City of Phoenix

Minutes

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

City Council Formal Meeting

Wednesday, January 29, 2020 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, January 29, 2020 at 2:42 p.m. in the Council Chambers.

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

Councilman Waring temporarily left the voting body prior to the vote on Item 55 and returned during the Citizen Comments portion of the agenda.

Mayor Gallego acknowledged the presence of Mario Barajas, a Spanish interpreter. In Spanish, Mr. Barajas announced his availability to the audience.

The City Clerk confirmed that copies of the titles of Ordinances G-6663 through G-6667, S-46259, S-46301, S-46309 through S-46335, and Resolution 21805 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

BOARDS AND COMMISSIONS

1 Mayor and Council Appointments to Boards and Commissions

Summary

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

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

Expenditure Limit Task Force
Appoint Monica Villalobos, replacing Herb Ely, to serve as Chair of the task force as recommended by Mayor Gallego.

Mayor's Commission on Disability Issues
Appoint Lindsey Corbin, Samuel Damon, Asma Isack and Sophie Rabb as recommended by Mayor Gallego for terms to expire Dec. 31, 2022.

North Mountain Village Planning Committee
Appoint Elizabeth Perez, replacing Fred Hepperle, for a term to expire Nov. 19, 2021, as recommended by Mayor Gallego.
Reappoint Jim Larson, for his seventh term to expire Nov. 19, 2021, as recommended by Councilwoman Stark.

Paradise Valley Village Planning Committee
Appoint Benjamin Stewart for a term to expire Nov. 19, 2021, as recommended by Mayor Gallego.

Phoenix Business Workforce Development Board
Appoint Brenda Schmidt, representing the Small Business category, for a term to expire June 30, 2022, as recommended by Mayor Gallego.

Phoenix Youth and Education Commission
Appoint Michael Andrews, representing the Business and Industry category, for a term to expire Aug. 31, 2021.
Appoint Alexis Apodaca, representing the Youth category, for a term to expire Aug. 31, 2020.
Appoint Carlos Contreras, representing the Secondary Education category, for a term to expire Aug. 31, 2021.
Appoint Lauren Eckstein, representing the Youth category, for a term to expire Aug. 31, 2020.
All of the above appointments are recommended by Mayor Gallego.

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

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

No: 0

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

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

Note: Comment cards were submitted in favor of the following items, with no one wishing to speak:

Mario Rana - Agent, Item 3
Brian Baker - Agent, Item 4
Andrew David McBee - Applicant, Item 9
Kurt Gross - Applicant, Item 12
Jay E. Foster, Item 14
Joe Cantelme - Applicant, Item 17
Ray Megael - Agent, Item 20

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Williams, that Items 2-20 be recommended for approval. The motion carried by the following voice vote:

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

No: 0

2 **Liquor License - Special Event - Hermandad del Senor de los Milagros (Mesa, AZ)**

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

Summary

Applicant
Sofia Vasquez Diaz

Location
10626 N. 43rd Ave.
Council District: 1

Function
Cultural Celebration

Date(s) - Time(s) / Expected Attendance
Feb. 14, 2020 - 8 p.m. to 2 a.m. / 150 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

3 Liquor License - Mia Osteria

Request for a liquor license. Arizona State License Application 86239.

Summary

Applicant
Mario Rana, Agent

License Type
Series 12 - Restaurant

Location
2530 W. Happy Valley Road, Ste. 1271
Zoning Classification: C-2 M-R PCD
Council District: 1

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

The 60-day limit for processing this application is Feb. 1, 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.

State 48 Lager House (Series 12)
15600 N. Hayden Road #A, Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

State 48 Lager House (Series 3)
15600 N. Hayden Road #A, Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are

shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
“I have been managing restaurants for the past 12 years.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“I am bringing a new concept to this area that does not currently exist. I am filling a void for an Italian Restaurant.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Mia Osteria
Liquor License Map - Mia Osteria

This item was recommended for approval.

4 Liquor License - Proper Eats

Request for a liquor license. Arizona State License Application 86483.

Summary

Applicant
Brian Baker, Agent

License Type
Series 12 - Restaurant

Location
9617 N. Metro Pkwy., W., Ste. 2032
Zoning Classification: PUD
Council District: 1

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

The 60-day limit for processing this application is Feb. 3, 2020.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have over 15 years of experience working in bars and restaurants in every role possible, as well as formal training and education from Oregon Culinary Institute where I studied culinary arts in addition to restaurant management. I have previously managed bar operations for 3+ years and have had both the basic and management training for the license. For the past 6 years I have operated my own catering business, and I hold several contracts which renew annually based upon performance; of which over 50% are multi-year clients."

The public convenience requires and the best interest of the community

will be substantially served by the issuance of the liquor license because: "The metro center mall is undergoing a bit of a transformation as traffic returns, and as such there is currently a void for a convenient location to get a quick dinner and drink. This is visually evident on Friday-Sunday evenings when crowds of people gather outside of the movie theater waiting for their showtimes; with the mall and any offerings it had closed. The previous tenant of this location held a liquor license as recent as earlier this year and therefore, issuance of this liquor license shouldn't impact the community adversely."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Proper Eats
Liquor License Map - Proper Eats

This item was recommended for approval.

5 Liquor License - State 48 Rock House Brewery

Request for a liquor license. Arizona State License Application 88054.

Summary

Applicant
Angela Rana, Agent

License Type
Series 12 - Restaurant

Location
2530 W. Happy Valley Road, Ste. 1268
Zoning Classification: C-2 M-R PCD
Council District: 1

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

The 60-day limit for processing this application is Feb. 4, 2020.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I operate a full service restaurant with a bar. I took the required courses online."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I run a family friendly business with exciting menu and community involvement. I will have a staff of 40 employees who will earn a comfortable living."

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 - State 48 Rock House Brewery
Liquor License Map - State 48 Rock House Brewery

This item was recommended for approval.

6 Liquor License - Special Event - Future Forward Foundation, Inc.

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

Summary

Applicant
Ann Chang

Location
1915 W. Thunderbird Road
Council District: 3

Function
Cultural Event

Date(s) - Time(s) / Expected Attendance
Feb. 29, 2020 - 9 p.m. to 1 a.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

7 Liquor License - Special Event - Brophy College Preparatory

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

Summary

Applicant

Annette Thomson

Location
4701 N. Central Ave.
Council District: 4

Function
Dinner

Date(s) - Time(s) / Expected Attendance
March 14, 2020 - 5 p.m. to 9 p.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

8 Liquor License - Special Event - Brophy College Preparatory

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

Summary

Applicant
Annette Thomson

Location
4701 N. Central Ave.
Council District: 4

Function
Dinner

Date(s) - Time(s) / Expected Attendance
March 21, 2020 - 5 p.m. to 11 p.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

9 Liquor License - Special Event - Caledonian Society of Arizona

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

Summary

Applicant
Andrew McBee

Location
300 E. Indian School Road
Council District: 4

Function
Cultural Celebration

Date(s) - Time(s) / Expected Attendance
March 7, 2020 - 9 a.m. to 7 p.m. / 12,000 attendees
March 8, 2020 - 9 a.m. to 5 p.m. / 8,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

10 Liquor License - Special Event - Cancer Support Community - Arizona

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

Summary

Applicant
Jennifer Dreyfuss

Location
360 E. Palm Lane
Council District: 4

Function

Community Event

Date(s) - Time(s) / Expected Attendance
Feb. 29, 2020 - 11 a.m. to 2 p.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

11 Liquor License - Special Event - Cancer Support Community - Arizona

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

Summary

Applicant
Jennifer Dreyfuss

Location
360 E. Palm Lane
Council District: 4

Function
Dinner

Date(s) - Time(s) / Expected Attendance
April 4, 2020 - 5 p.m. to 11 p.m. / 350 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

12 Liquor License - Special Event - Racelookup Foundation, Inc.

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

Summary

Applicant

Daniel Shabra

Location
1875 N. Central Ave.
Council District: 4

Function
Community Event

Date(s) - Time(s) / Expected Attendance
March 21, 2020 - 6 a.m. to 12:30 p.m. / 2,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

13 Liquor License - Special Event - St. Francis Xavier Roman Catholic Parish Phoenix

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

Summary

Applicant
Anne Pierce Sanford

Location
4715 N. Central Ave.
Council District: 4

Function
School Festival

Date(s) - Time(s) / Expected Attendance
March 7, 2020 - 9 a.m. to 3 p.m. / 600 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

14 Liquor License - Special Event - Vivre

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

Summary

Applicant
Stacey Cavaliere

Location
4129 N. 7th Ave.
Council District: 4

Function
Pageant

Date(s) - Time(s) / Expected Attendance
March 7, 2020 - 10 a.m. to 2 a.m. / 500 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

15 Liquor License - Special Event - SS. Simon & Jude Roman Catholic Cathedral Phoenix

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

Summary

Applicant
Phillip Lester

Location
6351 N. 27th Ave.
Council District: 5

Function
Dinner

Date(s) - Time(s) / Expected Attendance
Feb. 22, 2020 - 5 p.m. to 10:30 p.m. / 500 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

16 Liquor License - Special Event - Laveen Community Council

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

Summary

Applicant
Bonnie Carroll

Location
7858 S. 35th Ave.
Council District: 7

Function
Community Event

Date(s) - Time(s) / Expected Attendance
Feb. 8, 2020 - 11 a.m. to 4 p.m. / 4,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

17 Liquor License - Special Event - United Phoenix Fire Fighters Emerald Society, Inc.

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

Summary

Applicant
Joseph Cantelme II

Location
18 W. Monroe St.
Council District: 7

Function
Cultural Event

Date(s) - Time(s) / Expected Attendance
March 17, 2020 - 8 a.m. to 2 a.m. / 1,400 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

18 Liquor License - Special Event - Jupiter Foundation

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

Summary

Applicant
Reno Scott

Location
22 E. Buchanan St.
Council District: 8

Function
Networking Event

Date(s) - Time(s) / Expected Attendance
Feb. 16, 2020 - 7 p.m. to 1 a.m. / 800 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

19 Liquor License - Special Event - Phoenix Children's Chorus

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

Summary

Applicant
Cheryl Mollerup

Location
22 E. Buchanan St.
Council District: 8

Function
Concert

Date(s) - Time(s) / Expected Attendance
March 7, 2020 - 5 p.m. to 10 p.m. / 350 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

20 Liquor License - Gary's Liquor

Request for a liquor license. Arizona State License Application 09073503.

Summary

Applicant
Ray Megael, Agent

License Type
Series 9 - Liquor Store

Location
2131 N. 24th St.
Zoning Classification: C-2
Council District: 8

This request is for an ownership transfer of a liquor license for a liquor

store. This location was previously licensed for liquor sales and may currently operate with an interim permit. This location requires a Use Permit to allow a drive-through window for the sale of alcohol.

The 60-day limit for processing this application is Feb. 7, 2020.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have managed a business for 9 years also worked as Assistant Manager at 7 Eleven. This experience gave me the opportunityof learning the importance and significance of obtaining a liquor license.I am assured to uphold the laws and regulations about liquor license. I have

never been involved in any criminal activity, no record of getting in trouble with law and authorities."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "This store will provide a safe and secure place for the neighborhood to buy alcohol. The location will be convenient for the people in neighborhood who may not have access to transportation. Adding the long time experience of the working in liqour store while upholding all the laws and regulations, the store will be a safe, secure and convenience place for the customer to purchase quality liquor."

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 - Gary's Liquor
Liquor License Map - Gary's Liquor

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: Comment cards were submitted in favor of the following items, with the individuals noting their availability to speak if requested:

Brennon Ray - Applicant, Item 31
Andy Patel, Item 45
Nick Wood, Item 45
Nate Pile, representing Curve Development, Item 64
Chris Colyer, representing Snell & Wilmer, Item 64

A motion was made by Vice Mayor Guardado, seconded by Councilwoman Williams, that Items 21-77 be approved or adopted, except for Items 28, 31, 43, 49, 52, 53, 55 and 77; continuing Items 30 and 45 to the February 5, 2020

City Council Formal Meeting; and noting that Items 24, 29 and 44 are being withdrawn, and Items 74 and 75 are being withdrawn to be readvertised for a Public Hearing at the March 4, 2020 City Council Formal Meeting. The motion carried by the following vote:

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

No: 0

Items 21-27, Ordinance S-46335 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 Plotter Supplies, Inc. doing business as PSI Digital Imaging Solutions

For $11,500.00 in payment authority to purchase HP DesignJet PostScript Printers for the Geographic Information System Technicians from the Fire Department. This equipment is used to print out large size maps and architectural drawings and educational posters to present information to the public or City Council. Additionally, equipment is used to print dispatch maps for event planning needs for Homeland Security and the Emergency Management Office. This equipment is necessary to support the Phoenix Fire Department's effort to provide life safety services to the public.

This item was adopted.

22 Settlement of Claim(s) Tran v. City of Phoenix

To make payment of up to $27,380.00 in settlement of claim(s) in *Tran v. City of Phoenix*, GL, PD, 18-0843-002, for the Finance Department pursuant to Phoenix City Code chapter 42.

This item was adopted.

