City of Phoenix

Minutes

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

186059

City Council Formal Meeting

Wednesday, November 17, 2021 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, Nov. 17, 2021 at 2:41 p.m. in the Council Chambers.

Present: 9 - Councilwoman Yassamin Ansari, Councilman Sal DiCiccio, Councilwoman Betty Guardado, Councilwoman Ann O'Brien, Councilwoman Laura Pastor, Councilwoman Debra Stark, Councilman Jim Waring, Vice Mayor Carlos Garcia and Mayor Kate Gallego

The Mayor and Councilmembers attended the meeting virtually.

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 copies of the titles of Ordinances G-6918 through G-6919, S-48088 through S-48132, and Resolutions 21977 through 21978 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

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

BOARDS AND COMMISSIONS

1 **Mayor and Council Appointments to Boards and Commissions**

Summary

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

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

Community Development Review Committee
Appoint Sean Berens, filling a vacancy, for a term to expire June 30, 2023, as recommended by Mayor Gallego.

Human Services Commission
Appoint James Martinez, replacing Marsha Butler in a Category I seat, for a term to expire June 30, 2023, as recommended by Councilwoman Stark.

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

Yes: 9 - Councilwoman Ansari, Councilman DiCiccio, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Garcia 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.

One electronic comment was submitted for the record in support of Item 8.

A motion was made by Vice Mayor Garcia, seconded by Councilwoman Stark, that Items 2-20 be recommended for approval, except Items 19 and 20. The motion carried by the following voice vote:

Yes: 9 - Councilwoman Ansari, Councilman DiCiccio, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Garcia and Mayor Gallego

No: 0

2 Liquor License - LivGenerations Mayo Blvd

Request for a liquor license. Arizona State License Application 162148.

Summary

Applicant
Cara Baldwin Valenta, Agent

License Type
Series 12 - Restaurant

Location
6650 E. Mayo Blvd.
Zoning Classification: DTC-East Evans Churchill
Council District: 2

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

The 60-day limit for processing this application is Nov. 24, 2021.

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.

Generations at Ahwatukee (Series 12)
15815 S. 50th St., Phoenix
Calls for police service: 16
Liquor license violations: None

Generations at Agritopia (Series 12)
2811 E. Agritopia Loop, S., Gilbert
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Generations at Pinnacle Peak (Series 12)
23733 N. Scottsdale Road, 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:
"LivGenerations Mayo Blvd is a senior living community providing independent and assisted living, as well as memory care facility. It is a project developed by Liv Communities, which designs, develops and operates multi-family and senior residential facilities in Arizona and Michigan. LivCommunities has years of experience building and operating residential living communities. It currently has three other senior living communities in Arizona, which have liquor licenses (Generations Agritopia Gilbert, Generations Ahwatukee in Phoenix and Generations at

Pinnacle Peak in Scottsdale). No liquor license violations have occurred at these other facilities. The safety and welfare of residents and their guests is of paramount importance. LivGenerations Mayo Blvd will maintain staff trained in Arizona liquor laws. LivCommunities' vast experience and long track record serving seniors establishes that it has the capability, reliability and qualifications to successfully and safely serve alcoholic beverages."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "The public convenience requires and the best interest of community will be substantially served by issuance of this Series 12 liquor license. LivCommunities is a well-known and successful developer of high-end residential and senior living facilities. LivGenerations Mayo Blvd fulfills the growing need for senior living communities as the population ages. Providing amenities like on-site alcohol sales and consumption allows those with limited mobility or no access to transportation to enjoy alcohol without the need to leave the facility. It also provides a beautiful and safe place for the residents' guests and members of the neighborhood to eat, drink and be entertained."

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 - LivGenerations Mayo Blvd
Liquor License Map - LivGenerations Mayo Blvd

This item was recommended for approval.

3 Liquor License - Loco J's Tacos and Tequilas

Request for a liquor license. Arizona State License Application 161022.

Summary

Applicant

Jason Clouse, Agent

License Type
Series 12 - Restaurant

Location
28260 N. Tatum Blvd., Ste. A7
Zoning Classification: C-2
Council District: 2

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor dining and outdoor alcohol consumption. This business is currently being remodeled with plans to open in December 2021.

The 60-day limit for processing this application was Nov. 10, 2021. However, the applicant has submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona
The ownership of this business has an interest in other active liquor licenses(s) in the State of Arizona. this information is listed below and includes liquor license violations on file with the AZ Department of Liquor License 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.

