

68 Amend Intergovernmental Agreement with Arizona Department of Transportation for Purchase of PM-10 Certified Street Sweepers (Ordinance S-46629)

Request to authorize the City Manager, or his designee, to amend an Intergovernmental Agreement (IGA) with Arizona Department of Transportation (ADOT) to utilize contracts solicited and established through an ADOT procurement process for the purchase of four additional PM-10 Certified Street Sweepers, for a total of seven PM-10 Certified Street Sweepers under the IGA with ADOT. Further request the City Controller to disburse funds for full payment to the supplier by the City, and request the City Treasurer to accept reimbursement of grant funds for the PM-10 Street Sweepers from ADOT. Request a waiver for the indemnity provisions for the State, as required by City Code 42-18, under 42-20. The additional financial impact to the City will not exceed $90,480.

Summary
The Maricopa Association of Governments (MAG) Regional Council approved the Prioritized List of Proposed PM-10 Street Sweepers for Fiscal Year (FY) 2019 Congestion Mitigation Air Quality (CMAQ) federal funds to the City to procure three PM-10 Certified Street Sweepers. Subsequently, the MAG Regional Council approved the Prioritized List of Proposed PM-10 Street Sweepers for FY 2021 CMAQ federal funds to the City to procure four PM-10 Certified Street Sweepers, for a total of seven PM-10 Certified Street Sweepers. A PM-10 Certified Street Sweeper is a street sweeper that is certified by the South Coast Air Quality Management District (SCAQMD) as meeting SCAQMD Rule 1186 certification standards.

Due to additional federal requirements and the deadline of the grant, the

City entered into an IGA with ADOT to participate in the ADOT procurement process in order to procure the City's PM-10 Certified Street Sweepers. Currently, there is no City contract that meets the federal requirements specific to these street sweepers, and a new procurement process could not be completed before the MAG funding deadline.

Financial Impact

The financial impact to the City will not exceed $90,480 for four additional street sweepers. The total cost per sweeper is $298,300, of which $275,680 will be reimbursed to the City with the CMAQ federal grant awards. The remaining $22,620 in cost for each street sweeper is the City's local match. The total $90,480 in additional City funds for the four street sweepers will increase the total cost to the City to $155,958. Funding is available in the Street Transportation Department's Capital Improvement Program budget.

Concurrence/Previous Council Action

On May 15, 2019, City Council passed Ordinance S-45678 to enter into the original IGA with ADOT to purchase three PM-10 Street Sweepers with FY 2019 Congestion Mitigation Air Quality (CMAQ) federal funds.

This item was adopted.

69 Purchase Quickview Pole Camera (Ordinance S-46616)

Request to authorize the City Manager, or his designee, to purchase a Quickview pole camera for the Water Services Department (WSD). Further request authorization for the City Controller to disburse all funds related to this item. The total purchase will not exceed $23,000.

Summary

WSD employees in the Wastewater Collection Division are responsible for inspection of the City's sanitary sewer system, which typically requires entry into confined spaces. The Quickview pole camera will assist with these inspections by allowing staff to view the sanitary sewer system from safety, assisting in the prevention of confined space entries, and helping to eliminate potential exposure to hazards for WSD employees.

Procurement Information

A Request for Quotes (RFQ) was conducted in accordance with Phoenix

City Code 43-11.D and 43-40.

Selected Vendor
Haaker Equipment Company

Financial Impact
One-time purchase in the amount of $23,000. Funds are available in the Water Services Department's operating budget.

This item was adopted.

70 Purchase WACHS Ruggedized Controller (Ordinance S-46634)

Request to authorize the City Manager, or his designee, to purchase four WACHS Ruggedized Controllers for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The total agreement will not exceed $14,560.

Summary
The purpose of this purchase is to provide four WACHS Ruggedized Controllers for the Water Distribution Division. The controllers operate automated valve machines, which assists staff with valve operation. This technology helps reduce valve breakage and potential injuries to employees.

Procurement Information
The selection was made using a Request for Quote (RFQ) procurement process set forth in the City of Phoenix Administrative Regulation 3.10. The RFQ was sent to 120 vendors, grouped by Product Category. Two quotes were received.

Selected Vendor
Balar Holding

Contract Term
This is a one-time purchase.

Financial Impact
The total agreement value will not exceed $14,560. Funds are available in the Water Services Department's operating budget.

This item was adopted.

71 Purchase OilQuick Hydraulic Coupling System (Ordinance S-46639)

Request to authorize the City Manager, or his designee, to enter into a contract with OilQuick USA, a division of Exodus Machines, LLC., to purchase hydraulic coupling systems for the Water Services Department (WSD). Further request to authorize the City Controller to disburse all funds related to this item. The aggregate contract amount will not exceed $1.7 million.

Summary

The hydraulic coupling system will be installed to increase safety in the operation of backhoes by the Water Distribution Division. The OilQuick Hydraulic Coupling System will enable the operators to safely and quickly change over equipment on the backhoes without having to leave the cab. This contract includes installation of the units, safety and operating training, and maintenance of the equipment.

Procurement Information

The selection was made using a direct selection process set forth in City of Phoenix Administrative Regulation 3.10. The competitive process was waived because OilQuick USA, a division of Exodus Machines, LLC., is the sole source for these hydraulic coupling units. OilQuick USA, a division of Exodus Machines, LLC., is the authorized distributor and purchases must be made through OilQuick USA.

Contract Term

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

Financial Impact

The agreement value for OilQuick USA, a division of Exodus Machines, LLC., will not exceed a total value of $1.7 million over the life of the contract. Funding is available in the Water Services Department's operating budget.

This item was adopted.

72 Ceramic Chute Liners Contract (Ordinance S-46630)

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

agreement with Laird Plastics, Inc., to provide ceramic chute liners for the Water Services Department. Further request to authorize execution of amendments to the agreement as necessary within the Council approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed $70,000.

Summary

The Water Services Department uses ceramic chute liners in the wastewater treatment process to protect the conveyers that move abrasive grit from the washing process to the dumpsters.

Procurement Information

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

Selected Vendor:
Laird Plastics, Inc.

Contract Term

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

Financial Impact

The agreement value for Laird Plastics, Inc., will not exceed a total aggregate value of $70,000. Funding is available in the Water Services Department's Operating budget.

Location

91st Avenue Wastewater Treatment Plant
Council District: 7

This item was adopted.

73 Request to Enter into Development Agreement with Multiple Developers to Construct Relief Sewer Main (Ordinance S-46623)

Request authorization for the City Manager, or his designee, to enter into a Development Agreement (DA) with Creation RE, LLC, LOFTIN Equipment Company, an Arizona Corporation, TUDO Capital, LLC, a Delaware Limited Liability Company, and Villa Fifty 2, LP, a Delaware

Limited Partnership (or their related entities, collectively, referred to herein as the “Developers”), for the design and construction of a relief sewer main. Further request to authorize the City Controller to disburse the necessary funds related to this item. The fee for services will not exceed $210,000.

Summary

The Developers own certain real estate properties located within City limits and are in the process of developing or redeveloping their respective properties. The sewer of all those properties flow to the same downstream 10-inch sewer line located north of Van Buren Street, between 48th Street to 50th Street. The additional flow from the Developers’ developments will exceed the maximum capacity of the existing 10-inch sewer line. The Developers have agreed to work jointly to enter into a Development Agreement (DA) with the City to address this sewer capacity issue.

Through the DA the Developers agree to fund, design and construct a new relief sewer main. There are three options being proposed by the Developers to address this sewer capacity issue. The new relief sewer line is estimated to cost between $100,000 and $330,000, depending on which option the Developers decide to pursue. After the new relief sewer line is completed and accepted by the City, the City will reimburse the Developers its share of the total project cost based on capacity calculation, but not to exceed $210,000. The Developers will dedicate the new relief sewer main to the City after it is accepted by the City. The Developers will provide financial guarantees adequate to ensure the construction of the project.