23 Settlement of Claim(s) Lynch v. City of Phoenix

To make payment of up to $50,000.00 in settlement of claim(s) in *Lynch v. City of Phoenix,* Maricopa County Superior Court, case number CV2019-056267, 18-0300-002 AU BI, for the Finance Department pursuant to Phoenix City Code chapter 42.

This item was adopted.

24 Custom X-Ray Service, Inc.

For $80,000.00 in payment authority for a new contract, entered on or about Feb. 1, 2020, for a term of five years, to purchase a Digital Radiology Suite for the Fire Department. The equipment is needed to remain in compliance and is used to assist Fire Department members who are required by the National Fire Protection Association's 1582 Standards on Comprehensive Occupational Program for Firefighters, to have chest radiographs taken for their physicals. The Phoenix Fire Department Health Center's current X-Ray machine is an older model and is no longer supported. Custom X-Ray Service will provide the installation, set up and training of new digital x-ray system, along with the removal of existing digital x-ray equipment. The ability to perform inhouse radiographs, for firefighter physicals and for the diagnosis and treatment of firefighter injuries, drastically reduces out of service times for our first responders and helps in expediting diagnosis, allowing firefighters to receive the treatment needed for their injuries and assisting to speed recovery.

This item was withdrawn.

25 Comtech Solacom Technologies, Inc.

For $50,000.00 in payment authority to purchase Emergency Services 9-1-1 answering equipment software and services as well as installation and training which includes an Internet Protocol (IP) Network (ESInet) for the Fire Department. The Finance Department is currently negotiating the cooperative linking agreement with Comtech Solacom Technologies, Inc. Because the new cooperative linking agreement will not be in place by January 2020, this one-time purchase must be made now to avoid any disruption of the 9-1-1 regional dispatch system due to age of critical equipment, to meet the State-mandated installation requirements, and also serve 9-1-1 regional dispatch partners in neighboring Maricopa

region municipalities. The equipment software and services are vital in responding to residents and other emergencies throughout the City and region.

This item was adopted.

26 Mary Stevens, PLLC

For $75,000.00 in payment authority for a new contract, entered into on or about Feb. 1, 2020 for a term of 10 months until Nov. 30, 2020 to perform hearing officer services, conduct hearings, and prepare findings and recommendations for the Civil Service Board's review and approval.

This item was adopted.

27 International Public Management Association-HR

For $36,100.00 in payment authority for a new contract, entered into on or about Feb. 1, 2020 for a term of one year and one option year to provide the Human Resources Department with assessment services for applicants applying for Public Safety positions. Services include online test administration services, live remote proctoring, and study guides.

This item was adopted.

29 (CONTINUED FROM DEC. 18, 2019) - Software Value-Added Reseller Services - State of Arizona Cooperative Contract (Ordinance S-46259)

Request to authorize the City Manager, or his designee, to authorize additional expenditures for established Contract 144228 with CDW Government LLC in an amount of $26,652,330 to purchase software, volume licenses, and enterprises license agreements through April 7, 2021. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The additional amount will be used for citywide departments for software and annual software support and maintenance. Examples of the software and enterprise agreements include the City's Microsoft Enterprise Agreement, which includes the Microsoft Office suite, as well as Outlook for email and SharePoint for the City's website. This contract will also be used to purchase new and continuing IT security software to protect the City’s systems, such as endpoint protection, security monitoring, advanced email security tools, and multi-factor

authentication/single-sign-on solutions. Additional software purchased through this contract include mobile and desktop applications; databases; storage and backup; business intelligence solutions; software for servers and other IT infrastructure; and ongoing maintenance, support, and professional services for software implementation and upgrade projects. In addition to providing cost savings from volume discounts, utilizing the value-added reseller contract provides the City with additional benefits for implementing and upgrading software solutions, including providing evaluation copies, product comparisons, proofs-of-concept, needs analysis, product information and application recommendations.

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

Financial Impact

With the $26,652,330 in additional funds, the contract's revised aggregate value is approximately $58.6 million. Funds are available in City departments' budgets with the most expected usage from the Information Technology Services, Police, Water, Aviation, Public Transit and Fire departments.

Concurrence/Previous Council Action

Contract 144228 was approved by Formal Council Action on Dec. 14, 2016.

This item was withdrawn.

30 Software Value-Added Reseller Services - State of Arizona Cooperative Contract (Ordinance S-46331)

Request to authorize the City Manager, or his designee, to authorize additional expenditures for established Contract 144228 with CDW Government LLC in addition to access State of Arizona Cooperative Contract CTR046099 with SHI International Corporation to purchase software, volume licenses, and enterprises license agreements through April 7, 2021. The total amount will not exceed $26,652,330 for purchases made from these contracts. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The additional amount will be used for citywide departments' software

and annual software support and maintenance purchases. Examples of the software and enterprise agreements include the City's Microsoft Enterprise Agreement, which includes the Microsoft Office suite, as well as Outlook for email and SharePoint for the City's website. This contract will also be used to purchase new and continuing IT security software to protect the City’s systems, such as endpoint protection, security monitoring, advanced email security tools, and multi-factor authentication/single-sign-on solutions. Additional software purchased through this contract includes mobile and desktop applications; databases; storage and backup; business intelligence solutions; software for servers and other IT infrastructure; and ongoing maintenance, support, and professional services for software implementation and upgrade projects. In addition to providing cost savings from volume discounts, utilizing the value-added reseller contract provides the City with additional benefits for implementing and upgrading software solutions, including providing evaluation copies, product comparisons, proofs-of-concept, needs analysis, product information and application recommendations.

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

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded through a process, as set forth in the Phoenix City Code, Chapter 43. Utilization of cooperative agreements allows the City to benefit from national government pricing and volume discounts.The State of Arizona contract covers software value-added reseller services, and the City adopted the contract in 2016 with CDW Government LLC for an amount not to exceed $35 million. The State of Arizona awarded the contract to SHI International Corporation as well on Sept. 9, 2019.

Financial Impact

With the $26,652,330 in additional funds, the contract's revised aggregate value is approximately $58.6 million. Funds are available in City departments' budgets with the most expected usage from the

Information Technology Services, Police, Water, Aviation, Public Transit and Fire departments.

Concurrence/Previous Council Action
Contract 144228 was approved by Formal Council Action on Dec. 14, 2016.

This item was continued to the February 5, 2020 City Council Formal Meeting.

32 Grant of Public Utility Easements on City-Owned Property for the Papago Sports Complex Conductor Replacement (Ordinance S-46310)

Request City Council to grant public utility easements, for consideration of $1, for replacement of the existing defective conductor with a new conductor that will consist of new underground conduit-encased cables and electrical distribution lines that feed from the existing pull box and transformer, on a portion of City-owned property in the Salt River Project (SRP) service area, and further ordering the Ordinance recorded. The public utility easements are required for the installation of equipment that provides electrical power to the Papago Sports Complex.

Summary
The public utility easements are more fully described in the legal descriptions recorded with the Ordinance, and will be granted to all public service corporations, agricultural improvement districts, and telecommunication corporations providing utility service (collectively "Grantee"), in perpetuity so long as Grantee uses the Easement Premises for the purposes herein specified, for an indefinite period, subject to the following terms and conditions:

Grantee is hereby granted the right to construct, reconstruct, replace, repair, operate and maintain utility facilities together with appurtenant fixtures for use in connection therewith (collectively "Grantee Facilities") to, through, across and beyond Grantor's property within the Easement Premises. Subject to the notice requirements provided in paragraph "I," Grantee shall at all times have the right of full and free ingress and egress to and along the Easement Premises for the purposes herein specified. Grantee acknowledges and accepts that Grantee shall share the Easement Premises with other Grantees and

shall use such Easement Premises with other Grantees in accordance with and consistent with industry standards and customs for shared use. Grantor agrees to coordinate the location of Grantee's Facilities within the Easement Premises and to pay costs for relocation of Grantee's Facilities as provided in paragraph "F."

Grantor shall not locate, erect or construct, or permit to be located or erected or constructed, any building or structure within the limits of the Easement Premises. However, Grantor reserves all other rights, interests, and uses of the Easement Premises that are not inconsistent with Grantee's easement rights herein conveyed and which do not interfere with or endanger any of the Grantee Facilities. Notwithstanding the foregoing, Grantor shall not have the right to lower by more than one foot or raise by more than two feet the surface grade of Easement Premises without the prior written consent by the Grantee whose facilities will be affected by the change of elevation.

Grantee shall not have the right to use the Easement Premises to store gasoline or petroleum products, hazardous or toxic substances, or flammable materials; provided, however, that this prohibition shall not apply to any material, equipment or substance contained in, or a part of, the Grantee Facilities, provided that Grantee must comply with all applicable federal, state and local laws and regulations in connection therewith. Additionally, the Easement Premises may not be used for storage of construction related materials or to park or store construction-related vehicles or equipment except on a temporary basis to construct, reconstruct, replace, repair, operate, or maintain the Grantee Facilities.

Grantor shall maintain an appropriate three-foot clear area around all edges of all equipment pads for Grantee Facilities in addition to a clear operational area that extends 10 feet immediately in front of all transformer or switching cabinet openings, within the Easement Premises. No obstruction, trees, shrubs, fixtures, or permanent structures shall be placed or permitted by Grantor within said areas. Grantee is hereby granted the right to trim, prune, cut, and clear away trees, brush, shrubs, or other obstruction within said areas.

Grantee shall exercise reasonable care to avoid damage to the Easement Premises and all improvements thereon and agrees that following any work or use by Grantee within the Easement Premises, the affected area, including without limitation, all pavement,

landscaping, concrete and other improvements permitted within the Easement Premises pursuant to these easements will be restored by Grantee to as close to original condition as is reasonably possible, at the expense of Grantee.

Grantor reserves the right to require relocation of Grantee Facilities to a new location within Grantor's property; provided however, that: (1) Grantor pays the entire cost of redesigning and relocating existing Grantee Facilities to the new location; and (2) Grantor provides Grantee with a new and substantially similar public utility easement(s) at no cost to Grantee. After relocation of Grantee Facilities to the new easement(s) area, Grantee shall abandon its rights to use the Easement Premises granted in these easements without cost or consequence to Grantor.

Each public service corporation and telecommunication services corporation as a Grantee shall coordinate and work with other grantees in the use of the Easement Premises. In the event that a third party or other Grantee requests relocation of existing Grantee Facilities to a new location (whether or not) within the Easement Premises, the requesting party shall pay the entire cost of redesigning and relocating the existing Grantee Facilities.

Grantee shall not have the right to transfer, convey or assign its interests in these easements to any individual, corporation, or other entity without the prior written consent of Grantor, which consent shall not be unreasonably withheld. Grantee shall notify Grantor of any proposed transfer, conveyance or assignment of any rights granted herein at address listed below.

Except in emergencies or exigent circumstances such as service restoration, Grantee agrees to contact Grantor at least one business day prior to Grantee's entrance onto the Easement Premises where the Easement Premises are located: (1) on a site that includes Aviation Department facilities; (2) Water Services Department water and wastewater treatment facilities; (3) Police Department headquarters located at 620 W. Washington St.; (4) Fire Department headquarters located at 150 S. 12th St.; (5) City Hall located at 200 W. Washington St.; (6) City Court Building located at 300 W. Washington St.; (7) Calvin C. Goode Building located at 251 W. Washington St.; (8) Transit Operations Center located at 320 N. 1st Ave. or West Transit Facility located at 405 N. 79th Ave.; or (9) in a secured or

fenced area.

Location
Maricopa County Assessor Parcel Number 129-38-001C, south of Holly Street and east of 64th Street.
Council District: 6

This item was adopted.

33 Acceptance and Dedication of Easements for Public Utility, Sidewalk, Roadway and Multi-Use Trail Purposes (Ordinance S-46321)

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

Summary
Accepting and dedicating 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: Union Park At Norterra Community Association, Inc., its successor and assigns
Purpose: Public Utility
Location: SWC 19th Avenue and Jomax Road
File: FN 190131
Council District: 1

Easement (b)
Applicant: 770 T-Bird Realty, LLC, its successor and assigns
Purpose: Public Utility
Location: 770 E. Thunderbird Road
File: FN 190124
Council District: 3

Easement (c)
Applicant: SAI Phoenix Hospitality, LLC, its successor and assigns
Purpose: Public Utility
Location: 4130 N. Black Canyon Highway

File: FN 190133
Council District: 4

Easement (d)
Applicant: SAI Phoenix Hospitality, LLC, its successor and assigns
Purpose: Sidewalk
Location: 4130 N. Black Canyon Highway
File: FN 190133
Council District: 4

Easement (e)
Applicant: 500 East Thomas LLC, its successor and assigns
Purpose: Sidewalk
Location: 500 E. Thomas Road
File: FN 190134
Council District: 4

Easement (f)
Applicant: Andrew F. Halaby and Ann M. Halaby, as trustees of the AMH & AFH Trust Agreement Dated October 20, 2015, its successor and assigns
Purpose: Roadway
Location: 4802 E. Lafayette Blvd.
File: FN 190122
Council District: 6

Easement (g)
Applicant: Tuck L. Bettin and Jeanette M. Bettin, Trustees of Bettin Revocable Family Trust Agreement dated July 8, 2019, its successor and assigns
Purpose: Roadway
Location: 4461 N. Launfal Ave.
File: FN 190125
Council District: 6

Easement (h)
Applicant: Amerco Real Estate Company, its successor and assigns

Purpose: Multi-Use Trail
Location: 336 E. Baseline Road
File: FN 190117
Council District: 7

This item was adopted.