Rosatis Pizza (Series 12)

28325 N. Tatum Blvd., Ste. 7 & 8, Phoenix
Calls for police service: 5
Liquor license violations: In April 2020, a fine of $500 was paid due to an employee consuming alcohol while on duty.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I currently hold a Series 12 liquor license for a Rosati's Pizza restaurant and I understand the requirements and intricacies involved to properly maintain a license along with the responsibilities a license places on a business. I am also current with all of my management and serving liquor certs."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This new, full service Mexican restaurant is greatly needed in the community. A liquor license will provide patrons with a full dining experience."

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

Attachments
Liquor License Data - Loco J's Tacos and Tequilas
Liquor License Map - Loco J's Tacos and Tequilas

This item was recommended for approval.

4 Liquor License - Natural Grocers

Request for a liquor license. Arizona State License Application 159062 and 159062S.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 10 and 10S - Beer and Wine Store with Sampling Privileges

Location
13802 N. Scottsdale Road, Ste. 110
Zoning Classification: PSC
Council District: 2

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

The 60-day limit for processing this application is Nov. 23, 2021.

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.

Natural Grocers (Series 10)
3016 E. Broadway Blvd., Tucson
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Natural Grocers (Series 10)
7220 E. Broadway Blvd., Tucson
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Natural Grocers (Series 10)
6320 N. Oracle Road, Tucson
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Natural Grocers (Series 10)
5600 E. River Road, Tucson
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:
"Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will

be trained in the techniques of legal and responsible alcohol sales and service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Natural Grocers operates 159 stores in 20 states, including 12 stores in Arizona. The Applicant is committed to supporting the health and wellbeing of the communities it serves by offering healthy, natural, and organic foods, household goods, and personal items. Applicant would like to offer beer and wine to customers 21 and over."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Natural Grocers
Liquor License Map - Natural Grocers

This item was recommended for approval.

5 Liquor License - ALDI #158

Request for a liquor license. Arizona State License Application 162129 and 162129S.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 10 - Beer and Wine Store with Sampling Privileges

Location
1401 E. Bell Road
Zoning Classification: C-2
Council District: 3

This request is for a new liquor license for a grocery store with sampling privileges. This location was previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is Nov. 24, 2021.

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.

ALDI #156 (Series 10)
2844 S. Alma School Road, Chandler
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

ALDI #160 (Series 10)
24665 N. Lake Pleasant Parkway, Peoria
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

ALDI #161 (Series 10)
845 N. Estrella Parkway, Goodyear
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

ALDI #165 (Series 10)
1801 E. Pecos Road, Gilbert
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:
"We train all of our employees in responsible liquor sales. We also conduct regular audits to ensure they comply."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This is a full-service grocery store serving the surrounding community and visiting public customers Sunday thru Saturday. While alcoholic beverage sales will generate a small percentage of the overall sales, the investment in a liquor license is requested as a service and convenience to the customers as an integral part of the shopping experience. The inclusion of beer & wine will allow customers the same service that they would experience at other local supermarkets. We'll strive to become a valuable member of the community and will work hard to help the neighborhood achieve their development goal and continually improve the character of the neighborhood.

Our grocery store will be a desirable and unique addition to the community. Our store's location is the perfect convenience for those who work nearby. The office employees on N. West Ave and the retail store and restaurant workers on W. Shaw Ave. will find our store's location to be an ideal advantage with the ability to drop in and purchase everyday groceries that have been curated solely for them. In addition, our store's

placement will be beneficial to the passersby's who are running an errand at the Bank of West on W. Shaw Ave or the Citi Bank ATM on N. West Ave. We will also be the perfect accommodation to those who want to pick up the groceries for dinner after their afternoon coffee at the nearby coffee shops.

Our store will prove to be extremely desirable to the public by providing area residents, visitors and nearby workers with the unique experience to "shop differently". This experience allows those in the community to have a faster, easier and smarter way to save money on high quality groceries. We want to provide our community with nothing but the best source of everyday food items while providing savings. We source only the best for our shelves are quick to spot the latest must-haves and work hard to bring them to ALDI stores without the trendy prices. We also source delivered-daily produce, fresh meats and fish, and carry an extensive line of organics, gluten-free and vegan foods.