Contract Term

The contract term will not exceed five years.

Financial Impact

The City will contribute its share of the new relief sewer main cost, calculated by the capacity, towards the design and construction of the new relief sewer main project. The fee for services will not exceed $210,000.

Funding for this project is available in the Water Services Department's

Capital Improvement Program budget.

Location
Council District: 6

This item was adopted.

74 Authorization to Enter Into Agreement with Itron, Inc. and Enroll in Arizona Public Service Peak Solutions Program (Ordinance S-46636)

Request to authorize the City Manager, or his designee, to enter into an agreement with Itron, Inc., and enroll in the Arizona Public Service (APS) Peak Solutions program. Further request for the City Treasurer to accept all funds related to this item. There is no financial obligation to the City of Phoenix.

Summary
The APS Peak Solutions Program compensates customers for reducing electrical load during demand response events, most commonly during peak hours as needed. Itron, Inc. is contracted through APS to administer the program and provide compensation to customers enrolled in the APS Peak Solutions Program. The Water Services Department (WSD) seeks to enter into a one-year agreement, which has a renewal option for one additional year. During the course of this agreement, WSD will receive compensation for reducing the electrical load at specific sites during a demand response event as follows:

June through September: $4.60 per kW times the lesser of the Committed Load Reduction or last Demonstrated Load Reduction; and
July through August: $11.15 per kW times the lesser of the Committed Load Reduction or last Demonstrated Load Reduction.

Additional Energy Payment Bonuses
$0.13 per kWh paid for up to 100 percent of Committed Load Reduction

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

Financial Impact

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

This item was adopted.

75 Final Plat - Madison Square - 190106 - West of State Route 51 and South of Maryland Avenue

Plat: 190106
Project: 18-3572
Name of Plat: Madison Square
Owner(s): LS-North Phoenix, LLC
Engineer(s): Bowman Consulting Group, Ltd.
Request: A 40 Lot Residential Plat
Reviewed by Staff: April 17, 2020
Final Plat requires Formal Action Only

Summary

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

Location

Generally located west of State Route 51 and south of Maryland Avenue.
Council District: 6

This item was approved.

76 Final Plat - The Phoenician Parcel F - 190117 - North of Camelback Road and East of Phoenician Boulevard

Plat: 190117
Project: 16-3642
Name of Plat: The Phoenician Parcel F
Owner(s): East Camelback Residential, LL
Engineer(s): Wood Patel & Associates, Inc.
Request: A 34 Lot Residential Subdivision Plat
Reviewed by Staff: May 7, 2020
Final Plat requires Formal Action Only

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with Abandonment ABND 190074.

Location
Generally located north of Camelback Road, and east of Phoenician Boulevard.
Council District: 6

This item was approved.

77 Final Plat - 56th Street and Camelback - 200500 - North of Camelback Road and East of 56th Street

Plat: 200500
Project: 19-1919
Name of Plat: 56th Street and Camelback
Owner(s): Duke & Cybele Moscrip
Engineer(s): James A. Loftis, RLS
Request: A 4 Lot Residential Plat
Reviewed by Staff: April 17, 2020
Final Plat requires Formal Action Only

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

Location
Generally located north of Camelback Road and east of 56th Street.
Council District: 6

This item was approved.

78 Final Plat - Jacquelynn Ranch - 180138 - North of Jones Avenue and West of 95th Avenue

Plat: 180138
Project: 17-2555
Name of Plat: Jacquelynn Ranch
Owner(s): Arroyo CAP IA, LLC
Engineer(s): Westwood Professional Services

Request: A 209 Lot Residential Subdivision Plat
Reviewed by Staff: April 13, 2020
Final Plat requires Formal Action Only

Summary
Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. The ownership information on this plat has been revised from the last Council approval of this plat.

Location
Generally located north of Jones Avenue and west of 95th Avenue.
Council District: 7

This item was approved.

79 Final Plat - Sunset Farms Parcel 4 - 190013 - East of 107th Avenue and North of Broadway Road

Plat: 190013
Project: 02-2183
Name of Plat: Sunset Farms Parcel 4
Owner(s): GWH Sunset Farms, LLC
Engineer(s): CVL Consultants
Request: A 140 Lot Residential Plat
Reviewed by Staff: April 27, 2020
Final Plat requires Formal Action Only

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

Location
Generally located east of 107th Avenue and north of Broadway Road.
Council District: 7

This item was approved.

80 Final Plat - Uptown on Yale - 190096 - North of Yale Street and East of 30th Street

Plat: 190096
Project: 18-3618

Name of Plat: Uptown on Yale
Owner(s): Tsalm Services, LLC
Engineer(s): Harvey Land Surveying, Inc.
Request: A 8 Lot Subdivision Plat
Reviewed by Staff: April 13, 2020
Final Plat requires Formal Action Only

Summary

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

Location

Generally located north of Yale Street and east of 30th Street.
Council District: 8

This item was approved.

81 Abandonment of Right-of-Way - ABND 190094 - 27701 and 27777 N. Black Canyon Highway (Resolution 21825)

Abandonment: ABND 190094
Project: 18-1828
Applicant: NexMetro Canyon, LLC
Request: To waive federal patent easement on properties: APN 205-01-010L and 205-01-010J, referencing Docket 1388, Page 438, recorded with Maricopa County Recorder.
Date of Hearing: Feb. 20, 2020

Financial Impact

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

Location

27701 and 27777 N. Black Canyon Highway
Council District: 2

This item was adopted.

82 Abandonment of Right-of-Way - V190005A - 2650 N. 1st Ave. (Resolution 21826)

Abandonment: V190005A
Project: 14-650
Applicant: Ben Cooper; Norris Design
Request: To abandon a non-standard right-of-way, along the entire Virginia Avenue frontage and a segment of non-standard right-of-way at the east end of Cambridge Avenue, and 20 x 15 foot fire lane easement, located on the northwest corner of parcel addressed 2650 N. 1st Ave., per Book 371, Page 02.
Date of Hearing: March 12, 2019

Summary
This abandonment is associated with the residential subdivision plat, Final Plat for "The Willo Residences Subdivision", Plat 190087. The sequence of recording with the Maricopa County recorder to be followed is that the resolution is recorded first, then the plat is recorded second. The two items do not need to be recorded concurrently on the same day; however this resolution of abandonment must be recorded prior to Plat 190087.

Financial Impact
A fee was also collected as part of this abandonment in the amount of $12,450.

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

This item was adopted.

83 Abandonment of Right-of-Way - V190008A - 99th Avenue, North of Indian School Road (Resolution 21824)

Abandonment: V190008A
Project: 18-1836
Applicant: Nexmetro Development LLC
Request: To abandon western 10-foot of the 47-foot easement for highway purposes; along the western most side of 99th Avenue, adjacent

to APN's 102-17-936D and 102-17-936A.
Date of Hearing: March 26, 2019

Financial Impact

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

Location

99th Avenue, north of Indian School Road
Council District: 5

This item was adopted.

84 Abandonment of Easement - ABND 190074 - North of Camelback Road and East of Phoenician Boulevard (Resolution 21827)

Abandonment: ABND 190074
Project: 16-3642
Applicant(s): Host Hotels and Resorts
Request: To abandon water easements referenced in Book 50, Page 32; Book 332, Page 6; Book 245, Page 16; utility easement referenced in Book 237, Page 11 and Book 399, Page 31; public utility, emergency, sanitation, and refuse easement referenced in Docket 15650, Page 541; sewer easement referenced in document 87-668083.
Date of Decision: Jan. 28, 2020

Summary

The resolution of the abandonment and the plat, "Final Plat for 'The Phoenician Parcel F'", Plat 190117, 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

North of Camelback Road and east of Phoenician Boulevard
Council District: 6

Financial Impact

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

This item was adopted.