34 Acceptance of Easements for Drainage Purposes (Ordinance S-46322)

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

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

Easement (a)
Applicant: Elux Deer Valley Project, LLC, its successor and assigns
Purpose: Drainage
Location: 1717 W. Happy Valley Road
File: FN190116
Council District: 1

Easement (b)
Applicant: Tatum & Dynamite Self Storage Partners, LLC, its successor and assigns
Purpose: Drainage
Location: 4725 E. Dynamite Blvd.
File: FN190100
Council District: 2

This item was adopted.

35 Acquisition of Real Property for Bike and Pedestrian Improvement Project at 12th Street and Oak Street (Ordinance S-46320)

Request to authorize the City Manager, or his designee, to acquire all real property and related property interests by donation, purchase within the City's appraised value, or by the power of eminent domain required for a bike and pedestrian improvement project at 12th and Oak streets. Further request authorization to dedicate land with roadway and/or public

improvements to public use for right-of-way purposes via separate recording instrument. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Acquisition of real property is required for construction of improvements including new Americans with Disabilities Act (ADA) accessible sidewalks and ramps, curbing, gutter, bike lanes, and micro-seal pavement. The improvements will enhance the road and sidewalk conditions for pedestrians and bicyclists.

The parcels affected by this project and included in this request are identified by Maricopa County Assessor's Parcel Number (APN) 117-22-001 located at 2305 N. 12th St. and APN 117-26-027A located at 1197 E. Oak St.

Financial Impact

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

Location

12th Street and Oak Street
Council District: 4

This item was adopted.

36 Voluntary Acquisition of Real Property Located at 627 S. 9th Place and 2339 S. 13th St. (Ordinance S-46323)

Request to authorize the City Manager, or his designee, to acquire real property located at 627 S. 9th Place and 2339 S. 13th St. voluntarily within the City's appraised value, plus usual and customary closing costs. Further request authorization for the City Controller to disburse, and for the City Treasurer to accept, all funds related to this item.

Summary

The properties to be acquired are located within Aviation's Land Reuse Strategy Area under the Airport Land Use Plan. This area consists of 166 acres of Aviation-controlled land, ready for redevelopment pursuant to feedback from the Federal Aviation Administration and the adopted implementation plan. Aviation, in partnership with the Community and

Economic Development Department, desires to voluntarily acquire remaining privately-owned parcels as they become available, to create economically viable and marketable sites.

The parcels included in this request are identified by Maricopa County Assessor's parcel numbers (APN) and address:

116-37-041 located at 627 S. 9th Place
115-36-020 located at 2339 S. 13th St.

Financial Impact
Funding is available in the Aviation Department's Capital Improvement Program.

Concurrence/Previous Council Action
The Land Reuse Strategy and Airport Land Use Plan were approved at the City Council Policy Session on Oct. 23, 2018 by a vote of 8-0.

Location
627 S. 9th Place and 2339 S. 13th St.
Council District: 8

This item was adopted.

37 Acceptance and Dedication of Right-of-Way Abandoned by Arizona Department of Transportation (ADOT) Resolution 2019-11-A-039 (Ordinance S-46328)

Request for the City Council to accept and dedicate to public use right-of-way abandoned by ADOT Resolution 2019-11-A-039; further ordering the ordinance recorded.

Summary
The right-of-way is no longer needed by ADOT for state transportation purposes, and the City will accept jurisdiction, ownership and maintenance responsibilities, subject to appurtenant, existing access control, which shall remain intact and under ADOT control. Costs of the additional maintenance are not significant.

A map depicting the right-of-way can be found in **Attachment A**. The ADOT Resolution will be recorded with the Maricopa County Recorder.

Location
2019-11-A-039 is located along the north side of Interstate-10 between 38th Drive and 35th Avenue.
Council District: 4

This item was adopted.

38 Safety Equipment and Supplies - Requirements Contract (Ordinance S-46325)

Request to authorize the City Manager, or his designee, to enter into a contract with Arizona Glove & Safety, Inc., to provide personal protective equipment and supplies required to protect employees from harm or injury in Citywide departments in an amount not to exceed $2,000,000 over five years, or approximately $400,000 annually. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
Adopting the new Maricopa County contract will allow the City to purchase personal protective equipment and supplies, which may include, but are not limited to: safety glasses, ear plugs, gloves, hard hats, first aid kits, and other general safety supplies, required to prevent harm or injury to City employees in departments Citywide. The primary departments utilizing the safety contracts are: Aviation, Fire, Parks and Recreation, Public Works, Street Transportation, and Water Services. Approximately 58 percent of the contract spend is used by enterprise funds.

Procurement Information
By adopting Maricopa County's cooperative agreement, the City benefits from the cooperative contract rates competitively solicited by Maricopa County.

Contract Term
The five-year contract period will begin Feb. 1, 2020.

Financial Impact
The aggregate five-year contract value shall not exceed $2,000,000, or approximately $400,000 annually. The contract value is based on historical spend. Funds are available in City of Phoenix Operating

departments' budgets.

This item was adopted.

39 Increase Expenditure Authority and Extend Non-Safety Uniform Items (Citywide) - IFB 15-027 (Ordinance S-46329)

Request to authorize the City Manager, or his designee, to extend contracts 140151 with Ace Uniforms of Phoenix, 140152 with Arizona Uniform and Apparel, and 140150 with International Corporate Apparel, Inc, on a month-to-month basis for up to one year, and allow additional expenditures of $700,000 for the purchase of non-safety uniform items as needed by Citywide departments. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

These contracts provide non-safety uniform items for use by Citywide departments. Uniforms are given to employees to wear during their assigned work duties and when necessary, items are replaced. The uniform items provided under these contracts include shirts, pants, jackets, and coats. The employees who receive these uniforms work in a variety of areas that include, for example, electricians, solid waste equipment operators, foremen, street maintenance workers, meter readers, and air-side Aviation employees.

Finance is currently evaluating how to re-solicit the contracts with the emphasis of streamlining the purchase process for both the City and the vendors, while being cost effective. Significant department users of these contracts include the Public Works, Water, Aviation, and Convention Center departments. In order to ensure City services are not interrupted, it is in the best interest of the City to extend the Non-Safety Uniform Items contracts beyond the maximum extension period and allow additional expenditures.

Contract Term

Upon approval, the contracts shall be extended on a month-to-month basis, not to exceed 12 months, through Feb. 27, 2021.

Financial Impact

Upon approval of $700,000 in additional expenditures, the revised aggregate value shall not exceed $4,464,500.40. Funds are available in

various department's budgets.

Concurrence/Previous Council Action
These contracts are a result of IFB 15-027 previously awarded on Feb. 28, 2015.

This item was adopted.

40 Increase Expenditure Authority and Extend Safety Related Uniform Items (Citywide) - IFB 15-162 (Ordinance S-46330)

Request to authorize the City Manager, or his designee, to extend contracts 140540 with Arizona Uniform and Apparel; 140781 with AGS Safety and Supply; 140541 with Ramstar Mills Inc; 140538 with Tyndale Company, Inc; and 140539 with Asia Trading International dba Unipro International, on a month-to-month basis for up to one year, and allow additional expenditures of $300,000 for the purchase of non-safety and safety related uniform items as needed by Citywide departments. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
These contracts provide safety-related uniform items for use by Citywide departments, including the purchase of Fire Department uniforms and accessories, and arc-rated (formerly flame resistant), and reflective and high visibility uniforms for employees. Arc-rated clothing is critical in protecting employees from arc-flash burn hazards; high visibility and reflective clothing protects employees where additional visibility is required such as in low light or dark environments on public roads. Uniforms are given to employees to wear during their assigned work duties and include new and replacement items such as shirts, pants, jackets, and coats. The employees who receive these uniforms work in a variety of areas that include, for example, firemen and women, electricians, solid waste equipment operators, foremen, street maintenance workers, meter readers, and air-side Aviation employees.

Finance is currently evaluating how to re-solicit the contracts with the emphasis of streamlining the purchase process for both the City and the vendors, while being cost effective. Significant department users of these contracts include the Fire, Water Services, Aviation, and Street Transportation departments. In order to ensure City services are not

interrupted, it is in the best interest of the City to extend the Safety Related Uniform Items contracts beyond the maximum extension period and allow additional expenditures.

Contract Term
Upon approval, the contracts shall be extended on a month-to-month basis, not to exceed 12 months, through Feb. 27, 2021.

Financial Impact
Upon approval of $300,000 in additional expenditures, the revised aggregate value shall not exceed $1,535,000. Funds are available in various department's budgets.

Concurrence/Previous Council Action
These contracts are a result of IFB 15-162, previously awarded on May 14, 2015.

This item was adopted.

41 Request for City Council to Call to Meet in Executive Session on April 1, 2020 at 1 p.m. and Cancel the April 7, 2020 Executive Session

Request for the City Council to call to meet in Executive Session pursuant to Arizona Revised Statutes (A.R.S.), section 38-431.03.A, on Wednesday, April 1, 2020 at 1 p.m. in the East Conference Room, 12th Floor of Phoenix City Hall, 200 W. Washington St., Phoenix, Arizona. Also request the City Council to cancel the Executive Session previously called for April 7, 2020.

Public Outreach
The Notice and Agenda for the April 1, 2020 Executive Session will be posted no later than 1 p.m. on March 30, 2020, pursuant to A.R.S. section 38-431.02.

This item was approved.

42 Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-46317)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Sandra Lopez in the amount of $10,733.13 to the

Arizona State Retirement System, and further request authorization for the City Controller to disburse funds.

Summary

Pursuant to Arizona Revised Statutes, sections 38-730 and 38-922, retirement service credits for former members of the City of Phoenix Employees' Retirement System (COPERS) may be transferred to the Arizona State Retirement System (ASRS) upon approval by the Council. The following former City of Phoenix employee has requested transfer of the balance of their credited service:

Lopez, Sandra: $10,733.13

Concurrence/Previous Council Action

This item was approved by the COPERS Board at the Jan. 9, 2020 meeting.

This item was adopted.

44 (CONTINUED FROM JAN. 8, 2020) - Development Agreement with NIXDT, LLC for Development of Property Located at 117, 125, 133 and 141 E. Jackson St. in Downtown Phoenix (Ordinance S-46301)

Request to authorize the City Manager, or his designee, to enter into a development agreement, lease agreement, easements and other agreements as necessary (Agreements), with NIXDT, LLC, or its City-approved designee (Developer), for the development of a six-story hotel located at 117, 125, 133, and 141 E. Jackson St. that will incorporate and reactivate the historic Fuller (W.P.) Paint Company Warehouse as the hotel lobby, and for the City Treasurer to accept funds related to this item. The Project will have no financial impact to the General Fund.

Summary

On July 1, 2019, the Developer submitted its proposal in response to the 2017-18 Downtown Development Request for Proposals (RFP) requesting the City's consideration of a Government Property Lease Excise Tax (GPLET) transaction for the development of a hotel project that will incorporate and reactivate the historic Fuller Paint Company Warehouse located at 117 E. Jackson St. as the hotel lobby. The new hotel will be built on a parking lot located east of the Fuller Paint Company Warehouse at 125, 133 and 141 E. Jackson St. The project

will bring an additional hotel option to an area of downtown that has limited lodging options and support the renovation and rehabilitation of a historic building.

If approved, the project will result in an approximately six-story, 140-room hotel; renovation and rehabilitation of the Fuller Paint Company Warehouse as the hotel lobby; and 23 parking spaces (Project) on the approximately 27,500 square foot property. An extensive renovation is necessary for the Fuller Paint Company Warehouse including a new roof and roof decking, paint removal, brick repair, overhaul of the building's structural support and window replacement. The rehabilitation costs are estimated between $1.17 million and $1.45 million. The Fuller Paint Company Warehouse and adjacent lot are currently vacant. The proposed Project will bring a capital investment of approximately $21 million to the downtown community and create approximately 100 construction jobs and 30 permanent jobs. Upon issuance of a certificate of occupancy for the Project, and other terms and conditions specified in the Agreements, the Developer will convey title of the property to the City, and the City will lease the property back to the Developer for a term not to exceed eight years for an annual rent as detailed below. The GPLET on the project will be abated for up to eight years from the date of the certificate of occupancy.

Procurement Information
An evaluation panel, consisting of a representative from the Warehouse District and City staff from both the Community and Economic Development Department and the Office of Historic Preservation, was convened earlier this summer to review the proposal. The panel unanimously recommended the City begin negotiations with the Developer.

Contract Term
The lease will be for eight years upon issuance of the certificate of occupancy. There are no extensions to the proposed lease, and upon conclusion of the term, ownership of the property will be transferred back to the Developer. The Developer will have the ability to terminate the lease at any time subject to the terms of the Agreements.

Financial Impact

The Project will have no financial impact to the General Fund. The estimated one-time construction tax revenue to the City is approximately $175,000, plus an estimated annual hotel tax revenue generation of approximately $270,000 at stabilization. The Developer will pay an annual rent to the City starting at $25,000 in year one and escalating by $25,000 every subsequent two years of the lease. The rent payments will be deposited in the Downtown Community Reinvestment Fund.