In 2015, we removed certified synthetic colors, added MSG, and partially hydrogenated oils from all of our exclusive brand food products. These reformulated products are the exact same high-quality and taste shoppers expect from ALDI exclusive brands the most popular of which include our seasonal treat of Belgian Cocoa Dusted Truffles, our Paw Patrol Chicken Nuggets made of white meat and whole grain bread crumbs and our keto diet-friendly L'Oven Fresh Zero Net Card Bread.

I respectfully request that the Arizona Department of Liquor finds that Public Necessity and Convenience would be served by the issuance of a liquor license to the requested premises. This is founded on 2 basic principles:

1. To offer great shopping items that are unique to the area.
2. To create a shopping environment where customers feel comfortable and welcome."

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 - ALDI #158
Liquor License Map - ALDI #158

This item was recommended for approval.

6 Liquor License - Special Event - Rosie's House: A Music Academy for Children, Inc.

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

Summary

Applicant
Kevin Gorman

Location
300 E. Indian School Road
Council District: 4

Function
Concert

Date(s) - Time(s) / Expected Attendance
Dec. 12, 2021 - 3 p.m. to 5 p.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

7 Liquor License - Special Event - Madison District Educational Foundation, Inc.

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

Summary

Applicant
Ari Levin

Location
5601 N. 16th St.
Council District: 6

Function
Community Event

Date(s) - Time(s) / Expected Attendance
Dec. 2, 2021 - 6 p.m. to 9:30 p.m. / 600 attendees
Dec. 3, 2021 - 6 p.m. to 9:30 p.m. / 600 attendees
Dec. 4, 2021 - 6 p.m. to 9:30 p.m. / 600 attendees
Dec. 5, 2021 - Noon to 3:30 p.m. / 600 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

8 Liquor License - Frasher's Smokehouse

Request for a liquor license. Arizona State License Application 1207A257.

Summary

Applicant
Peter Schelstraete, Agent

License Type
Series 12 - Restaurant

Location
3222 E. Indian School Road
Zoning Classification: C-1
Council District: 6

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

The 60-day limit for processing this application is Nov. 24, 2021.

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

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

Frasher's Steakhouse (Series 12)
4180 N. Drinkwater Blvd., 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 in the restaurant industry for many years. I will continue to abide by all liquor laws."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

9 Liquor License - Living Room Wine Cafe & Lounge

Request for a liquor license. Arizona State License Application 1207A518.

Summary

Applicant
Thomas Aguilera, Agent

License Type
Series 12 - Restaurant

Location
4905 E. Ray Road, Ste. 107
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application is Nov. 30, 2021.

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

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

Living Room Wine Cafe & Lounge (Series 12)
20751 N. Pima Road, Ste. 120, Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Living Room Wine Cafe & Lounge/Humble Pie (Series 12)
2475 W. Queen Creek Road, #1, Chandler
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 serve as agent on numerous liquor licenses in Arizona, I have been fingerprinted and background checked. I have practiced liquor law for over 20 years in Arizona. I, along with, the new controlling persons have submitted the Acquisition of Control forms to the Arizona DLLC and paid all fees and submitted all required fingerprint cards."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

10 Liquor License - Special Event - Consular Corps of Arizona Foundation

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

Summary

Applicant
Alfredo Molina

Location
401 N. 1st St.
Council District: 7

Function
Dinner

Date(s) - Time(s) / Expected Attendance

Dec. 3, 2021 - 5 p.m. to Midnight / 350 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

11 Liquor License - Special Event - Friendly House, Inc.

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

Summary

Applicant
Jerardo Mendoza

Location
7252 S. Central Ave.
Council District: 7

Function
Dinner

Date(s) - Time(s) / Expected Attendance
Dec. 3, 2021 - 5:30 p.m. to 10 p.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

12 Liquor License - First & Last Kitchen + Bar

Request for a liquor license. Arizona State License Application 162225.

Summary

Applicant
Ashley Hammond, Agent

License Type
Series 12 - Restaurant

Location
1001 N. 3rd Ave., Ste. 1
Zoning Classification: DTC - East Roosevelt HP
Council District: 7

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit. This business has plans to open in December 2021.

The 60-day limit for processing this application is Nov. 27, 2021.