85 Remove/Replace Zoning District - 103rd Avenue and Southern Avenue - Annexation 495 (Ordinance G-6697)

Request to authorize the City Manager, or his designee, to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by removing the Maricopa County RU-43 zoning district and replacing it with the City of Phoenix S-1 zoning district on property at the location described below, which was annexed into the City of Phoenix on April 15, 2020 by Ordinance S-46501.

Location

South of Southern Avenue, between 103rd Avenue and 107th Avenue
Council District: 7

This item was adopted.

86 Amend City Code - Ordinance Adoption - Rezoning Application Z-57-19-1 - Approximately 435 Feet North of the Northeast Corner of 29th Avenue and Dunlap Avenue (Ordinance G-6698)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-57-19-1 and rezone the site from C-2 (Intermediate Commercial) and PSC (Planned Shopping Center) to C-2 HGT/WVR DNS/WVR (Intermediate Commercial, Height Waiver, Density Waiver) for multifamily residential.

Summary

Current Zoning: C-2 (Intermediate Commercial) and PSC (Planned Shopping Center)
Proposed Zoning: C-2 HGT/WVR DNS/WVR (Intermediate Commercial, Height Waiver, Density Waiver)
Acreage: 7.32 acres

Proposal: Multifamily Residential

Owner: GM Metro, LLC and GM Elped, LLC
Applicant: MK Company, Inc.
Representative: Jason Morris, Esq., Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The case was scheduled to be heard at the March 18, 2020, North Mountain Village Planning Committee meeting. Due to the public health emergency the meeting was canceled.
PC Action: The Planning Commission heard this case on May 7, 2020, and recommended approval per the staff recommendation with an additional stipulation by a 7-1 vote.

Location
Approximately 435 feet north of the northwest corner of 29th Avenue and Dunlap Avenue
Council District: 1
Parcel Addresses: 9200 N. Black Canyon Highway

This item was adopted.

87 **Amend City Code - Ordinance Adoption - Rezoning Application Z-66-19-2 - Southwest Corner of Cave Creek Dam Road and the Desert Peak Parkway Alignment (Ordinance G-6701)**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-66-19-2 and rezone the site from C-O/G-O HGT/WVR DVAO and R1-6 DVAO to R1-6 DVAO to allow for a proposed single-family residential development.

Summary
Current Zoning: C-O/G-O HGT/WVR DVAO and R1-6 DVAO
Proposed Zoning: R1-6 DVAO
Acreage: 39.43 acres
Proposal: Single-family residential

Owner: DR Horton, Inc.
Applicant: Josh Robinson, Hilgart Wilson, LLC
Representative: Benjamin L. Tate, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: This case was scheduled to be heard at the Desert View Village Planning Committee meeting on March 3, 2020, but there was no quorum.
PC Action: The Planning Commission heard this case on May 7, 2020, and recommended approval per Exhibit A in the Staff Report by a 8-0 vote.

Location
Southwest corner of Cave Creek Dam Road and the Desert Peak Parkway alignment
Council District: 2
Parcel Addresses: N/A

This item was continued to the June 17, 2020 City Council Formal Meeting.

88 **Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-7-19-5 - Approximately 280 Feet West of the Northwest Corner of 41st Drive and Camelback Road (Ordinance G-6699)**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-7-19-5 and rezone the site from C-2 to C-2 SP to allow self-storage and all underlying C-2 uses.

Summary
Current Zoning: C-2
Proposed Zoning: C-2 SP
Acreage: 1.27 acres
Proposal: Special Permit for self-storage and all underlying C-2 uses

Owner: Amerco Real Estate Company
Applicant: U-Haul International
Representative: Moses Eason, Amerco Real Estate Company

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Alhambra Village Planning Committee heard this case on April 28, 2020, and recommended approval by a 13-0 vote.
PC Action: The Planning Commission heard this case on May 7, 2020,

and recommended approval per the Alhambra Village Planning Committee recommendation with additional stipulations by a 7-0 vote.

Location
Approximately 280 feet west of the northwest corner of 41st Drive and Camelback Road
Council District: 5
Parcel Addresses: 4210 and 4220 W. Camelback Road

This item was adopted.

Items 21 and 28, Ordinance S-46608 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.

21 GovInvest, Inc.

For $75,000.00 in payment authority for a new contract, entered on or about June 1, 2020, for the first year of a three-year term for pension actuarial calculation software, which will be used to provide accurate and timely information related to the City's pension obligations for the Finance Department. The consultant will continue to provide actuarial services to the Finance Department to forecast the City's future pension costs and liabilities related to both Public Safety Personnel Retirement System (PSPRS) and the City of Phoenix Employee Retirement System (COPERS). Given the current economic conditions, the Finance Department needs the consultant's services to estimate the financial impact to the City's actuarially required contributions, as well as the pension liabilities, related to both PSPRS and COPERS.

Discussion
Mayor Gallego stated this was payment to GovInvest for actuarial software.

Councilwoman Williams declared that she had a conflict of interest on this item and would not be participating in the vote.

A motion was made by Vice Mayor Guardado, seconded by

Councilwoman Pastor, that this item be adopted. The motion carried by the following vote:

Yes:	7 -	Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Guardado and Mayor Gallego
No:	0	
Conflict:	1 -	Councilwoman Williams
Absent:	1 -	Councilman DiCiccio

28 **University of California San Diego**

For $30,000.00 in payment authority to purchase professional training courses for the Water Services Department (WSD). WSD Safety and Training staff are required to maintain their Occupational Safety and Health Administration (OSHA) certification to ensure they can train WSD employees on OSHA regulations.

Discussion

Mayor Gallego stated this was payment to the University of California San Diego for the Water Services Department to complete professional development.

Councilman Waring asked if the local universities did not do this kind of work since this was an out-of-state school.

Water Services Director Kathryn Sorensen replied this particular school specialized in OSHA training. She pointed out the certification was out of UCSD, but the training was actually done locally. She added this training was used to train the City trainers who would turn around and provide the safety training to staff.

Councilman Waring clarified the City had to go through the University of California San Diego. He said he wanted to make sure the local universities got a fair shot at this training.

Ms. Sorensen stated UCSD was established as the regional OSHA training institute, noting it was located in Tempe.

A motion was made by Vice Mayor Guardado, seconded by

Councilwoman Williams, that this item be adopted. The motion carried by the following vote:

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

30 Public Hearing Prior to Adopting the Local Alternative Expenditure Limitation for the Nov. 3, 2020 Ballot

This is the second of two public hearings required prior to placing a Local Alternative Expenditure Limitation on the Nov. 3, 2020 ballot. The proposed Local Alternative Expenditure Limitation would be the annual budget adopted by Council for fiscal years 2021-22 through 2024-25. This Local Alternative Expenditure Limitation was recommended by the 2020 Expenditure Limit Task Force and by the City Council at its policy session on April 15, 2020. Immediately following this hearing, the City Council will convene in a special meeting and consider adoption of a resolution to refer the Local Alternative Expenditure Limitation to City of Phoenix electors on the Nov. 3, 2020 ballot.

Discussion

Mayor Gallego stated this public hearing was being held prior to adopting the local alternative expenditure limitation for the November 3 ballot.

Mayor Gallego declared the public hearing open.

Note: An electronic comment was submitted for the record with a neutral position on this item.

Noting no one submitted a comment to speak, she declared the public hearing closed.

The hearing was held.

31 Convening a Special Meeting of the City Council and Adoption of a Local Alternative Expenditure Limitation for Referral to Electors of the City of Phoenix (Resolution 21828)

Following the public hearing, the City Council should formally convene a special meeting in accordance with A.R.S. §41-563.01 for the purpose of considering the Local Alternative Expenditure Limitation.