Concurrence/Previous Council Action

This item was recommended for approval by the Workforce and Economic Development Subcommittee at the Dec. 3, 2019 meeting by a vote of 3-1.

Public Outreach

Staff presented to the Warehouse District on Nov. 19, 2019 and the Downtown Voices Coalition on Dec. 14, 2019. The Developer also met with the Phoenix Elementary School District No. 1 and the Phoenix Union High School District.

Location

117, 125, 133 and 141 E. Jackson St. (southwest corner of 2nd and Jackson streets)
Council District: 7

This item was withdrawn.

45 Development Agreement and Lease with NIXDT, LLC for Development of Property Located at 117, 125, 133 and 141 E. Jackson St. in Downtown Phoenix (Ordinance S-46333)

Request to authorize the City Manager, or his designee, to enter into a development agreement, lease agreement, easements and other agreements as necessary (Agreements), with NIXDT, LLC, or its City-approved designee (Developer), for the development of a six-story hotel located at 117, 125, 133 and 141 E. Jackson St. that will incorporate and reactivate the historic Fuller (W.P.) Paint Company Warehouse as the hotel lobby, and for the City Treasurer to accept funds related to this item. The project will have no financial impact to the General Fund.

Summary

On July 1, 2019, the Developer submitted its proposal in response to the 2017-18 Downtown Development Request for Proposals (RFP) requesting the City's consideration of a Government Property Lease Excise Tax (GPLET) transaction for the development of a hotel project that will incorporate and reactivate the historic Fuller Paint Company Warehouse located at 117 E. Jackson St. as the hotel lobby. The new hotel will be built on a parking lot located east of the Fuller Paint Company Warehouse at 125, 133 and 141 E. Jackson St. The project will bring an additional hotel option to an area of downtown that has limited lodging options and support the renovation and rehabilitation of a historic building.

If approved, the project will result in an approximately six-story, 140-room hotel; renovation and rehabilitation of the Fuller Paint Company Warehouse as the hotel lobby; and 23 parking spaces (Project) on the approximately 27,500 square foot property. An extensive renovation is necessary for the Fuller Paint Company Warehouse including a new roof and roof decking, paint removal, brick repair, overhaul of the building's structural support and window replacement. The rehabilitation costs are estimated between $1.17 million and $1.45 million. The Fuller Paint Company Warehouse and adjacent lot are currently vacant. The proposed Project will bring a capital investment of approximately $21 million to the downtown community and create approximately 100 construction jobs and 30 permanent jobs. Upon issuance of a Certificate of Occupancy for the Project, and other terms and conditions specified in the Agreements, the Developer will convey title of the property and improvements to the City, and the City will lease the property and improvements back to the Developer for a term not to exceed eight years for an annual rent as detailed below. The GPLET on the project will be abated for up to eight years from the date of the Certificate of Occupancy for the Project.

Procurement Information

An evaluation panel, consisting of a representative from the Warehouse District and City staff from both the Community and Economic Development Department and the Office of Historic Preservation, was convened earlier this summer to review the proposal. The panel

unanimously recommended the City begin negotiations with the Developer.

Contract Term
The lease will be for eight years upon issuance of the certificate of occupancy. There are no extensions to the proposed lease, and upon conclusion of the term, ownership of the property will be transferred back to the Developer. The Developer will have the ability to terminate the lease at any time subject to the terms of the Agreements.

Financial Impact
The Project will have no financial impact to the General Fund. The estimated one-time construction tax revenue to the City is approximately $175,000, plus an estimated annual hotel tax revenue generation of approximately $270,000 at stabilization. The Developer will pay an annual rent to the City starting at $10,000 in year one and escalating incrementally to a year eight annual rent of $65,000 for a total of $300,000 over the term of the lease. The rent payments will be deposited into the Downtown Community Reinvestment Fund.

Concurrence/Previous Council Action
This item was recommended for approval by the Workforce and Economic Development Subcommittee at the Dec. 3, 2019 meeting by a vote of 3-1.

Public Outreach
Staff presented to the Warehouse District on Nov. 19, 2019 and the Downtown Voices Coalition on Dec. 14, 2019. The Developer also met with the Phoenix Elementary School District No. 1 and the Phoenix Union High School District.

Location
117, 125, 133 and 141 E. Jackson St. (southwest corner of 2nd and Jackson streets)
Council District: 7

This item was continued to the February 5, 2020 City Council Formal Meeting.

46 Utilize State of Arizona Cooperative Contract for Ammunition Products Statewide - BPM000781 (Ordinance S-46309)

Request to authorize the City Manager, or his designee, to allow the use of the State of Arizona's Cooperative Contract BPM000781 with Ammo Inc., Dooley Enterprises, Inc., and San Diego Police Equipment, Inc. for the supply of ammunition. Further request the City Controller to disburse all funds related to this item. The aggregate contract value is $6,300,000.

Summary

The Police Department, Firearms Training Detail provides both training and duty ammunition to the entire department. Patrol and specialty details, such as the Special Assignments Unit (SAU), utilize a variety of handguns, shotguns and rifles during their duty assignment, which require various types of ammunition.

Frangible and simunition training ammunition are designed for marksmanship training at an outdoor range. Frangible is lead free and is designed for use at the indoor ranges at the precincts/bureaus. Simunition, or marking and non-marking cartridges, are used for scenario-based training conducted at the Phoenix Regional Police Academy's Tactical Village and the driving track. Training ammunition is expended in significantly higher quantities and is designed to mimic the accuracy and reliable functioning of duty ammunition but is less expensive.

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded through a competitive process consistent with the City's procurement process, as set forth in the Phoenix City Code, chapter 43. The State of Arizona's contract covers the purchase of ammunition products statewide for the Police Department. The State of Arizona's contract was awarded on July 1, 2018. The use of this cooperative will provide the City national discounts on these products and services.

Contract Term

The five-year contract term will begin on or about Feb. 1, 2020 and end on or about Jan. 31, 2025.

Financial Impact

The aggregate contract value will not exceed $6,300,000. Funds are available in the Police Department's budget.

This item was adopted.

47 One-Time Purchase of State-Mandated 9-1-1 Call Processing Equipment and Support Services (Ordinance S-46314)

Request to authorize the City Manager, or his designee, to allow the one-time purchase of Emergency Services 9-1-1 answering equipment software and services for the Phoenix Fire Department’s Regional 9-1-1 Services. In July 2019, the State of Arizona transferred this significant management and procurement responsibility to the City of Phoenix Fire Department. This will be a one-time expenditure of $150,000 with Motorola Solutions, Inc. in order to meet critical regional 9-1-1 needs. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Fire Department seeks to purchase Emergency Services 9-1-1 answering equipment software and services as well as installation and training which includes an Internet Protocol Network. The Finance Department is currently negotiating the cooperative linking agreement with Motorola Solutions, Inc. Because the new cooperative linking agreement will not be in place by January 2020, this one-time purchase must be made now in order to meet the State-mandated installation requirements. This one-time purchase will serve 9-1-1 regional dispatch partners in neighboring Maricopa region municipalities. The equipment software and services are vital in responding to residents and other emergencies throughout the City and region.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved Determination Memo for alternative competition to use cooperative agreement RA05-18 for 9-1-1 Call Processing Equipment and Support for the Regional 9-1-1 Services Emergency Services awarded by Houston-Galveston Area Council that began on May 1, 2018.

Contract Term
For continuation of services and to avoid any disruption of the 9-1-1 regional dispatch system due to age of critical equipment, the one-time purchase must be made in January 2020.

Financial Impact
Expenditures will not exceed $150,000. Funds are available in the Fire Department's budget.

This item was adopted.

48 RMS Enhancements - National Incident-Based Reporting System (NIBRS) (Ordinance S-46324)

Request to authorize the City Manager, or his designee, to extend Contract 146585 through Dec. 20, 2020 with Intergraph Corp. DBA Hexagon Safety & Infrastructure and add additional funds in the amount of $34,000 for the Phoenix Police Department (PPD). Further request authorization for City Controller to disburse all funds related to this item.

Summary
The PPD is continuing the transition from the Uniform Crime Reporting (UCR) Summary reporting to UCR National Incident-Based Reporting System by implementing enhancements to the Police Records Management System. The Federal Bureau of Investigations (FBI) requires all public safety agencies to transition to UCR NIBRS reporting by 2020. This contract and additional funds are neccessary to continue the NIBRS enhancements and meet the 2020 transition deadline required by the FBI.

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

Financial Impact
With the $34,000 in additional funds, the contract's revised aggregate value is now $153,000. Funds are available in the Phoenix Police Department's budget.

This item was adopted.

50 Scenario 3B Transmission Main Rehabilitation Project -

Construction Manager at Risk Preconstruction and Construction Services - WS85507008 (Ordinance S-46312)

Request to authorize the City Manager, or his designee, to enter into an agreement with Kiewit Infrastructure West Co, (Kiewit) to provide Construction Manager at Risk (CMAR) Construction Services for the Scenario 3B Transmission Main Rehabilitation project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $36.2 million.

Summary

The purpose of this project is to rehabilitate or relocate 3.2 miles of existing 48-inch pre-stressed concrete cylinder pipe transmission main extending north from Orangewood Avenue and 20th Street to 26th Street and East Shea Boulevard in its existing alignment. This project will first evaluate steel slip-line rehabilitation and possible replacement options. The CMAR will perform steel slip-line rehabilitation or possible replacement services as required along the 3.2 miles of transmission main.

Kiewit will begin in an agency support role for CMAR preconstruction services. Kiewit will assume the risk of delivering the project through a Guaranteed Maximum Price (GMP) agreement. Kiewit's preconstruction services include but are not limited to: providing detailed cost estimating and identification of marketplace conditions; planning and scheduling project/construction phases to minimize interruption to City operations; evaluating alternate systems; providing constructability studies; advising on potential efficiencies in project delivery; performing and initiating long-lead studies and procurements; and assisting in permitting processes. An SBE goal will be established for this project upon substantial completion of preconstruction services and prior to the start of construction.

Kiewit will then transition to preparation of a GMP proposal for the Construction Services provided under the agreement and participate with the City in a process to establish a Small Business Enterprise (SBE) goal for the project. Kiewit will be responsible for construction means and

methods related to the project and fulfilling the SBE program requirements. Kiewit will be required to solicit bids from prequalified subcontractors and to perform the work using the City's subcontractor selection process. Kiewit may also compete to self-perform limited amounts of work.

Kiewit's 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.

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 award. Three firms submitted proposals and are listed below.

Selected Firm
Rank 1: Kiewit Infrastructure West Co.

Additional Proposers
Rank 2: Achen-Gardner Construction, LLC
Rank 3: Blucor Contracting, Inc.

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

Financial Impact
The agreement value for Kiewit will not exceed $36.2 million, including all subcontractor and reimbursable costs.

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

Location
North from Orangewood Avenue and 20th Street to 26th Street and East Shea Boulevard
Council Districts: 3 and 6

This item was adopted.

51 Scenario 3B Transmission Main Rehabilitation Project - Engineering Services - WS85507008 (Ordinance S-46313)

Request to authorize the City Manager, or his designee, to enter into an agreement with Wilson Engineers, LLC (Wilson), to provide Engineering Services that include design and possible construction administration and inspection (CA&I) services for the Scenario 3B Transmission Main Rehabilitation project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $3 million.

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

Summary
The purpose of this project is to rehabilitate or replace 3.2 miles of existing 48-inch pre-stressed concrete cylinder transmission main

extending from Orangewood Avenue and 20th Street north to 26th Street and East Shea Boulevard within the existing alignment. This project will first evaluate available rehabilitation and replacement options and technology prior to commencing design of the selected option. Project design will be dictated by the chosen rehabilitation or replacement option.

Wilson's services include, but are not limited to: investigating and identifying rehabilitation and replacement options for 3.2 miles of 48 inch pre-stressed concrete cylinder pipeline; provide construction documents and specifications for the selected rehabilitation or replacement design; conduct an alignment study to confirm feasibility and suitability of proposed pre-stressed concrete cylinder pipeline rehabilitation access locations and develop preliminary maintenance of plant operations plans for pipeline shutdown and recharge.

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

Selected Firm
Rank 1: Wilson Engineers, LLC

Additional Proposers
Rank 2: Black & Veatch Corporation
Rank 3: Dibble & Associates Consulting Engineers, Inc. dba Dibble Engineering

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

Financial Impact

The agreement value for Wilson Engineers, LLC will not exceed $3 million, including all subconsultant and reimbursable costs.

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

Location

Orangewood Avenue and 20th Street north to 26th Street and East Shea Boulevard
Council Districts: 3 and 6

This item was adopted.

54 Additional Expenditures for Purchase, Maintenance, and Repair of Fire Hydrants (Ordinance S-46315)

Request to authorize the City Manager, or his designee, to allow additional expenditures up to $100,000 to contracts with Mueller Co., LLC (Contract 149450), Ferguson Enterprises, Inc. dba Ferguson Waterworks (Contract 149451), Dana Kepner Company, Inc. (Contract 149464), and Fortiline, Inc. dba Fortiline Waterworks (Contract 149465) and to include the Public Works Department in these contracts to provide the purchase, maintenance, and repair of fire hydrants throughout the City on an as-needed basis. Further request authorization for the City Controller to disburse all funds related to these items.