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 and my staff of professional host, servers, server assistants, and bartenders have the upmost respect for alcohol and the laws that govern it's receiving, storing, and distribution to the public. I as owner personally have twenty two years in the restaurant and bar business. For the past 3 years I have been a manager at a high volume fine dinning steak house on old town Scottsdale. Before that I spent 8 years as general manage of the Misfit restaurant + bar in Santa Monica California. I have taken all the prerequisite traning and certification. We look forward to being good stewards or privilege to sell alcohol. Thank you.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “We at First & last understand the value of strong neighborhood restaurants as welcome meeting place for the current residence as well as the new. In a area growing as fast as the west end of Roosevelt Row is, it is paramount that there are places to go to unwind, celebrate, and grow together Serving spirits is one of the oldest way do begin those interactions. We look forward to being a neighborhood institution for year to come. With the privilege of selling liquor, beer and wine we feel as though we can be that. Thank you so very much for your time and consideration in this matter. The employees of First & Last Restaurant.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - First & Last Kitchen + Bar
Liquor License Map - First & Last Kitchen + Bar

This item was recommended for approval.

13 Liquor License - Gas & More

Request for a liquor license. Arizona State License Application 161253.

Summary

Applicant
Harun Ozcan, Agent

License Type

Series 10 - Beer and Wine Store

Location
709 W. Southern Ave.
Zoning Classification: C-1
Council District: 7

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

The 60-day limit for processing this application was Nov. 14, 2021. However, the applicant submitted a written request for more time.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
“I hold a certificate for 'The Basic Liquor Law Training'. This training provided me the opportunity of learning the importance and significance of obtaining a beer and wine license. I am assured to uphold the laws and regulations about beer and wine 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 beer and wine. The location will be convenient for the people in neighborhood who may not have access to transportation. Adding the long time experience of the owner with running a store while upholding all the laws and regulations, the store will be a safe, secure and convenience place for the customers to purchase quality liquor.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Gas & More
Liquor License Map - Gas & More

This item was recommended for approval.

14 Liquor License - Hanai Coffee + Beer + Wine

Request for a liquor license. Arizona State License Application 162116.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location

3648 W. Southern Ave., Ste. 148-150
Zoning Classification: C-2
Council District: 7

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

The 60-day limit for processing this application is Nov. 24, 2021.

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:
"Our hope is to operate a successful business and bring a great place to

the Laveen neighborhood. We will ensure our employees will attend ALIC's Title 4 training."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "We are your go to eat and drink place any time of day. Coffee, local drinks, and unique eats you will experience a taste of our Hanai."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Hanai Coffee + Beer + Wine
Liquor License Map - Hanai Coffee + Beer + Wine

This item was recommended for approval.

15 Liquor License - AC Hotel Phoenix Downtown

Request for a liquor license. Arizona State License Application 156428.

Summary

Applicant
Amy Nations, Agent

License Type
Series 11 - Hotel/Motel

Location
414 N. 5th St.
Zoning Classification: DTC-Business Core
Council District: 8

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

The 60-day limit for processing this application is Nov. 27, 2021.

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:
"NVM Management has multiple years of experience operating the food and beverage business and operating hotels and resorts located across the United States. We have extensive experience providing alocholic beverages service to our guests and will operate the business in a safe and professional manner."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Today's business and leisure travellers expect a high level of service, convenience, and amenties when choosing a destination and hotel. There is continued expected demand for hotel occupancy in the Phoenix area. The hotel will support area businesses and residence by offering full

service accommodations combined with food and beverage service and other amenities."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - AC Hotel Phoenix Downtown
Liquor License Map - AC Hotel Phoenix Downtown

This item was recommended for approval.

16 Liquor License - ALDI #157

Request for a liquor license. Arizona State License Application 162128 and 162128S.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 10 - Beer and Wine Store with Sampling Privileges

Location
5775 W. Baseline Road
Zoning Classification: S-1 (Approved R-3 and C-2)
Council District: 8

This request is for a new liquor license for a grocery store with sampling privileges. This location was not previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is Nov. 24, 2021.

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.