A resolution relating to a Local Alternative Expenditure Limitation, providing for referral to the electors of the City of Phoenix of an alternative expenditure limitation proposition pursuant to the provisions of the Arizona Constitution, Article IX, Section 20(9); said proposition to be placed upon the ballot at the regular election for Nov. 3, 2020, and said alternative expenditure limitation to be the Council Adopted Budget of the City of Phoenix.

Discussion

Mayor Gallego recessed the formal meeting and convened a special meeting of the Phoenix City Council for adoption of a local alternative expenditure limitation for referral to the electors of the City of Phoenix.

City Clerk Denise Archibald proceeded with roll call. All Councilmembers were present, except Councilman DiCiccio who was absent.

Following the vote, Mayor Gallego adjourned the special meeting and reconvened the May 20, 2020 Formal City Council meeting.

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Pastor, that this item be approved with adoption of the related resolution. The motion carried by the following vote:

Yes:	7 -	Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	1 -	Councilman Waring
Absent:	1 -	Councilman DiCiccio

32 Request Authorization to Enter Into Contract with Arizona Community Action Association, DBA Wildfire, for COVID-19 Emergency Utility, Rent and Mortgage Assistance Services (Ordinance S-46644)

Request to authorize the City Manager, or his designee, to enter into contract with Arizona Community Action Association, dba Wildfire, to

provide emergency utility, rent and mortgage assistance services to Phoenix residents, including vulnerable residents, impacted by the COVID-19 national pandemic. The term of the contract will begin on or about May 20, 2020 through Dec. 30, 2020, with an aggregate amount not to exceed $24 million. Further request authorization for the City Controller to disburse all funds related to this item. Funding is provided through the City of Phoenix's Coronavirus Relief Fund (CRF). There is no impact to the General Fund.

Summary

The first draft of a strategic plan for the City of Phoenix's $293 million CRF was updated based on City Council discussion and input from April 30, 2020. Federal guidance relative to the CRF allows funds to cover the following: 1) costs incurred due to the COVID-19 public health emergency; 2) costs that were not accounted for in the budget adopted before March 2020; and 3) costs incurred between March 1, 2020 and December 30, 2020.

On May 5, 2020, City Council provided further input and direction on a strategy, proposed resource allocation, program development and timing implementation for a utility, and rent/mortgage assistance program for residents impacted by the COVID-19 national pandemic. The intent of the residential utility and rent/mortgage assistance program is to reduce the economic burden on residents due to the COVID-19 downturn. This program may also focus on vulnerable populations, in an effort to ensure barriers and obstacles to these critical services are removed and can be accessed in a more streamlined fashion. The program is aligned with the City Manager’s guiding principles and strategic plan to deploy CRF.

Staff recommends contracting with Wildfire due to its ability to provide utility, rent and mortgage assistance services of this scope and scale during this state of emergency. Wildfire is an experienced Arizona non-profit corporation focused on ending poverty and partners with the largest number of service providers locally through contracts with over 20 non-profit and community action organizations throughout Maricopa County. These partnerships provide Wildfire the capacity to most expeditiously provide direct utility, rent and mortgage assistance services to residents impacted by COVID-19 and to expend the funds by the required deadline of Dec. 30, 2020.

Procurement Information
Services may be procured, as needed, by using procurement procedures in accordance with Administrative Regulation 3.10 to implement and administer the COVID-19 Emergency Utility, Rent and Mortgage Assistance Program.

Contract Term
The term of this contract will begin on or about May 20, 2020 through Dec. 30, 2020. This contract may be extended based on continuous need and available funding, which may be exercised by the City Manager or designee.

Financial Impact
The aggregate value of this contract shall not exceed $24 million. There is no impact to the General Fund. Funding will be provided through the City of Phoenix's Coronavirus Relief Fund.

Discussion
Mayor Gallego stated this was a request to enter into a contract with Arizona Community Action Association, known as Wildfire, for COVID-19 emergency utility, rent and mortgage assistance services. She acknowledged that several members of the public wished to speak on this item, and requested a motion be made.

Councilwoman Stark made a motion to approve this item as revised, which was seconded by Councilwoman Williams.

Luke Black stated although Council had set aside millions of dollars in aid, Council should have the courage to stand up for all Phoenix residents, especially those who were undocumented. He urged Council to set an example and stand with the people of Phoenix as well as find a way to support undocumented communities.

Viridiana Hernandez asked that City leadership take a stand and do partnerships to raise money that helped undocumented people during this crisis. She said she wanted to make sure undocumented people were included in every relief support moving forward.

Mayor Gallego confirmed with staff that no one else was waiting to speak. She said she thought it was important to note that there were community-led efforts in place that had mobilized to serve undocumented residents of Phoenix that were worthy of support. She pointed out that effort was being led through a coalition which resided at the Arizona Community Foundation. She announced the first round of non-profits had just been selected and would begin providing services soon. She clarified with the motion maker and seconder that the motion was to approve this item as revised.

Councilmember Garcia expressed it was important for the City to support as many people as possible to make sure everyone was taken care of during this crisis. He said he thought the C.A.R.E.S. funds could be used for undocumented people though the Law Department had concerns regarding those funds. He stated he hoped the Council could commit to fundraise and the City could support private funding that went into the C.A.R.E.S. fund. He stressed undocumented people played a huge role in the City and wanted to look for ways to support them.

Councilman Nowakowski stated he agreed with Councilmember Garcia that individuals who had businesses give to families that needed it most in the community, especially people who were in this country to make a better life for themselves. He remarked the Council needed to assist organizations that helped the most neediest.

Vice Mayor Guardado expressed that Council needed to figure out a way to help everyone and have everybody work together.

Note: Electronic comments were submitted for the record as follows: six comments in support, one comment with a neutral position and three comments with no position.

Mayor Gallego added there were no electronic comments submitted for the record in opposition.

Councilwoman Pastor recognized the refugee and asylum piece was added, but she wanted to see language changed related to legal status in the program summary.

Assistant City Manager Deanna Jonovich replied staff was in the process of finalizing the document and assured legal status would be referenced in the language.

Councilwoman Pastor conveyed this draft document was given to the refugee community which they had to follow, noting it needed to state legal status.

Ms. Jonovich responded the referenced draft document was for the regular program. She explained this new piece to the program would be a separate document with specific requirements. She added staff would make sure it said legal status in the document.

Councilmember Garcia said he thought there was support from Council to make an amendment for the undocumented relief fund. He expressed his willingness to commit to it and he hoped that Council could do a similar amount, such as the $3 million for refugees, to support the undocumented community.

Councilwoman Pastor stated she would commit to it.

Councilwoman Williams inquired how the fund would be set up because it had to be through private sources.

Councilmember Garcia replied there was already a coalition established for the undocumented relief fund which was going through the Arizona Community Foundation. He mentioned the organization managed to fundraise approximately half a million dollars, so he suggested the City join the group to support the continuation of fundraising.

Councilwoman Williams requested clarification that Councilmember Garcia was asking Councilmembers to individually fundraise for that particular fund.

Councilmember Garcia responded yes since these funds were not available for everyone in the City. He said he thought the least Council could do was commit as individuals and possibly as a city to push for

private donors to assist with this fund.

Councilwoman Williams stated she was willing to support private donors; however, she said she did not believe the City should put any money into it at this time.

Mayor Gallego remarked this commitment was worth the City's corporate sponsors and people in the community to donate. She indicated everyone contributed to the health of Phoenix, so everyone had to get through this together. She noted an additional speaker was on the line.

Vice Mayor Guardado expressed she was committed to it and she hoped to raise money for this fund.

Muktar Sheikh stated he was happy that Council voted to support refugee and asylum residents. He thanked Council for being good leaders in this crisis.