Summary

These contracts were originally awarded for the Water Services Department for purchase of new fire hydrants, parts, kits, accessories, maintenance, and repairs for fire hydrants located within the City's water distribution system. The fire hydrants are used primarily for fire suppression, conduct line flushing to ensure water quality, to test hydraulic capabilities, and as part of commercial construction and street cleaning. The Public Works Department is requesting to be added as a user of these contracts, as Public Works is responsible for the private fire hydrants at facilities that are supported by the department.

Contract Term
The initial one-year term of these contracts began on March 1, 2019, with four option years in increments of up to one year, for a total contract term of five years.

Financial Impact
Upon approval of $100,000 in additional funds for the Public Works Department, the revised aggregate value of the contracts will not exceed $5,945,065. Funds are available in the Public Works Department's budget.

Concurrence/Previous Council Action
The contracts are the result of solicitation IFB 1819-WWD-169 awarded by Formal Council action on March 6, 2019, with an estimated aggregate amount of $5,845,065.

This item was adopted.

56 Pavement Surface Treatment Program - Two-Step Job Order Contracting Services - 4108JOC184 (Ordinance S-46311)

Request to authorize the City Manager, or his designee, to enter into separate master agreements with two contractors to provide Pavement Surface Treatment 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 $60 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 will be used on an as-needed basis to provide microsurfacing and slurry seal pavement surface treatment services, including crack seal, asphalt patching, scrub sealing, and other related services as directed for the Pavement Surface Treatment Program, in accordance with Maricopa Associations of Governments (MAG) and/or the City of Phoenix Supplement to MAG. Work will occur within the dedicated public right-of-way on Arterial, Major Collector, Minor Collector and Residential streets within Phoenix city limits. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

Procurement Information
The selections were made using a two-step qualifications and price 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. Three firms submitted proposals and are listed below:

Selected Firms
Rank 1: Southwest Slurry Seal, Inc.
Rank 2: ViaSun Corporation

Additional Proposers
Rank 3: VSS International, Inc.

Contract Term
The term of each master agreement is for up to five years, or up to $30 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 $30 million, including all subcontractor and reimbursable costs.

The total fee for services will not exceed $60 million.

Request to authorize the City Manager, or his designee, to execute job order agreements performed under these master agreements for 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.

Public Outreach
The public will be notified on each project if notification is required.

This item was adopted.

57 Lift Station 41 Electrical and Mechanical Improvements - Engineering Services - WS90400082 (Ordinance S-46318)

Request to authorize the City Manager, or his designee, to enter into an agreement with Wilson Engineers, LLC (Wilson) to provide Engineering Services that include construction administration and inspection (CA&I) services for the Lift Station 41 Electrical and Mechanical 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 $300,000.

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

Summary

The purpose of this project is to perform mechanical and electrical improvements to Lift Station 41. Refurbishment will include installation of new conduit for Pecos Park electrical service from new Salt River Project (SRP) switchgear to transformer; coordination with SRP; construction of concrete equipment pads and reinforced concrete slabs; replacement of the electrical lineup including the site service entrance section, manual transfer switch, automatic transfer switch and associated conduits, manholes and conductors; electrical shade canopy construction; pipe and valve coatings; special inspections as required by the annual facilities program; demolition of below grade valve vault and construction of above grade valve piping and valves; installation of new piping, valves; and replacement of three lift station pumps.

Wilson's services include, but are not limited to: CA&I for the replacement of the electrical lineup, electrical utility service feed, dry well mechanical and safety improvements, and eliminating a confined space valve vault by raising the piping above ground.

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

Selected Firm
Rank 1: Wilson Engineers, LLC

Additional Proposers
Rank 2: Project Engineering Consultants, LTD
Rank 3: Civiltech Engineering, Inc.

Contract Term
The term of the agreement is 548 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 Wilson will not exceed $300,000, including all subconsultant and reimbursable costs.

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

Location
Loop 202 Freeway and 48th Street
Council District: 6

This item was adopted.

58 Self-Contained Breathing Apparatus Prescription Lenses - Request for Quotation (Ordinance S-46316)

Request to authorize the City Manager, or his designee, to enter into an agreement with Chaos Supplies, Inc. to supply and install prescription lenses into personal protective equipment (PPE) facemasks used by the Water Services Department (WSD). Further request to authorize execution of amendments to the contract 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 contract value will not exceed $10,000.

Summary
The purpose of this agreement is to provide and install corrective prescription lenses into the SCOTT Self-Contained Breathing Apparatus (SCBA) PPE facemasks used by WSD employees when working in the vicinity of hazardous chemicals.

Procurement Information
The selection was made using a Request for Quotation (RFQ) process in accordance with City of Phoenix Administrative Regulation 3.10.

The RFQ was sent to four vendors; one bid was received.

Selected Vendor
Chaos Supplies, Inc.

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

Financial Impact
The agreement value for Chaos Supplies, Inc. will not exceed $10,000.

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

This item was adopted.

59 Milestone Laboratory Instruments, Consumables and Services (Ordinance S-46319)

Request to authorize the City Manager, or his designee, to enter into an agreement with Milestone, Inc., to provide maintenance and repair services for Milestone laboratory instruments that are owned and operated by the Water Services Department (WSD). Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The agreement value will not exceed $200,000.

Summary
The purpose of this contract is to provide WSD maintenance and repair services for Milestone laboratory instruments to maintain functionality. The Milestone laboratory instruments are used by WSD laboratory technicians to perform analyses on water, soil, and sludge samples to ensure that chemical levels are in compliance with Environmental Protection Agency (EPA) requirements.

This direct selection is necessary because Milestone, Inc. is the original manufacturer of the Milestone laboratory instruments. Milestone, Inc. has factory-trained service personnel who are solely authorized to perform

maintenance and repair services on the Milestone laboratory instruments, which have a useful life of 10 years.

Procurement Information
The selection was made using a direct selection process set forth in City of Phoenix Administrative Regulation 3.10. A direct selection was made because of the unusual nature of the goods and services that require a specific vendor.

Contract Term
The term of the agreement is 10 years and will begin on May 1, 2020.

Financial Impact
The agreement value for Milestone, Inc. will not exceed $200,000. Funding is available in the Water Services Department's Operating budget.

This item was adopted.

60 Modification of Stipulation Request for Ratification of Dec. 18, 2019 Planning Hearing Officer Action - Z-11-94-1

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Dec. 18, 2019. This ratification requires formal action only.

Summary
Application: PHO-2-19--Z-11-94-1
Existing Zoning: A-1 DVAO
Acreage: 2.44
Applicant: Victory Development
Owner: OOOC LLC/RMLM LLC/NTO LLC
Representative: Andy Jochums, Beus Gilbert PLLC

Proposal:
Modification of Stipulation 1 regarding a 20-foot landscape setback along 23rd Avenue and parking plan.
Deletion of Stipulation 2 regarding dedication of a 40-foot east half street for 23rd Avenue.

Location
Approximately 460 feet south of the southeast corner of 23rd Avenue and Whispering Wind Drive
Council District: 1
Parcel Address: 24633 N. 23rd Ave.

Concurrence
Village Planning Committee (VPC) Recommendation: The Deer Valley Village Planning Committee heard this case on Nov. 21, 2019 and recommended approval by a 9-0 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Dec.18, 2019 and recommended denial as filed and approval with a modification and additional stipulation. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

This item was approved.

61 Modification of Stipulation Request for Ratification of Dec. 18, 2019 Planning Hearing Officer Action - Z-49-84-1(2)

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Dec. 18, 2019. This ratification requires formal action only.

Summary
Application: PHO-3-19--Z-49-84-1(2)
Existing Zoning: C-1
Acreage: 1.98
Applicant: Circle K Stores, Inc.
Owner: Circle K Stores, Inc.
Representative: Law Office of David Cisiewski, PLLC

Proposal:
1. Modification of Stipulation 1 regarding substantial conformance to the site plan submitted, dated Nov. 2, 1990.
2. Technical corrections to Stipulations 2, 5 and 16.

Location

Southwest corner of Tatum Boulevard and Greenway Road
Council District: 2
Parcel Address: 15262 N. Tatum Blvd.

Concurrence

Village Planning Committee (VPC) Recommendation: The Paradise Valley Village Planning Committee heard this case on Dec. 2, 2019 and recommended approval by a 14-0 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Dec.18, 2019 and recommended approval with a modification. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

This item was approved.

62 Modification of Stipulation Request for Ratification of Dec. 18, 2019 Planning Hearing Officer Action - Z-84-04-7

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Dec. 18, 2019. This ratification requires formal action only.

Summary

Application: PHO-2-19--Z-84-04-7
Existing Zoning: C-2
Acreage: 1.29
Applicant: Sterling Margetts, Kimley-Horn and Associates
Owner: Demergasso Family Marital Deduction Share Trust
Representative: Sterling Margetts, Kimley-Horn and Associates

Proposal:

Modification of Stipulation 1 regarding general conformance to site plan date stamped June 17, 2005 and elevations date stamped June 17, 2005 and June 28, 2005.
Deletion of Stipulation 2 regarding Planning Hearing Officer approval of a landscape plan.
Deletion of Stipulation 4 regarding a covered walkway and shading requirements.
Deletion of Stipulation 5 regarding shaded walkways and paving materials.

Deletion of Stipulation 6 regarding parking at rear of the site.
Deletion of Stipulation 8 regarding a 55-foot right-of-way dedication for the east half of 75th Avenue.
Deletion of Stipulation 9 regarding right-of-way, bus-bay, and transit pad on 75th Avenue and Lower Buckeye Road.
Deletion of Stipulation 10 regarding a 55-foot right-of-way dedication for the north half of Lower Buckeye Road.
Deletion of Stipulation 11 regarding a right-of-way triangle dedication at the northeast corner of 75th Avenue and Lower Buckeye Road.
Deletion of Stipulation 12 regarding a Traffic Impact Study.
Technical corrections to Stipulations 3 and 13.

Location
Approximately 300 feet east of the northeast corner of 75th Avenue and Lower Buckeye Road
Council District: 7
Parcel Address: 7450 W. Lower Buckeye Road

Concurrence
Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard this case on Dec. 17, 2019 and recommended approval by a 5-0 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Dec. 18, 2019 and recommended approval with modifications and additional stipulations. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

This item was approved.

63 Modification of Stipulation Request for Ratification of Dec. 18, 2019 Planning Hearing Officer Action - Z-97-02-7

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Dec. 18, 2019. This ratification requires formal action only.

Summary
Application: PHO-1-19--Z-97-02-7
Existing Zoning: R-3A

Acreage: 22.14
Applicant: Lance D. Baker, AIA
Owner: Mark Williams, Grande Valley Ventures
Representative: Lance D. Baker, AIA

Proposal:
Modification of Stipulation 1 regarding general conformance to the site plan date stamped Aug. 14, 2002.
Planning Hearing Officer review and approval of elevations per Stipulation 3.
Technical corrections to Stipulations 1.E, 1.F, 2, 4.B, 5 and 16.

Location
Approximately 900 feet north of the northwest corner of 51st Avenue and Baseline Road
Council District: 7
Parcel Address: N/A

Concurrence
Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee heard this case on Dec. 9, 2019 and recommended approval with additional stipulations by a 9-0 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Dec. 18, 2019 and recommended approval with modifications and additional stipulations. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

This item was approved.

64 Modification of Stipulation Request for Ratification of Dec. 18, 2019 Planning Hearing Officer Action - Z-89-06-8

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Dec. 18, 2019. This ratification requires formal action only.

Summary
Application: PHO-3-19--Z-89-06-8
Existing Zoning: PSC BAOD (Approved R-2 BAOD)

Acreage: 9.07
Applicant: Nathan Pile, Curve Development
Owner: Cheng 90/10 LLC
Representative: Nathan Pile, Curve Development

Proposal:
Modification of Stipulation 1 regarding general conformance to the site plan date stamped March 28, 2007.
Modification of Stipulation 4 regarding trees in landscaped setbacks.
Deletion of Stipulation 5 requiring view walls along public rights-of-way.
Modification of Stipulation 6 regarding common open space amenities.
Deletion of Stipulation 7 regarding a multi-use trail on the west side of 16th Street.
Technical corrections to Stipulations 2, 3 and 10.

Location
Northwest corner of 16th Street and Alta Vista Road
Council District: 8
Parcel Address: 6230 S. 16th St.

Concurrence
Village Planning Committee (VPC) Recommendation: The South Mountain Village Planning Committee heard this case on Dec. 10, 2019 and recommended approval with modifications and additional stipulations by an 8-4-0 vote, with four members dissenting.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Dec.18, 2019 and recommended denial as filed and approval with modifications and additional stipulations. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

This item was approved.

65 Final Map of Dedication - Tierra Montana - Phase 1 - 190005 - Northeast Corner of 55th Avenue and Carver Road

Map of Dedication: 190005
Project: 05-4228
Name of Map of Dedication: Tierra Montana - Phase 1
Owner(s): Taylor Morrison/Arizona, Inc.

Engineer(s): Hubbard Engineering
Request: A Residential Map of Dedication
Reviewed by Staff: Dec. 31, 2019
Final Map of Dedication requires Formal Action Only

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

Location
Generally located at the northeast corner of 55th Avenue and Carver Road.
Council District: 8

This item was approved.