ALDI #156 (Series 10)
2844 S. Alma School Road, Chandler
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

ALDI #160 (Series 10)
24665 N. Lake Pleasant Parkway, Peoria
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

ALDI #161 (Series 10)
845 N. Estrella Parkway, Goodyear
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

ALDI #165 (Series 10)
1801 E. Pecos Road, Gilbert
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:
"We train all of our employees in responsible liquor sales. We also conduct regular audits to ensure they comply."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This is a full-service grocery store serving the surrounding community and visiting public customers Sunday thru Saturday. While alcoholic beverage sales will generate a small percentage of the overall sales, the investment in a liquor license is requested as a service and convenience to the customers as an integral part of the shopping experience. The inclusion of beer & wine will allow customers the same service that they would experience at other local supermarkets. We'll strive to become a valuable member of the community and will work hard to help the neighborhood achieve their development goal and continually improve the character of the neighborhood.

Our grocery store will be a desirable and unique addition to the community. Our store's location is the perfect convenience for those who work nearby. The office employees on N. West Ave and the retail store and restaurant workers on W. Shaw Ave. will find our store's location to be an ideal advantage with the ability to drop in and purchase everyday groceries that have been curated solely for them. In addition, our store's placement will be beneficial to the passersby's who are running an errand at the Bank of West on W. Shaw Ave or the Citi Bank ATM on N. West Ave. We will also be the perfect accommodation to those who want to pick up the groceries for dinner after their afternoon coffee at the nearby coffee shops.

Our store will prove to be extremely desirable to the public by providing area residents, visitors and nearby workers with the unique experience to

"shop differently". This experience allows those in the community to have a faster, easier and smarter way to save money on high quality groceries. We want to provide our community with nothing but the best source of everyday food items while providing savings. We source only the best for our shelves are quick to spot the latest must-haves and work hard to bring them to ALDI stores without the trendy prices. We also source delivered-daily produce, fresh meats and fish, and carry an extensive line of organics, gluten-free and vegan foods.

In 2015, we removed certified synthetic colors, added MSG, and partially hydrogenated oils from all of our exclusive brand food products. These reformulated products are the exact same high-quality and taste shoppers expect from ALDI exclusive brands the most popular of which include our seasonal treat of Belgian Cocoa Dusted Truffles, our Paw Patrol Chicken Nuggets made of white meat and whole grain bread crumbs and our keto diet-friendly L'Oven Fresh Zero Net Card Bread.

I respectfully request that the Arizona Department of Liquor finds that Public Necessity and Convenience would be served by the issuance of a liquor license to the requested premises. This is founded on 2 basic principles:

1. To offer great shopping items that are unique to the area.
2. To create a shopping environment where customers feel comfortable and welcome."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - ALDI #157
Liquor License Map - ALDI #157

This item was recommended for approval.

17 Liquor License - G&F Convenient Store

Request for a liquor license. Arizona State License Application 162423.

Summary

Applicant
Matthew Donnelly, Agent

License Type
Series 10 - Beer and Wine Store

Location
2044 E. Yale St.
Zoning Classification: R1-6
Council District: 8

This request is for a new liquor license for a convenience store that does not sell gas. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Nov. 27, 2021.

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 hold a certificate for the basic liquor law training. This training provided me the opportunity of learning the imortance and significance of obtaining a beer and wine license. I am assured to uphold the laws and regulations about beer and wine license.”

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 beer and wine. The location will be convenient for the people in neighborhood who may not have access to transportation The convenient store I purchase have been at same location for over 20 years.”

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 - G&F Convenient Store
Liquor License Map - G&F Convenient Store

This item was recommended for approval.

18 Liquor License - Wok N' Roll

Request for a liquor license. Arizona State License Application 162222.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
330 E. Roosevelt St., Ste. B
Zoning Classification: DTC - East Evans Churchill
Council District: 8

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

The 60-day limit for processing this application is Nov. 27, 2021.

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.

Wok N' Roll (Series 12)
2801 N. Central Ave., Phoenix
Calls for police service: 2
Liquor license violations: None

Wok N' Roll (Series 12)
4412 N. Miller Road, 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 own a couple locations and wanted to expand into the downtown area. I will continue to abide by Title 4 liquor laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I would like to offer my patrons the choice of having an adult beverage."

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 - Wok N' Roll
Liquor License Map - Wok N' Roll

This item was recommended for approval.

19 Liquor License - Nu Towne Saloon

Request for a liquor license. Arizona State License Application 06070492.