A motion was made by Councilwoman Stark, seconded by Councilwoman Williams, that this item be adopted as revised. The motion carried by the following vote:

Yes:	7 -	Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	1 -	Councilman Waring
Absent:	1 -	Councilman DiCiccio

33 Execute Contracts to Implement Small Business Relief Grant Programs (Ordinance S-46645)

Request to authorize the City Manager, or his designee, to enter into contracts with the Phoenix IDA, the Arizona Community Foundation (ACF), and other entities as deemed necessary to fund small business grants in response to the COVID-19 pandemic. Further request authorization for the City Controller to disburse funds to implement these grant programs. Total funding for these grant programs will not exceed $12 million. Funding is available through the City’s allocation of Coronavirus Aid, Relief, and Economic Security (CARES) Act received

from the federal government. There is no impact to the General Fund.

Summary

In April 2020, the City, in partnership with the Phoenix IDA and ACF, opened the first round of the Small Business Relief Grant program with $2 million in seed funding. More than 200 Phoenix small businesses were awarded up to $10,000. The demand for funding exhausted the initial pool of funds within a few days of the grant program opening. The Phoenix Community Development Investment Corporation also offered $2 million in low-interest loans to some Phoenix small businesses that were not awarded grants in this initial offering.

On April 30, 2020, City Council initially approved allocating $5 million to the Phoenix IDA for its Small Business Relief Fund. On May 5, 2020, the City Council approved grant programs to assist Phoenix's small businesses ($5 million), microbusinesses ($6 million), and restaurants ($1 million) that have lost at least 25 percent of their sales due to COVID-19.

Small Business Relief Grant

If approved, a grant funding agreement will be executed with the Phoenix IDA to direct $5 million to reopen the Small Business Relief Grant, which will help approximately 500 additional Phoenix small businesses located in low-income census tracts with grants up to $10,000, and will fund additional qualified applications who were not able to be funded in the first round. The grant requirements for this second round of funding will be consistent with those required in the first round: fewer than 25 employees, less than $3 million in sales, and in operation since Jan. 1, 2019.

The Phoenix IDA will continue to use the ACF to administer this Fund, including hosting the website for grant application submittals, providing customer service in English and Spanish to applicants, assembling and facilitating grant application review panels, notifying applicants of grant application status, and distributing funds to grant awardees. The City will release the $5 million to the Phoenix IDA on a rolling basis as needed to fund grants approved for award by ACF, a nonprofit organization with a mission to lead, serve and collaborate to mobilize enduring philanthropy for a better Arizona. The City's funding allocation to the Phoenix IDA will

include ACF's fees to administer the program.

Additional Small Business Resiliency Grants

If approved, a grant funding agreement will also be executed directly with the ACF. The ACF will administer the following programs, which are open to eligible businesses located anywhere in Phoenix that have been in operation since Jan. 1, 2019.

Microbusiness Resiliency Grant Program ($6 million): This fund is expected to help more than 1,100 microbusinesses, solo practitioners, and entrepreneurs with fewer than five employees and less than $1 million in gross sales by offering grants up to $5,000.

Restaurant Restart Program ($1 million): This fund is expected to help nearly 100 restaurants and food trucks cover up to $10,000 in expenses for restarting their businesses, including buying food, rehiring staff, implementing safety protocols for both employees and customers, and resetting floor plans to accommodate for social distancing.

ACF was selected as a Sole Source provider given its experience administering the Phoenix IDA's Small Business Relief Grants, the infrastructure already in place and its long-standing reputation in the community for financial stewardship and integrity. The City will release the $7 million to the ACF on a rolling basis as needed to fund grants approved for award. This funding allocation will include ACF's fees to administer the programs.

Starting May 21, 2020, and continuing over the next few weeks, applications will open for each of the different grant programs.

Contract Term

The City's grant funding agreements for the Phoenix IDA and the ACF will begin as soon as possible, expire on Dec. 31, 2020, and include additional terms as necessary to implement the programs.

Financial Impact

Total funding for these grant programs will not exceed $12 million. Funding is available through the City's allocation of Coronavirus Aid,

Relief, and Economic Security (CARES) Act received from the federal government. There is no impact to the General Fund.

Concurrence/Previous Council Action

City Council approved allocating $5 million to the Phoenix IDA for its Small Business Relief Fund at its April 30, 2020 Policy meeting. At the May 5, 2020 Policy meeting, City Council approved additional funding to implement grant programs to assist Phoenix's small businesses, microbusinesses and restaurants.

Discussion

Mayor Gallego stated this was for contracts to implement the small business relief program. She conveyed the City would partner with the Arizona Community Foundation who was a key partner for the City as they worked to support the community and those impacted by COVID-19. She added this item would include up to $12 million of support for small businesses, including micro-enterprises and restaurants, especially those that had less access to other aid programs. She expressed small businesses and restaurants were part of the reason Phoenix was a great city.

Councilman Nowakowski thanked Community and Economic Development (CED) Director Chris Mackay and her staff for their efforts in making sure everybody was taken care of throughout the City. He recalled hearing that some of the mom-and-pop small businesses were not receiving any federal funds which was why he advocated to raise over $15.7 million for these small businesses. He pointed out that over 200 bars and restaurants were in the downtown area and were basically locally owned. He emphasized the City would continue to educate business owners that money was available, noting there was not a lot, but it would help out in the long run. He also thanked Council for their support as well as small businesses.

Mayor Gallego stated this would build on the success from the first round of funding led by the Industrial Development Authority; yet, companies said they needed more help. She remarked these programs would target those that had a hard time getting federal aid, including entrepreneurs who did not qualify for unemployment, plus some of the smallest businesses. She expressed she was excited for the City and she agreed

that CED staff did a great job talking to businesses about what they needed to navigate through COVID-19.

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

Yes:	7 -	Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	1 -	Councilman Waring
Absent:	1 -	Councilman DiCiccio

35 Eight-Hour Rule Request for Consideration to Research an Ordinance Related to the Tourism and Hospitality Industry

Request City Council approval for City staff to spend in excess of eight hours of staff time, per City Council Rule 15, to research an ordinance related to the tourism and hospitality industry.

Summary

In response to a request from Vice Mayor Betty Guardado and other council members on May 14, 2020, the City Manager is requesting an eight-hour rule action by the Council to direct staff to research a plan to ensure the safety of employees in the tourism and hospitality industry, their patrons, and the general public **(Attachment A)**. This request complies with Council Rule 2c regarding placement of items on an agenda.

Discussion

Mayor Gallego stated this was an eight-hour rule request related to researching an ordinance regarding the tourism and hospitality industry. She added this would allow staff to work on developing public policy, and requested a motion be made.

Vice Mayor Guardado made a motion to approve this item, which was seconded by Councilwoman Stark.

Councilwoman Williams asked for more information on what the City would be doing with the industry.

City Manager Ed Zuercher replied this request from the Vice Mayor was for staff to research a potential ordinance related to employees in the tourism and hospitality industry. He explained the City Attorney's Office would review the concept, input would be taken from Councilmembers, then staff would review other jurisdictions and state laws that applied to this ordinance. He added staff could take input from stakeholders if Council wished it. He conveyed staff would then return to the Council with information for further consideration.

Vice Mayor Guardado stated this had a lot to do with public health noting the people who got hit the hardest with this pandemic were those in the tourism and hospitality industry. She emphasized everybody needed to work together to reopen the economy and find solutions to open in a way that was safe for people to come back to work. She expressed for those reasons she was supportive of moving this forward.

Councilman Nowakowski said he was supportive of this request. He mentioned there was a lot of training and conversations going on within this industry to make sure everyone had input. He remarked the Council needed to make sure that workers were taken care of and came back to a safe environment. He reiterated his support and wanted to include the stakeholders he previously mentioned.

Mr. Zuercher affirmed staff would seek input from stakeholders in this industry and the employment sector as part of this effort.