66 Final Plat - Acacia Place - 190063 - Northwest Corner of Utopia Road and 28th Street

Plat: 190063
Project: 19-776
Name of Plat: Acacia Place
Owner(s): Augustine Family Trust
Engineer(s): Coe & Van Loo Consultants, Inc.
Request: An 81 Lot Residential Subdivision Plat
Reviewed by Staff: Jan. 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.

Location
Generally located at the northwest corner of Utopia Road and 28th Street.
Council District: 2

This item was approved.

67 Final Plat - Aura Midtown Apartments - 190072 - Southeast Corner of Central Avenue and Indianola Street

Plat: 190072

Project: 18-3013
Name of Plat: Aura Midtown Apartments
Owner(s): Mac Properties, LP
Engineer(s): Hubbard Engineering
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Jan. 3, 2020
Final Plat requires Formal Action Only

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

Location
Generally located at the southeast corner of Central Avenue and Indianola Street.
Council District: 4

This item was approved.

68 Final Plat - Towns on 28th - 190108 - 28th Street and Glenrosa Avenue

Plat: 190108
Project: 19-1783
Name of Plat: Towns on 28th
Owner(s): Towns on 28th, LP
Engineer(s): Richard T. Waage, RLS
Request: A 13 Lot Residential Plat
Reviewed by Staff: Jan. 6, 2020
Final Plat requires Formal Action Only

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

Location
Generally located at 28th Street and Glenrosa Avenue.
Council District: 6

This item was approved.

69 Final Plat - Romeo's Subdivision - 190095 - West of 25th Avenue and North of Broadway Road

Plat: 190095
Project: 19-2465
Name of Plat: Romeo's Subdivision
Owner(s): Romeo Merida
Engineer(s): Arizona Surveying and Mapping
Request: A 2 Lot Commercial Plat
Reviewed by Staff: Jan. 3, 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 636 feet west of 25th Avenue and north of Broadway Road.
Council District: 7

This item was approved.

70 Final Plat - 43rd & Baseline - 180133 - Southwest Corner of Baseline Road and 43rd Avenue

Plat: 180133
Project: 18-1907
Name of Plat: 43rd & Baseline
Owner(s): Forestar (USA) Real Estate Group Inc., a Delaware Corporation; CCV Baseline and 43rd Avenue LLC
Engineer(s): HilgartWilson, LLC
Request: 269 Lot Residential Subdivision Plat
Reviewed by Staff: Jan. 6, 2020
Final Plat requires Formal Action

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

Location
Generally located at the southwest corner of Baseline Road and 43rd Avenue.
Council District: 8

This item was approved.

71 Final Plat - 44th Street & Washington Retail - 190071 - Northeast Corner of 44th Street and Monroe Street

Plat: 190071
Project: 06-984
Name of Plat: 44th Street & Washington Retail
Owner(s): 44 Holdings, LLC
Engineer(s): CVL Consultants
Request: A 2 Lot Commercial Plat
Reviewed by Staff: Dec. 31, 2019
Final Plat requires Formal Action Only

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

Location
Generally located at the northeast corner of 44th Street and Monroe Street.
Council District: 8

This item was approved.

72 Amend City Code - Official Supplementary Zoning Map 1191 (Ordinance G-6664)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1191. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-165-69-1 and the entitlements are fully vested.

Summary
To rezone a parcel located at the northwest corner of 35th Avenue and Thunderbird Road
Z-165-69-1

Zoning: C-1
Owner: Hallcraft Homes, et al
Acreage: Approximately 8

Location
The northwest corner of 35th Avenue and Thunderbird Road
Council District: 1

This item was adopted.

73 Amend City Code - Official Supplementary Zoning Map 1192 (Ordinance G-6665)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1192. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-237-G-85-2 and the entitlements are fully vested.

Summary
To rezone a parcel located at approximately 850 feet West of the Southwest corner of Tatum Boulevard and Cave Creek Road
Z-237-G-85-2
Zoning: C-2 PCD DNS/WVR
Owner: RK AZURE CREEK LLC et al
Acreage: Approximately 9.66

Location
Approximately 850 feet West of the Southwest corner of Tatum Boulevard and Cave Creek Road
Council District: 2

This item was adopted.

74 Amend City Code - Ordinance Adoption - Rezoning Application PHO-2-19_Z-118-14-4 - Approximately 420 Feet North of the Northeast Corner of 7th Street and Indian School Road (Ordinance G-6667)

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Dec.18, 2019.

Summary
Application: PHO-2-19_Z-118-14-4
Existing Zoning: C-2 HGT/WVR SP
Acreage: 3.13
Applicant: Susan E. Demmitt, Gammage & Burnham, PLC
Owner: Quick N Clean 44 LLC, 4201 N 7th SP LLC
Representative: Susan E. Demmitt, Gammage & Burnham, PLC

Proposal:
1. Modification of Stipulation 1 regarding general conformance to the site plan date stamped Jan. 10, 2018 and elevations date stamped Feb. 2, 2018.

Concurrence
Village Planning Committee (VPC) Recommendation: The Encanto Village Planning Committee heard this case on Dec. 2, 2019 and recommended approval with additional stipulations by a 7-5 vote.
PHO Action: The Planning Hearing Officer heard this case on Dec. 18, 2019 and recommended approval with modifications and additional stipulations. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location
Approximately 420 feet north of the northeast corner of 7th Street and Indian School Road
Council District: 4
Parcel Address: N/A

This item was withdrawn to be readvertised for a Public Hearing at the March 4, 2020 City Council Formal Meeting.

75 Amend City Code - Ordinance Adoption - Rezoning Application PHO-2-19_Z-SP-5-14-4 - Approximately 420 Feet North of the Northeast Corner of 7th Street and Indian School Road (Ordinance G-6663)

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Dec.

18, 2019.

Summary
Application: PHO-2-19_Z-SP-5-14-4
Existing Zoning: C-2 HGT/WVR SP
Acreage: 3.13
Applicant: Susan E. Demmitt, Gammage & Burnham, PLC
Owner: Quick N Clean 44 LLC, 4201 N 7th SP LLC
Representative: Susan E. Demmitt, Gammage & Burnham, PLC

Proposal:
1. Modification of Stipulation 1 regarding general conformance to the site plan date stamped Feb. 2, 2018 and elevations date stamped Feb. 2, 2018.

Location
Approximately 420 feet north of the northeast corner of 7th Street and Indian School Road
Council District: 4
Parcel Address: N/A

Concurrence
Village Planning Committee (VPC) Recommendation: The Encanto Village Planning Committee heard this case on Dec. 2, 2019 and recommended approval with additional stipulations by a 7-5 vote.
PHO Action: The Planning Hearing Officer heard this case on Dec. 18, 2019 and recommended approval with modifications and additional stipulations. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

This item was withdrawn to be readvertised for a Public Hearing at the March 4, 2020 City Council Formal Meeting.

76 Consideration of Final Infrastructure Financing Plan: 2020 Update (Development Impact Fees) (Resolution 21805)

Request City Council approve the Infrastructure Financing Plan: 2020 Update (2020 IFP), including the recommended development impact fees detailed in the 2020 IFP report by adopting the resolution. (Resolution 21805 is recommended concurrently with Ordinance

G-6666, to update the development impact fee schedules and adopt other text amendments in Phoenix City Code Chapter 29-Development Impact Fees, and Chapter 30-Water Resources Acquisition Fee)

Summary

Development impact fees are collected by the City in designated "new development" areas to help pay for certain public facilities and equipment that are essential to providing city services for new development. Phoenix currently administers nine development impact fees including: Fire Protection, Police, Parks, Libraries, Major Arterials, Storm Drainage, Water, Wastewater, and Water Resources Acquisition (WRA). Arizona's development impact fee enabling statute, Arizona Revised Statue (A.R.S.) 9-463.05 requires cities to review and, if necessary, update development impact fees every five years. Updating the impact fee program helps ensure that the fees are based on current growth projections, infrastructure master plans, and facility costs. The previous impact fee update was approved by Council on Jan. 21, 2015 and the fees took effect on April 5, 2015.

If approved, the proposed impact fee update would take effect on April 13, 2020, unless an alternative effective date is specified at the time of adoption, but in no case less than 75 days after the formal adoption date.

2020 Infrastructure Improvements Plan

The 2020 IFP serves as a single document that consolidates the recommended impact fee schedules (Impact Fee Report), the Land Use Assumptions (LUAs) and Infrastructure Improvements Plans (IIPs). The Impact Fee Report summarizes the proposed changes and includes a comparison of *existing* and *recommended* net impact fee schedules for each fee category and impact fee area. The LUAs are the main subject of Chapters 1 and 2. Chapter 1 provides the growth projections for each impact fee area in terms of 'development units' (e.g. dwelling units, 000's square feet) for different categories of land use (e.g. residential and commercial). Chapter 2 details how the 'development units' are converted to 'equivalent demand units' for the purpose of determining infrastructure needs, and calculating impact fee assessments that are proportionate to the expected new demand for each land use category. The IIPs for each of the City's nine development fee categories are provided in Chapters 3 - 11. Each IIP includes a detailed explanation of

the methodology, assumptions, values, and formulas used to calculate the recommended impact fee. The IIPs also include updates to facility inventories, levels of service, 10-year demand projections, facility costs, and offsets calculations where required.

No changes have been made to the 2020 IFP report that was posted to the City's website on Nov. 18, 2019 and the subject of the public hearing held at the City Council Formal meeting on Dec. 18, 2019. The final 2020 IFP report is attached as **Attachment A** and can be accessed online at: www.phoenix.gov/pdd/devfees/impactfees.

Formal Adoption Process

A.R.S. 9-463.05 prescribes a two-stage process that requires a minimum of two public hearing and two formal actions taken by Council. A summary of the process that has been completed to-date is provided below:

1st Report Posting: July 1, 2019 the draft 2020 IFP, that included a written report of LUAs and IIPs was posted to the City's website and made available to the public.

1st Public Hearing: Sep. 4, 2019 a public hearing on the proposed LUAs and IIPs was held at the City Council Formal meeting.

1st Council Action: Oct. 16, 2019 Council approved the draft 2020 IFP.

2nd Report Posting: Nov. 18, 2019 the final 2020 IFP report, that included recommended impact fee schedules in addition to the approved LUAs and IIPs was posted to the City's website and made available to the public.

2nd Public Hearing: Dec. 18, 2019 a public hearing on the recommended impact fee changes was held at the City Council Formal meeting.

Public Input and Comments

Public involvement in the update process was welcomed from many sources. One key contributor throughout the process was the Impact Fee

Ad Hoc Committee, a 17-member committee comprised largely of representatives from the development sector, that was convened by the City Manager in the Fall of 2018 to provide feedback on staff recommendations. The Ad Hoc Committee submitted written comments dated Sept. 11, 2019 that are attached as **Attachment B**. Included among the Ad Hoc Committee comments is a recommendation to ensure that development, that does NOT benefit from the planned Rawhide Wash flood control improvements is NOT assessed the proposed drainage impact fee in the Paradise Ridge Impact Fee Area. Among the proposed amendments to City Code Chapter 29-Development Impact Fees is new language intended to address this recommendation of the Ad Hoc Committee.

Concurrence

A presentation of the development impact fee review process and preliminary recommendations was provided to the Water, Wastewater, Infrastructure and Sustainability Subcommittee on June 5, 2019 for information and discussion.

This item was adopted.

Item 28, Ordinance S-46335 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.

28 U.S. Department of Housing and Urban Development

For $15,000.00 of payment authority to reimburse Community Development Block Grant (CDBG) funds to the U.S. Department of Housing and Urban Development (HUD). The Neighborhood Services Department awarded Tarver Law Group, PLLC a contract, funded through CDBG funds, from June 1, 2015, to Dec. 31, 2016, to provide legal and business consulting services to small, women, and minority-owned businesses throughout Phoenix. The purpose of the program and contract was to stimulate economic development through job creation and stabilization. Tarver Law Group, PLLC went out of

business before providing reporting and documentation on contract deliverables within the allowed timeframe. Without job creation documentation to verify a HUD national objective was met, the expended CDBG funds must be reimbursed.

Discussion

Leonard Clark commented on the importance of helping low-income people and small businesses.

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

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

No: 0

31 Proposed 103rd Avenue and Southern Avenue Annexation - Public Hearing

A public hearing, as required by Arizona Revised Statutes section 9-471, on the proposed 103rd Avenue and Southern Avenue Annexation. This public hearing allows the City Council to gather community input regarding this annexation proposal. The City Council will not act on the proposed annexation at this public hearing. Formal adoption of this proposed annexation will be considered at a later date.

Summary

This annexation was requested by Shelby Duplessis with Empire Residential Communities Fund IV, LLC, for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statues section 9-471 regarding annexation. Additionally, the annexation is recommended for adoption per the attached Task Force Analysis Report (**Attachment A**).

Public Outreach

Notification of the public hearing was published in the *Arizona Business Gazette* newspaper, and was posted in at least three conspicuous places in the area proposed to be annexed. Also, notice via first-class mail was

sent to each property owner within the proposed annexation area.

Location
The proposed annexation area includes Maricopa County Assessor parcels 101-46-001L, 101-46-002A and 101-46-003D located at 103rd Avenue and Southern Avenue (**Attachment B**). The annexation area is approximately 65.5 acres (0.1023 sq. mi.) and the population estimate is zero individuals.
Council District: 7

Discussion
Mayor Gallego declared the public hearing open.

Leonard Clark stated he has seen the city of Phoenix grow and noted it was a really good place to live. He stated his hope that Council would vote for the item.

Mayor Gallego closed the public hearing.

The hearing was held.

43 Authorization to Apply for, Accept, Disburse Funds and Enter into Agreements for a Food System Vision Prize (Ordinance S-46332)

Request approval for the City Manager, or his designee, for the City of Phoenix Office of Environmental Programs (OEP) to submit a grant application to the Rockefeller Foundation for a $200,000 Food System Vision Prize (Prize) to further the implementation of food system goals and related projects, and if awarded, to execute all contracts and Memorandum of Agreement (MOA) necessary to accept and disburse the grant funds. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, grant funds in accordance with the terms of the aforementioned grant and agreement. Additionally, request the City Council to grant an exception to authorize inclusion of indemnification and assumption of liability provisions in the grant application and subsequent documents pertaining to the grant that otherwise would be prohibited by Phoenix Code section 42-18.

Summary
Prize grants funds to unite fragmented actors in projects aimed at uniting planners in the global food system. The goal of the program is to inspire and facilitate sustainable, resilient food systems. The application

addresses a systems-focused approach that has transformational potential and is informed by the community. Themes of Environment, Diets, Economics, Culture, Technology, and Policy are included.

The Prize would provide $200,000 in funding for food system resilience building. For the past several years, the OEP has worked with partners to investigate the strengths and weaknesses of the local food system. The local food system is not contained by the borders of Phoenix and is defined to include Maricopa County. Through OEP's partnership with organizations in Maricopa County, several Phoenix and county-wide food system projects have been identified. The following are examples of projects in need of investment: 1) development of an app that provides heathy recipes, cooking videos, grocery lists connected to local grocers and/or mobile markets; 2) educational and job training for consumers and future farmers; and 3) creation of agricultural entrepreneurship (agriprenuership) opportunities, such as mobile food processing units available for local farms to prepare their goods for market and distribution.

The opportunity to apply for Prize funding was brought to the attention of OEP and other partners in November by Arizona State University. As a result of the outreach, the city of Tempe, Maricopa County Department of Public Health, Health Improvement Partnership of Maricopa County, Arizona State University, University of Arizona, Mesa Community College, Vitalyst Health Foundation, Maricopa County Food Systems Coalition, Local First Arizona Foundation, Arizona Community Land Trust, Arizona Cooperative Initiative, Sun Produce Cooperative, and Recycled City, LLC elected to join the coalition with Phoenix. Additional partners may join as well. The OEP will serve as the Lead Applicant for the coalition. The OEP currently has a fulltime Food System Coordinator through the AmeriCorps VISTA program who has drafted the application and will continue to coordinate the effort. The Coalition nominated and OEP accepted the role of Lead Applicant, responsible for overall grant management. The MOA will be the vehicle used to detail the roles, responsibilities, authority, and details of disbursement of the grant funds and must be completed prior to award.

The grant application deadline is Jan. 31, 2020. Semi-finalists are announced in March 2020 with top finalists/visionaries announced in September 2020.

Contract Term
The term is for up to three years.

Financial Impact
No match or General Fund dollars are required for this grant.

Public Outreach
Upon award of the Prize, a public outreach and community engagement plan will be developed.

Discussion
Councilwoman Williams stated she had reservations about supporting the item because there were three large goals and a consortium of about 10 different agencies. She stated the goals were expensive and $200,000 did not seem like enough to accomplish anything. She explained she would support the item but noted her concern.

Mayor Gallego yielded the floor to Deputy City Manager Karen Peters for additional comments.

Ms. Peters explained the funds received would be for a regional effort the City would lead to implement actions related to a vision of food security. She stated they did not contemplate creating a new department or division to handle this.

Mayor Gallego explained this item proposed multiple projects. She stated food security was important for the community and that she would be supporting the item.

Councilwoman Pastor stated she agreed with Councilwoman Williams' concerns. She noted she could not vote on the item due to a conflict of interest.

Councilmember Garcia stated his excitement and support for this item and work. He expressed his hope to find solutions for south Phoenix food

deserts.

Mayor Gallego noted Councilwoman Pastor would not be participating in the vote and requested a motion.

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

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

49 Intergovernmental Agreement with Arizona Department of Transportation for Right-of-Way Along State Route 51 Near Orangewood Avenue (Ordinance S-46334)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with Arizona Department of Transportation (ADOT) to accept ownership, jurisdiction and maintenance responsibilities for Right-of-Way adjacent to State Route 51 (SR51) near Orangewood Avenue that will be used by the City in the construction of water transmission mains for the Zone 3D and 4A Improvements Program. Further request the City Council grant an exception pursuant to Phoenix City Code 42-20 to authorize the inclusion of the IGA of indemnification and assumption of liability provisions that otherwise are prohibited by Phoenix City Code 42-18. There is no direct financial impact to the City for this agreement.

Summary

The purpose of the Water Services Department's (WSD) Zone 3D and 4A Improvements Program is to assist with supplementing the potable water distribution system in north Phoenix, in the event of restrictions placed on Colorado River water. To accomplish this WSD will construct water transmission mains from the 24th Street Water Treatment Plant to approximately 32nd Street and Bell Road.

This IGA is necessary to obtain Right-of-Way from ADOT along SR51

near Orangewood Avenue for the water transmission mains. As part of this IGA, the City will maintain the walls, fences, drainage pipes, and catch basins within the area of abandonment and the drainage pipes leading to the Myrtle Wash Retention Basin.

Location
Along SR51, near Orangewood Avenue.
Council District: 6

Discussion
Mayor Gallego stated this was a good-news item and that the City of Phoenix was able to get things done for the residents in times of political division. She explained the importance of water security, water supply and investment in infrastructure for a desert city.

Mayor Gallego reflected on the Water Department's examination on ways to transfer water to north Phoenix from an existing water treatment facility. She explained the most direct route brought a new pipeline through Dreamy Draw Park. The neighbors and City strongly value the park system and pushed the department to look for an alternative solution that minimized damage or impact to the park's ecosystem. She further explained the City was able to work with the State of Arizona, Governor, and ADOT (Arizona Department of Transportation) to find land parallel to SR-51 that would be a good corridor for the pipeline. She concluded it was a nice solution and thanked everyone who was involved.

Councilman DiCiccio thanked Mayor Gallego, Councilwoman Debra Stark, Water Services Director Kathryn Sorenson, Governor Doug Ducey and his staff, and ADOT. He explained projects like this get done because people work together. He noted the importance of protecting the Piestewa mountains and neighborhoods.

Councilman DiCiccio addressed the neighbors and stated this was a huge start and expressed he was happy for them.

Councilman DiCiccio praised Ms. Sorenson, her work and knowledge of water.

Councilwoman Stark motioned to approve the item. She thanked the

neighborhood and Felicita Mendoza.

Councilman DiCiccio seconded the motion.

Mayor Gallego recognized state representative Aaron Lieberman for his involvement.

Jim Buster stated he was present on behalf of the Environmental Defense Fund (EDF) to register their support for the proposed construction of the water transmission main between 24th Street Water Treatment Plant and 32nd Street and Bell Road. He added EDF believes the project is an essential step the City of Phoenix needs to undertake to ensure reliable water supplies for existing residents in north Phoenix. He discussed the over-allocation of the Colorado River and efforts the City of Phoenix has lead to stabilize Lake Mead and the Colorado River system. He concluded EDF looks forward to continued collaboration with the City of Phoenix to promote the health of the Colorado River.

Dr. Frank Gruber stated the cooperation between the community, Council, Council committees, Councilman DiCiccio and Councilwoman Stark were essential for the project. He explained his area of expertise was in safety and loss control and detailed his initial concern with the project was its construction and location. He noted the work done by State Representative Aaron Lieberman and ADOT had alleviated many of those concerns.

Dr. Linda Gruber thanked Council and their staff for reading and responding to her letters, emails and phone calls regarding the drought pipeline project. She further thanked Mayor Gallego, Mr. Lieberman, Councilman DiCiccio and Councilwoman Stark.

Rochelle Malinoff noted attending Council meetings had been a great experience and stated she was impressed that Council listened and paid attention. She noted her appreciation for people working together and said the project was a great compromise. Ms. Malinoff reflected on an experience where fire trucks were in her neighborhood because they were helping someone on the mountain and stated she was thankful her street was not being dug up because situations occur where fire engines

go down her street to get people off the mountain.

Mayor Gallego acknowledged there were many ways to be involved in the City, such as the Youth and Education Commission that was appointed earlier in the meeting, that did not involve pipelines.

John Furniss stated he served as the Chair of the Sonoran Preserve and Mountain Parks/Preserves Committee and they heard presentations on this topic as far back as fall of 2017. He reflected on the Jan. 15, 2020 Land Use and Livability Subcommittee meeting where the Subcommittee encountered substantial public comment in opposition to the project as it was previously proposed. He thanked Council and all the people involved in the project.

Katherine Roxlo submitted for the record and read aloud an Ode to the Phoenix City Council.

Kathryn Kunath said her and her husband have been residents of the neighborhood for over 49 years. She thanked Council for listening to the neighbors, giving serious consideration to their concerns and for their willingness to explore more viable options.

Dr. Patrick McMullen stated he was President of the Phoenix Mountain Preserves Council (PMPC) and a long-time steward and advocate of the Phoenix Mountain Preserves and local communities. He said PMPC was present at the meeting to listen and gather information. He noted their neutral position regarding the matter and clarified they do not yet support the project because they are waiting for more information such as the terms and conditions of the IGA. He stated PMPC's hope to recieve more clarification about the details on the project.

Councilman Nowakowski thanked the community for coming out to the Council meeting, staff for their hard work, the Water Services Department, Councilman DiCiccio and Councilwoman Stark.

Councilwoman Williams thanked the neighbors for the thank you card.

Councilwoman Pastor stated she did not see details of the IGA as part of

the agenda packet and asked staff at what point will Council and the public see the IGA.

Deputy City Manager Karen Peters yielded the floor to Ms. Sorensen and Assistant Water Services Department Director Troy Hayes.

Ms. Sorensen stated the basics of the agreement is that ADOT will be selling the City a portion of their right-of-way. The City will take over maintenance on that property and a retention basin adjacent to it. She apologized for there not being enough detail in the agenda packet and stated it was relatively straightforward.

Councilwoman Pastor said she wanted that information on record because Dr. McMullen had asked about the IGA. She stated her appreciation for Ms. Sorenson's work.

Councilman DiCiccio thanked Mr. Hayes for his work. He asked Ms. Sorensen how much the easement costs were.

Ms. Sorensen answered it was her understanding the right-of-way purchase was $1.

Councilman DiCiccio noted they had worked out an agreement that would be a significant savings to the City. The project would save the neighborhood, mountain and money.

Mayor Gallego recognized Tom Remes and partners in the Maricopa Association of Governments.

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

Yes:	9 -	Councilman DiCiccio, Councilmember Garcia, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Councilwoman Williams, Vice Mayor Guardado and Mayor Gallego
No:	0	

52 Authorization to Enter into Agreement with Salt River Project for Water Transportation (Ordinance S-46326)

Request authorization for the City Manager, or his designee, to enter into an Agreement between the City of Phoenix and the Salt River Valley Water Users' Association for transportation of water in the Salt River Project Facilities.

Summary

On July 23, 1991, the City and Salt River Valley Water Users' Association (Association) entered into the Water Transportation Agreement, which allowed for transportation of non-project water (such as Colorado River water) in Association canals. The purpose of this new Water Transportation Agreement is to allow for water transportation service in canals, laterals, and drain ditches. The Agreement will allow the City to deliver water to additional locations than what is currently available with just the canal system such as the Avondale Underground Storage Facilities, which are located along an Association lateral.

Contract Term

The term of the Agreement is through June 30, 2041, which coincides with the term of the original 1991 Water Transportation Agreement.

Financial Impact

The financial impact of this Agreement to Phoenix will vary per year depending on the City's use of the facilities. Additional spending authority will be sought in the future to cover per-acre-foot transportation charges during years in which the City intends to employ usage of the Association's canals under this agreement.

Discussion

Leonard Clark stated his support for this item and his hope for Council to support it. He briefly discussed Phoenix helping its neighboring cities, infrastructure challenges and working with other city governments to the west.

Mayor Gallego clarified this item was related to Item 49. She stated they are working hard to ensure the City has strong water infrastructure by investing ahead of time and preparing.

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

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

No: 0

53 April 2020 Proposed Bus Service Improvements

Request authorization for the City Manager, or his designee, to implement bus service changes effective April 27, 2020. The recommend changes are provided through Phoenix's Transportation 2050 (T2050) plan and would result in a $21,000 net annual savings.

Summary

The Public Transit Department is focused on improving the efficiency and reliability of Phoenix's transit system to best serve City passengers' needs. The semiannual bus service review considers public input and staff analysis to identify potential improvements that may include making schedule changes, improving service efficiencies, adding route connections, and leaving some routes unchanged.