Councilmember Garcia stated he was supportive of this as times had changed. He conveyed there were inconsistencies before COVID-19, but as people returned to work he wanted to make sure workers were taken care of, especially in this industry. He remarked he had seen a pattern in this industry where corporations were getting money to make sure they stayed afloat. He said he hoped things had shifted so that workers were protected and given the true value they deserved, especially at Sky Harbor Airport which was America's Friendliest Airport because of its workers.

Mayor Gallego stated two people submitted comments for the record

online in support of this item. She added several individuals wished to address the Council.

Don Ameden mentioned he was an employee for a company that supplied services to people that used Sky Harbor Airport. He remarked he was able to get unemployment insurance benefits and his health insurance was being covered by the company for 90 days. He conveyed going back to work depended on flights and there did not appear to be an end to this crisis. He said he hoped that Council was considering strong ordinances to help protect him and the airport workers when they went back to work.

Nora Felix said she worked at Sky Harbor Airport for HMS, noting she had been furloughed for about three months and had to use all of her PTO to keep her insurance. She expressed she was concerned about running out of income and safety when she returned to work. She stated she hoped Council considered a policy to protect and help hospitality workers during this time.

Henry Montalvo stated he worked for Aramark at the Phoenix Convention Center. He stressed he had been furloughed since March 13 which was the beginning of this pandemic. He expressed he hoped that Council could find a way for them to return to work safely as they provided meals and beverages to thousands of people during events.

Vincent Ambrosino remarked he had worked for the Convention Center for over a decade and had been furloughed. He added he was most concerned about health insurance because he did not know how he would pay the premiums. He indicated workers would need training before going back to work at the Convention Center as they catered to a large amount of people. He conveyed management had not provided any updates to workers on how things would move forward.

Laura Perez conveyed she worked at the Renaissance Hotel in downtown Phoenix and was providing Spanish translation for Mireya Rosales. Ms. Rosales stated through interpretation that she had worked at the Sheraton in downtown Phoenix for almost 10 years and had been laid off for about three months. She indicated she applied for unemployment but had not

received a response yet. She expressed she was concerned with her ability to continue paying for insurance as she had a young child. She stressed she was also concerned about returning to work because she did not want her family to get sick.

Mayor Gallego announced the City provided interpretation services and welcomed Spanish speakers with prior notice of services needed.

Sandy Villatoro Poroj said she worked at the Sheraton in downtown Phoenix. She remarked she was laid off, noting the hotel would be closed until August while the City was open again. She expressed she was concerned about keeping her insurance because she had a baby and had to pay half while the company paid the other half. She emphasized it was hard to manage when unemployment did not move quickly and, while the stimulus check helped, she had other bills to pay. She stated she hoped that Council could help hospitality workers with relief during this time.

Meschelle Hornstein stated she had worked at SSP America at Sky Harbor Airport for five-and-a-half years. She indicated her last day of work was March 15 and she was concerned about her financial stability. She conveyed she applied for unemployment, nutrition assistance and rent relief, noting she had only been approved for unemployment. She added the company had not paid her health insurance during this time, but she was covered because the union was paying for it. She asked that Council remember the airport workers who made Sky Harbor the "friendliest airport" and to make sure it was also the safest airport. She expressed she was counting on Council to find them relief and to consider a policy to protect hospitality workers during this trying time.

Tracy Gunderson said she had worked for HMSHost for nine years and she did not want, nor could she afford, to lose her job. She remarked her husband was self-employed, so her family counted on her unemployment to take care of their health insurance and financial needs. She pointed out she had been furloughed since mid-March, noting she had unexpected medical bills. She knew her employer and the state were considering reopening, but she was scared to return to work without health insurance as she did not want to catch the virus and bring it home to her family. She

said she hoped that Council found relief and considered a policy to protect hospitality workers during this time.

Mayor Gallego announced the conclusion of public comments.

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

Yes:	6 -	Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Guardado and Mayor Gallego
No:	2 -	Councilman Waring and Councilwoman Williams
Absent:	1 -	Councilman DiCiccio

51 **Amendment to Lease with Arizona State Lottery at Phoenix Sky Harbor International Airport (Ordinance S-46631)**

Request to authorize the City Manager, or his designee, to amend Lease 141902 with Arizona State Lottery (AZ Lottery) to increase their footprint at the Phoenix Sky Harbor International Airport (PHX) from one location to three locations; convert the current contract to a standard concessions lease; restructure rent to percent of total sales; and extend the contract by two years, expiring Dec. 31, 2024.

Summary

AZ Lottery currently leases 500 square feet of space for one service counter and one lottery vending machine in the baggage claim area of Terminal 4 (T4) at PHX. This space has historically generated over $1 million in annual sales. AZ Lottery is in good standing with the Aviation Department and has requested to expand their presence at PHX by adding two additional lottery vending locations post security in T4 on the N2 and N3 concourses, and restructure their current contract to a revenue sharing concessions lease. In addition, AZ Lottery has requested to extend their contract an additional two years to allow for the adjustment of the revenue structure and provide them an opportunity to recoup their investment in new equipment. If all options to extend are exercised under the current contract provisions, the contract term is set to expire Dec. 31, 2022.

Contract Term

Extend the contract for two additional years, expiring Dec. 31, 2024.

Financial Impact
Restructure the current rent to 6.5 percent of total sales. Total proposed revenue with additional points of sale will be approximately $107,250 per year.

Location
Phoenix Sky Harbor International Airport Terminal 4
Council District: 8

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

Yes:	7 -	Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	1 -	Councilman Waring
Absent:	1 -	Councilman DiCiccio

89 Amend City Code - Ordinance Adoption - Rezoning Application Z-65-19-2 - Northeast Corner of 42nd Street and Peak View Road (Ordinance G-6700)

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-65-19-2 and rezone the site from RE-35 to R1-10 to allow single-family residential.

Summary
Current Zoning: RE-35
Proposed Zoning: R1-10
Acreage: 7.67 acres
Proposal: Single-family residential

Owner: Roger Malcolm
Applicant: Michael S. Buschbacher II, Hunter Engineering
Representative: Ron Homyak, Cachet Homes

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Desert View Village Planning Committee was scheduled to hear this case on April 7, 2020, however the meeting was canceled. The Desert View Village Planning Committee meeting heard this case on May 5, 2020, and recommended approval per the staff recommendation with a modified stipulation by a 7-2 vote.
PC Action: The Planning Commission heard this case on May 7, 2020, and recommended approval per the Desert View Village Planning Committee recommendation with an additional stipulation by an 8-0 vote.

Location
Northeast corner of 42nd Street and Peak View Road
Council District: 2
Parcel Addresses: 29025 and 29039 N. 42nd St.

Discussion
Mayor Gallego announced this item was in Councilman Waring's district, noting there was one individual on the line wishing to speak. She conveyed a comment was submitted for the record online in support of this item.

Ron Homyak stated he was the applicant and supported the item.

Following the vote, Planning and Development Director Alan Stephenson clarified for the record that the motion was to approve per the Planning Commission recommendation.

Councilman Waring confirmed that was correct.

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

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

Absent: 1 - Councilman DiCiccio

90 **Public Hearing and Modification of Stipulation - Rezoning Application PHO-2-19--Z-41-94-6 - Southeast Corner of 31st Street and Camelback Road**

Request to hold a public hearing on the Planning Hearing Officer rezoning application for the following item and consider adoption of the Planning Commission recommendation on May 7, 2020.

Summary

Application: PHO-2-19--Z-41-94-6
Existing Zoning: C-2
Acreage: 1.92

Applicant: Rakesh Patel, Hillstone Restaurant Group
Owner: Hillstone Restaurant Group
Representative: Heidi Short, Lewis Roca Rothgerber Christie LLP

Proposal:
Modification of Stipulation 1 regarding general conformance to the site plan dated April 12, 1994.
Deletion of Stipulation 2 regarding conditional approval.
Deletion of Stipulation 3 regarding zoning being vested with final site plan approval.
Deletion of Stipulation 5 regarding the existing oleander hedge along the south boundary of the site.
Modification of Stipulation 6 regarding egress to 31st Street and signage and hours of access for service driveway.
Technical corrections to Stipulations 7 and 9.