Bus service changes are coordinated regionally and occur in April and October each year. The following April 2020 Phoenix Transit bus service changes (see **Attachment A**) are being considered:

Route 7 (7th Street) - Modify Jesse Owens Parkway Deviation

At Route 7's south end, the current route deviates from 7th Street to Jesse Owens Parkway at Baseline Road. The deviation carries about 17 total daily boardings in both directions. Due to the low ridership, staff proposes to eliminate the deviation and remain on 7th Street between Baseline Road and Dobbins Road to reduce cost and increase the service speed. This change would reduce Route 7 by 0.5 service miles each way.

Route 60 (Bethany Home Road) - Modify East of 16th Street

Due to public feedback and low ridership on this portion of the route along Missouri Avenue, staff proposes to modify Route 60's east end to:
Eastbound - Bethany Home Road to 16th Street, then south to Camelback Road and east to last stop at 24th Street.
Westbound - Camelback Road to 16th Street, then north to Bethany Home Road and west on Bethany Home Road.

This proposed route would provide better access to shops near Camelback Road and 20th Street compared to the current routing through Missouri Avenue.

SMART Circulator - Minor Routing Modification

The SMART (Sunnyslope Multi-Access Residential Transit) is a free neighborhood circulator that began in 2007 to connect Sunnyslope's residents to area amenities, such as schools, shops, the Acacia Library, the John C. Lincoln Medical Center, and the Sunnyslope Transit Center. This route was last modified in January 2013 through a community planning process.

In June 2019, Councilwoman Stark's office received community input requesting staff to identify opportunities to improve access to Mountain View Park through the SMART route. In addition, the Public Transit Department has received requests from area residents to provide better access to the Desert Mission Food Bank and Sunnyslope grocery stores. After evaluating multiple options, staff determined that a minor route modification could improve access to Mountain View Park, Desert Mission Food Bank, and an area shopping center as follows:
Mountain View Park (7th and Cinnabar avenues) - shift service from 9th Avenue to 7th Avenue between Cinnabar Avenue and Cheryl Drive.
Desert Mission Food Bank (9229 N. 4th St.) - move the route from 5th to 3rd streets between Dunlap Avenue and Hatcher Road.
Community Shopping Center (115 E. Dunlap Ave.) - after servicing Sunnyslope Manor Apartments at 205 E. Ruth Ave., the current route travels along Ruth Avenue and 3rd Street to arrive at the Sunnyslope Transit Center. This proposed route would run west on Ruth Avenue, then north on Central Avenue and east on Dunlap Avenue to get to the

Sunnyslope Transit Center.

Implementation Timeline

The process for successfully implementing the proposed service changes, beginning April 27, 2020, includes the following:

Conduct required public outreach and public hearing (regional effort) - completed on Dec. 6, 2019.

Citizens Transportation Commission (CTC) approval - completed on Dec. 12, 2019 with CTC unanimously approving the recommendations.

Proceed to Transportation, Infrastructure and Innovation Subcommittee and City Council for approval by February 2020.

Prepare transit books, develop operational plan, and coordinate with operators from February to April 2020.

Implement approved bus service improvements on April 27, 2020.

Financial Impact

The annual impact of the April 2020 proposed changes is a $21,000 net annual savings (see **Attachment B**).

Public Outreach

The Public Transit Department used the locally adopted public outreach process for the proposed April 2020 bus service changes, including:

A public comment period from Nov. 4 to Dec. 6, 2019.

Staff outreach along all affected routes.

A-frames and flyers at impacted stops along routes.

Flyers distributed to schools, businesses, medical offices, and senior centers along impacted route segments.

A webinar hosted on valleymetro.org detailing all regional proposed changes on Nov. 19, 2019.

A public hearing held at Valley Metro on Nov. 20, 2019

There were 469 total comments and suggestions received about the proposed change (see **Attachment C**).

Concurrence/Previous Council Action

The Citizens Transportation Commission recommended approval to the Transportation, Infrastructure and Innovation Subcommittee on Dec.

12, 2019 by a vote of 10-0.

This item was recommended for approval at the Transportation, Infrastructure and Innovation Subcommittee meeting on Jan. 7, 2020, by a vote of 4-0.

Note: A comment card was submit in favor of Item 53 by Leonard Clark, who no longer wished to speak.

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

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

No: 0

55 Environmental Protection Agency for Clean Diesel Funding Assistance Program FY 2020 (Ordinance S-46327)

This report requests the City Council to authorize the City Manager, or his designee, to apply for, accept, enter into an agreement, and disburse a U.S. Environmental Protection Agency (EPA) grant, under the Clean Diesel Funding Assistance Program FY 2020. Additionally request to authorize the City Controller to disburse the necessary funds. The deadline to submit the application is Feb. 26, 2020.

Summary

Current emissions control technologies are available for solid waste fleet that can achieve near zero emissions. While the current diesel solid waste fleet complies with federal and state standards, the City can further reduce the fleet's environmental impact by continuing to convert trucks to those that feature ultra-low oxides of nitrogen CNG engines. The intent of the Diesel Emissions Reduction Act (DERA) grant program is to provide grant funding to assist in offsetting the cost of replacing higher polluting diesel emission engines with cleaner burning CNG engines to reduce harmful emissions. Reducing vehicle emissions from the municipal fleet will demonstrate the City's committment to lead by example toward the 2050 sustainability goal of clean air.

The EPA - Region 9 will administer the Federal DERA Grant Program. If awarded, funding will be provided to purchase new low emission fleet vehicles to replace old, higher-polluting fleet vehicles with 2020 models or newer.

Staff anticipates obtaining grant funds for the replacement of older vehicles with 2020 or newer models. The grant funds up to 35 percent of the new vehicle cost.

The application to EPA - Region 9 is due Feb. 26, 2020. The estimated project period for awards resulting from this solicitation is expected to begin on or about Jul. 1, 2020, with an expected project completion date of Jun. 30, 2022.

The Public Works Department was recently awarded a $1 million grant under the same DERA grant program for Fiscal Year 2019-20 and has initiated orders on the nine trucks being replaced. This new application would provide funding for up to an additional 10 trucks to be replaced in Fiscal Year 2020-21.

Contract Term
Up to two years beginning on or about July 1, 2020.

Financial Impact
The federal funds amount requested for this proposal is $1,204,000. If grant funds are awarded in full, the City would need to match up to $2,236,000 in funding. This match would be funded using the vehicle replacement fund in the Public Works Department budget.

Discussion
Note: Councilman Waring temporarily stepped away from the voting body.

Mayor Gallego stated Item 55 was related to the Diesel Emission Reduction Act (DERA) grant. She detailed that on Jan. 30, 2020, Councilmember Garcia would join her and the Public Works Department, Office of Environmental Programs and regional EPA (U.S. Environmental Protection Agency) Administrator to celebrate progress towards lower

emissions and cleaner air for the community. She stated the City applied for a DERA grant in 2019 and had been awarded funding to offset the costs of 10 new low-emission heavy duty trucks that will serve the Phoenix area. Mayor Gallego further stated this was an opportunity to seek out more support to make the City's fleet more efficient and demonstrate the City's committment to lead by example in meeting the 2050 sustainability goal of cleaner air.

Leonard Clark thanked Mayor Gallego, Council and people who care about how clean the air is. He encouraged Council to strive for electric garbage trucks and said Seattle and other states are doing this. He noted he has seen positive environmental changes since the new Council and Mayor have taken office.

Councilmember Garcia saluted this item. He stated 2050 seems like a long ways away but it is around the corner, which makes him glad Council is moving forward with this item.

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

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

77 Amend City Code - Ordinance Amending Phoenix City Code Chapter 29 - Development Impact Fees and Chapter 30 - Water Resources Acquisition Fee (Ordinance G-6666)

Request to amend the Phoenix City Code Chapter 29 - Development Impact Fees and Chapter 30 - Water Resources Acquisition Fee and adopt to implement the fee changes approved in the Infrastructure Financing Plan: 2020 Update (2020 IFP).

Summary

The proposed changes to Chapter 29 are attached as **Attachment A**, and the proposed changes to Chapter 30 are attached as **Attachment B**.

Highlights of the proposed amendments are as follows:

Update Fee Schedules with Approved Fees: Update the impact fee schedules to reflect the fees approved in the 2020 IFP.

Storm Drainage Fee Collections: Add clarifying language to ensure that development inside the proposed Paradise Ridge impact fee area, that does not benefit from the planned Rawhide Wash flood control improvements, is not assessed a Storm Drainage impact fee.

Impact Fee Credit Administration: Streamline and clarify procedures pertaining to the administration of impact fee credit agreements.

General Clean-up: Revisions to clarify definitions, policies and procedures, and to ensure consistency with the approved 2020 IFP, as well as within City Code and State statutes. As an example, clarifying language on how impact fee credit is affected when facilities are also included in Water or Sewer Repayment Agreements, as well as Community Facilities Districts.

Pursuant to Arizona Revised Statute 9-463.05, the changes adopted with this Ordinance will take effect no sooner than 75 days after the date of formal adoption of updated impact fees by City Council.

Note: The City Clerk read the title of the ordinance for this item.

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

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

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

CITIZEN COMMENTS

The City Attorney stated the Citizen Comment part of the agenda provides an opportunity for members of the public to 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 from the public, but prohibits the members from discussing or taking action on matters presented during Citizen Comment.

Bret Gross addressed the Council regarding homeless individuals that reside at Perry Park across from where he lives. He reflected on instances involving police and homeless individuals at the park. He asked for Council to make a good decision when they talk about homelessness in Phoenix.

Note: Councilman Waring rejoined the voting body while Mr. Gross was speaking.

Councilman DiCiccio asked someone from the Police Department to meet with Mr. Gross.

Michael Joseph Garcia stated he had been on the streets for about 13 years now and was put in the situation against his own will. He explained he got majorly sick with cancer and was now deteriorating. He stated the Police Department threw away his valuable medication last year. He urged everyone to come together to come up with a solution.

Councilwoman Pastor stated staff was present from Phoenix C.A.R.E.S. and asked for them to meet with Mr. Garcia.

Elizabeth Venable stated she was present to encourage Council to act on finding real solutions to homelessness. She discussed citations on camping and trespassing and noted there was not enough substance to warrant the arrests that are being made. She stated she heard there was money available for a shelter and zoning is the only impediment to a shelter that would more than double the shelter capacity in Phoenix. She explained she wanted to see what happens with the shelter situation and emphasized the need to come up with solutions that better define public camping and public trespassing.

Scott Rowe stated he was from an organization called Targeted in Traffic and they were against neurological technology that accompanies human trafficking people all around the world. He discussed human trafficking with neural technology. Mr. Rowe stated Targeted in Traffic was present to expose this situation and emphasized the need for legislators, law enforcement and the government to stop this crime and help the victims.

Leonard Clark invited Councilmembers to attend an event near the Biltmore at 5:30 p.m. on Jan. 29, 2020. He detailed the event as individuals coming together nonviolently to demand Senator Martha McSalley to acknowledge the nation is a nation of laws and not a nation of men.

Joel Coplin stated he and his wife own and reside at a business house located near the Central Arizona Shelter Services (CASS). He described the conditions of the homelessness that is concentrated by their business and emphasized the need to find a solution quickly. Mr. Coplin suggested having the emergency overflow shelter reinstated.

Jo-Ann Lowney-Coplin stated she was a member of the Madison Pioneers Coalition. She recalled the emergency overflow shelter had been closed shortly after they moved into the area. She noted the health and social problems and stated it was imperative to get an emergency overflow shelter reopened for the homeless.

Bill Morlan stated he was also with the Madison Pioneers Coalition. He detailed he had been in the neighborhood since the 1970's and while the homeless population had been around the entire time, his employees are now nervous about coming to work because people are camped along both sides of the street. He stated the situation was not healthy and not safe for neighbors, businesses and customers. He requested for the City to take immediate action while a long-term solution is being looked at. He submitted a booklet put together by the members of the Madison Pioneers Coalition regarding the health and safety crisis in the neighborhood.

City Manager Ed Zuercher noted he had a meeting with the group on Jan.30, 2020.

Dr. Dolf de Roos, also a member of the Madison Pioneers Coalition, described

working with the police to clean up the area surrounding his business. He noted the area was improving until a few months ago when the problem began to grow exponentially. He discussed fearing to go to his business for health and safety reasons. He suggested getting together to come up with a solution that works for everyone.

Ian Francis Green stated he owns buildings on Madison and Jackson streets. He described dealing with a problem that is so far out of hand it is becoming a daily full-time job to keep the front area of the neighborhood businesses and homes clean. He noted taking a count of the tents on Jan. 27, 2020 and estimated between 450-800 homeless people living on the curb sides in the several-block radius. He described what the neighbors have been witnessing and requested the City and Council come up with a comprehensive long-term plan and to get the people into overflow shelters now.

Councilwoman Pastor began to ask Mr. Zuercher questions.

Mayor Gallego interjected they could agendize this at a future meeting and noted several of the subcommittees have items coming up.

Councilwoman Pastor stated she thought they needed to have a larger conversation on this topic.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 4:03 p.m.

MAYOR

ATTEST:

CITY CLERK

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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 29th day of January, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 5th day of May, 2021.

CITY CLERK