Concurrence

Village Planning Committee (VPC) Recommendation: The Camelback East Village Planning Committee opted not to hear this case.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Feb. 19, 2020, and took this case under advisement. On Feb. 28, 2020, the Planning Hearing Officer took this case out from under advisement and recommended approval with modifications and additional stipulations. Please see **Attachment A** for a complete list of

the Planning Hearing Officer's recommended stipulations.
PC Action: The Planning Commission heard this case on May 7, 2020, and recommended approval as recommended by the Planning Hearing Officer by an 8-0 vote. This item was appealed on May 14, 2020.

Location
Southeast corner of 31st Street and Camelback Road
Council District: 6
Parcel Address: 3101 E. Camelback Road

Discussion
Mayor Gallego conveyed she would take testimony on Items 90 and 91 together as the cases were related. She advised this item would begin with a staff report followed by a public hearing where each side would have five minutes for testimony.

Planning and Development Director Alan Stephenson stated this was a Planning Hearing Officer (PHO) request to modify stipulations of previously approved zoning for a parcel located at the southeast corner of 31st Street and Camelback Road. He pointed out there were two cases because they were zoned separately, but the cases dealt with one development project. He affirmed the cases could be heard together while the motions had to be separate. He displayed a map which showed the areas for both items, noting Item 91 was P-1 surface parking lot area that was rezoned separately for additional parking for the subject site. He continued the subject site was a restaurant previously housed as Donovan's Steakhouse and now was proposed to have a new restaurant that would move into this establishment from just up the street.

Mr. Stephenson displayed the stipulations that were proposed to be modified to allow this proposal to happen. He explained there were stipulations regarding general conformance to the site plan, conditional approval that was already met as it was approved when built, a vesting stipulation as well as trees and a few other stipulations. He advised the principal one that neighbors had concerns with was Stipulation 6, which was the egress to 31st Street. He also showed the stipulations to be modified for Item 91. He pointed out the parcel for Item 91 did not have access back into the neighborhood as it accessed out through the commercial parking lot to Camelback Road.

Mr. Stephenson stated the PHO recommended approval with modifications and additional stipulations for Item 90 and denied as filed and approval with significant modifications for Item 91. He noted the Camelback East Village Planning Committee chose not to review the request and the Planning Commission recommended approval of both items per the PHO recommendation.

Mr. Stephenson displayed the surrounding zoning which was principally commercial zoning with a retail center across the street, commercial office building to the east and multifamily and commercial further down on Camelback Road. He presented a blow-up of the area to show the access issue off to 31st Street. He explained the neighborhood concerns were about traffic going down to the south into the neighborhood instead of going up to the north toward Camelback Road when exiting the new proposed site. He showed the proposed site plan that was a significantly reduced footprint over Donovan's Steakhouse that was housed there previously. He conveyed there was substantially more parking which were some of the issues the neighborhood had concerns with regarding access when the site was originally zoned. He then displayed a blow-up of the 31st Street connection.

Mr. Stephenson said Stipulation 6 was the one the PHO put as part of this request to allow for either no access to be provided or for the developer to work with the Street Transportation Department on a standard detail for a restricted left turn egress. He pointed out the applicant developed a concept under Stipulation 6a that they were working on with the Street Transportation Department to have approved if Council approved this overall request. He presented a standard detail to show what the applicant and Street Transportation Department were looking at on refining if the project was approved. He advised staff recommended approval per the Planning Commission recommendation.

Mayor Gallego declared the public hearing open.

Bill Lally stated he represented Hillstone Restaurant. He noted the corporation purchased the closed Donovan's Steakhouse to open a new restaurant, though the existing Hillstone restaurant would remain down the

street in its existing location. He conveyed the new restaurant would operate with a little bit of a different menu while maintaining the same high-quality restaurant. He pointed out the PHO was in front of Council for a change to the site plan. He explained the site plan for Donovan's was 11,000 square feet, whereas Hillstone would knock down the restaurant and replace it with a less than 5,000 square foot restaurant. He said the building today was approximately 25 feet tall, but the new building would be about 13 feet tall. He continued the new building would be 65 feet north of existing residential, noting the building today sat 27 feet away from existing residential.

Mr. Lally remarked the new parking calculation would be two-and-a-half times the required parking as it would have 94 parking spots versus the required 38 parking spots. He added the overhead power lines will be underground and the site will be limited to two access points as opposed to the three previously held by Donovan's Steakhouse. He noted the existing restaurant hours would be maintained with hours of operation the same as the new restaurant concept.

Mr. Lally pointed out when they went through the redo of the site plan, the access point which was a private easement to the east, to the office building, went away when Donovan's Steakhouse closed. Therefore, he stated they were limited to just Camelback Road and 31st Street access points. He emphasized in order to maintain proper traffic through the site as well as to and from the site they needed two access points. He conveyed this was a request to keep the 31st Street driveway access open with modifications as required by the PHO. He stressed Hillstone did not propose the pork chop condition, noting the PHO saw that as a compromise between the neighbors and the applicant. He indicated the applicant was in full support of the PHO's compromise and would continue to work with the Planning Department to make sure the access drive was not used as a main drive by narrowing it.

Colleen Geretti said she and her husband had been homeowners in Brentwood Estates, the neighborhood directly south of the proposed Hillstone restaurant, for 20 years. She added she had been president of the neighborhood association for 17 years. She expressed while the neighbors welcome Hillstone restaurant, they were opposed to patrons

and employees using the driveway to access north 31st Street. She stressed Stipulation 6 was written to ensure necessary measures were taken to prohibit use of the driveway by restaurant patrons or deliveries into the neighborhood from the adjacent commercial business. She pointed out there was no supporting data to defend that a secondary patron access to north 31st Street was required for this restaurant to be successful, especially given the restaurant's smaller footprint and seating capacity.

Ms. Geretti stated prior establishments at this site successfully operated having only one patron access point at east Camelback Road. She indicated there were two additional access points, one was for valet only and the other was for the one-way emergency drive. She emphasized Brentwood Estates homeowners strongly supported Stipulation 6 not be modified, noting letters and signatures from more than 80 percent of homeowners were submitted to the City to not modify the stipulation. In January of 2020, she along with numerous neighbors repeatedly asked the applicant to not keep access to north 31st Street due to historic data related to traffic issues in the neighborhood from prior restaurants. She mentioned the restaurant would operate seven days a week during afternoon and evening hours, when neighborhood families would be the most active outside circulating the neighborhood.

Ms. Geretti conveyed the need to preserve Brentwood Estates had been a repeated concern cited at numerous Phoenix zoning hearings over the years. She noted committee members understood the vulnerability of the neighborhood if development boundaries were not established, particularly when a home was torn down and was now zoned P-1. She remarked north 31st Street was a local street that provided residents access to and from their homes only and did not lead to other locations or points of interest. She emphasized commercial patrons should not be allowed to access and travel through a residential neighborhood. She said the abutting existing driveway was also in close proximity to Brentwood Estates neighborhood. She stressed the service driveway was approximately seven feet from the abutting residential property line to the south and shared the same entrance into the neighborhood. She stated there was no plan to monitor or enforce traffic from accessing the neighborhood.

Ms. Geretti said the conceptual plan depicted a 26-wide drive with a pork chop which allowed three quarter movement in an attempt to limit left turns only. She pointed out the 26-foot-wide drive had not been approved yet by the City's street engineer. She added the PHO summary indicated up to a 40-foot-wide drive may be required for three quarter movement. She mentioned one of the streets three quarter movements had direct access from the neighborhood onto north 31st Street. She expressed patrons would seek the route of least resistance and the neighborhood would become a gateway to and from the restaurant.

Ms. Geretti emphasized residents wanted to protect the neighborhood from the increased traffic risk and potential dangers. She commented the neighborhood was confident Hillstone would be successful without a secondary patron access point onto north 31st Street. She urged that Council support the neighborhood to not allow modification of Stipulation 6.

Michael Dietz stated he and his wife had been homeowners in the neighborhood immediately south of the proposed Hillstone restaurant for 15 years. He claimed the proposed signage would not be sufficient to deter drivers from turning south on 31st Street and entering the neighborhood. He said the stipulation modification was unnecessary since Donovan's Steakhouse, the previous restaurant, operated successfully with the stipulation in place. He added the new Hillstone restaurant did not need to access 31st Street as it had a smaller footprint and seating capacity. He continued the neighborhood would be adversely impacted by the modification to Stipulation 6 because of the increased traffic. He expressed the proposed pork chop was insufficient as he thought patrons would cut through the neighborhood and ignore the pork chop. He indicated the neighborhood was supportive of the restaurant, noting it would happen as they had already invested money into the project. Yet, he requested Council support the neighborhood and keep the current language in Stipulation 6.

Mr. Lally pointed out Donovan's Steakhouse operated for many years with three access points; one on Camelback Road, one on 31st Street and one into a private commercial center to the east. He conveyed the

neighbors now wanted Hillstone to operate a new restaurant with only one access point on Camelback Road. He stated 31st Street was a public road off of Camelback Road, noting the condition where commercial properties had access to a similar road up and down Camelback Road had existed for many years. He remarked there was no history to show those residents or neighborhoods were impacted. He indicated this was not a new land use being introduced to a neighborhood, but a restaurant cut in half in terms of height, size and capacity with double the parking. He added the pork chop that was proposed by the Street Transportation Department was a legitimate deterrent as it would push traffic to Camelback Road. He expressed the assumption that everyone would drive over the pork chop was not feasible. He concluded by stating it was a compromise that Hillstone supported.

Electronic comments were submitted for the record as follows: one in support and two in opposition.

Noting there were no questions from the Council and there was no one else wishing to speak, Mayor Gallego declared the public hearing closed.

Councilwoman Williams stated that Councilman DiCiccio asked her to make a motion on these items.

The hearing was held. A motion was made by Councilwoman Williams, seconded by Councilman Nowakowski, that this item be approved per the May 7, 2020 Planning Commission recommendation. The motion carried by the following vote:

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

91 Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application PHO-1-19--Z-4-10-6 - Approximately 300 Feet East and 160 Feet South of the Southeast Corner of 31st Street and Camelback Road (Ordinance G-6702)

Request to hold a public hearing on the Planning Hearing Officer rezoning application for the following item and consider adoption of the Planning Commission recommendation on May 7, 2020.

Summary

Application: PHO-1-19--Z-4-10-6
Existing Zoning: P-1
Acreage: 0.36
Applicant: Rakesh Patel, Hillstone Restaurant Group
Owner: Hillstone Restaurant Group, Inc.
Representative: Heidi Short, Lewis Roca Rothgerber Christie

Proposal:
1. Modification of Stipulation 1 regarding general conformation with the site plan date stamped March 11, 2010, and the landscape plan date stamped April 8, 2010.
2. Deletion of Stipulation 2.e. regarding landscape palette.
3. Deletion of Stipulation 4 regarding a minimum 10-foot landscape setback along the west property line.
4. Technical corrections to Stipulations 2, 3, 5, 6, and 7.

Concurrence

Village Planning Committee (VPC) Recommendation: The Camelback East Village Planning Committee opted not to hear this case.
PHO Action: The Planning Hearing Officer heard this case on Feb. 19, 2020, and took this case under advisement. On Feb. 28, 2020, the Planning Hearing Officer took this case out from under advisement and recommended denial as filed and approval with modifications.
PC Action: The Planning Commission heard this case on May 7, 2020, and recommended approval per Exhibit A in the staff report by a 8-0 vote, as reflected in **Attachment C- Planning Commission Summary.**
This item was appealed on May 14, 2020.

Location

Approximately 300 feet east and 160 feet south of the southeast corner of 31st Street and Camelback Road
Council District: 6
Parcel Address: 3124 E. Mariposa St.

Note: Testimony for this item was taken during Item 90 as the cases were related.

The hearing was held. A motion was made by Councilwoman Williams, seconded by Councilman Nowakowski, that this item be approved per the May 7, 2020 Planning Commission recommendation with adoption of the related ordinance. The motion carried by the following vote:

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

92 ADD-ON - Laboratory Services On-Site Testing Agreement (Ordinance S-46646)

Request to authorize the City Manager, or his designee, to enter into an agreement with Sonora Quest Laboratories, LLC to provide on-site laboratory testing.

Summary

Sonora Quest Laboratories, LLC (SQL) is offering to conduct sample collection and testing for the COVID-19 virus at Steele Indian School Park in partnership with the City of Phoenix. This site is recommended due to its central location and proximity to transit and the Light Rail. This location will serve residents in their vehicles as well as walk-up customers.

The initial COVID-19 testing event is targeted for May 23, 2020. Subsequent events will be scheduled on a weekly basis based on the collective participant demand for testing as determined by consensus between SQL and the City. This partnership may be immediately cancelled for convenience by either the City or SQL.

The City of Phoenix will provide access to the park, traffic management, use of shade canopies and tables, event publicity, and site security. The proposed agreement will allow SQL to gather samples for processing and handle all interactions with the participants including: participation

registration, insurance billing, sample collection, and results notification. Costs to the resident for the testing are expected to be billed to the resident's qualifying insurance. Alternatively, SQL has federal funds identified that may cover the cost of the collection and testing for participants without eligible health insurance.

Contract Term

This agreement will begin on or about May 20, 2020, and will continue 30 days after the date of testing events as set forth in the agreement.

Financial Impact

This testing will use resources of the Parks and Recreation, Police, and Public Works departments and will be allocated to the COVID-19 cost center.

Discussion

Mayor Gallego stated this was an agreement to provide on-site testing services. She expressed Council wanted to improve access to testing for the community, including those who used public transportation and did not have access to a vehicle. She pointed out staff, led by Assistant City Manager Milton Dohoney, Jr., had been working hard to make sure there was better access to testing. She mentioned an article in *The Arizona Republic* showed Phoenix was ranked 50th in per capita testing out of 51, so it remained an issue where the City could be a partner. She thanked staff for their hard work and private sector partners for being willing to use a location that might not have been the first place to do testing, but one that actually had great traffic flow and would be of service to residents. She pointed out Councilwoman Pastor represented the area and thanked her for pushing for testing.

Prior to his vote, Councilman Nowakowski said he looked forward to southwest Phoenix getting a pop-up also.

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

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

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

CITIZEN COMMENTS

Mayor Gallego stated there were two people wishing to address the Council. She requested the City Attorney provide background about this portion of the meeting.

City Attorney Cris Meyer 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. 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.

Mayor Gallego called on Elizabeth Venable to testify.

City Manager Ed Zuercher interjected they were not receiving audio from Ms. Venable.

Mayor Gallego called on Elishya McKinley to speak.

Mr. Zuercher indicated they were having the same issue with Ms. McKinley.

Mayor Gallego announced both individuals could either provide written testimony or be the first to speak at the next formal meeting. She thanked everyone for working with Council on the technological system as they were trying to keep people safe and slow the spread.

ADJOURN

There being no further business to come before the Council, Mayor Gallego

declared the meeting adjourned at 4:05 p.m.

MAYOR

ATTEST:

CITY CLERK

SM

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the formal session of the City Council of the City of Phoenix held on the 20th day of May, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 15th day of September, 2021.

CITY CLERK