Summary

Applicant
Rory Kelley, Agent

License Type
Series 6 - Bar

Location
5002 E. Van Buren St.
Zoning Classification: C-3
Council District: 6

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

The 60-day limit for processing this application was Oct. 19, 2021. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona
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 owned and operated my own businesses in the past, primarily in the Outdoor Advertising and on premise sign industries. I have always considered myself a responsible citizen, having been involved with numerous community groups as well as national organizations. Currently I am into my 49th consecutive years with the Fiesta Bowl (Life member),

as well as serving on the management committee for the United States Croquet Association (Western Regional V.P) and a member of the Croquet Foundation of Arizona 'Hall of Fame' I am a graduate of Arizona State University and formerly served in the US Coast Guard. When I assume responsibility, I take responsibility. I consider myself to be physically & mentally capable."

Staff Recommendation

Staff recommends disapproval of this application based on a Police Department recommendation for disapproval due to misleading information provided on the application. The applicant has not demonstrated the capability, qualifications and reliability to hold and control a liquor license.

Attachments

Liquor License Police Department Recommendation - Nu Towne Saloon

Discussion

Councilman DiCiccio stated he wished to move no recommendation, noting this business had some issues to work through but it could be done through the State. He pointed out that Council was just a recommending body and the State made the final decision.

A motion was made by Councilman DiCiccio, seconded by Councilwoman Stark, that this item be forwarded to the State with no recommendation. The motion carried by the following vote:

Yes: 9 - Councilwoman Ansari, Councilman DiCiccio, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Garcia and Mayor Gallego

No: 0

20 Liquor License - Coyote Mexican Cuisine

Request for a liquor license. Arizona State License Application 159170.

Summary

Applicant

Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
7822 N. 12th St., #B
Zoning Classification: PSC
Council District: 6

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

The 60-day limit for processing this application is Oct. 30, 2021.

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

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
“We train all of our employees in responsible liquor service. We also conduct regular audits to ensure they comply.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“We would like the ability to offer our patrons of age, an adult beverage to accompany our fine dining.”

Staff Recommendation
Staff recommends disapproval of this application based on a Police Department recommendation for disapproval. The Police Department disapproval is based on concerns that the establishment is operating as a bar rather than a restaurant, inconsistencies in the application materials, and possible hidden ownership. The applicant has not demonstrated the capability, qualifications and reliability to hold and control a liquor license.

Attachments
Liquor License Data - Coyote Mexican Cuisine
Liquor License Map - Coyote Mexican Cuisine
Liquor License Police Department Recommendation - Coyote Mexican Cuisine

Discussion
Councilman DiCiccio said he wished to make no recommendation, noting he spoke to the applicant who made some valid points.

Cesar Altamirano stated he was the executive chef and had been working on something unique for the restaurant. He expressed the Liquor Department claimed they were not a restaurant, but there was $40,000 worth of equipment in the kitchen which did not offer bar food. He stressed they were trying to do something different for the community.

Jeffrey Miller remarked he appreciated the no recommendation motion as it would give them time to address all the issues with the Phoenix Police Department and Liquor Department. He indicated the owners were

working to make this a real restaurant and kept the business name, but planned on rebranding to address issues at the Liquor Department.

Andrews Samuka stated he opened an African restaurant in 2010 that was successful, but a bad partnership threatened the business so he started looking at different venues. He said he had an opportunity to purchase this business while his other restaurant was going out of business. He expressed it was difficult to start a new business, especially with negativity from the Police Department, but he hoped to get support from the Council.

Mayor Gallego noted the previous group associated with this business had some serious concerns and said she appreciated the Police Department looking into it.

Councilman DiCiccio conveyed he appreciated the work that the Police Department did on this item and the previous one. He had done some research and disagreed with their recommendation, noting he did not want to stand in the way of someone being successful unless there were unacceptable issues. He added the business had to match the 60/40 rule or go in front of the State Liquor Board to defend their license.

A motion was made by Councilman DiCiccio, seconded by Councilwoman Stark, that this item be forwarded to the State with no recommendation. The motion carried by the following vote:

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

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

Two electronic comments were submitted for the record in support of Item 49.

A motion was made by Vice Mayor Garcia, seconded by Councilwoman Stark, that

Items 21-84 be approved or adopted, except Items 21, 24, 29, 34-35, 37-39, 53-56 and 82; and continuing Item 49 to the Dec. 1, 2021 City Council Formal Meeting. The motion carried by the following vote:

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

Items 22-23, Ordinance S-48088 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.

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

To make payment of up to $425,000.00 in settlement of claim(s) in *Gutierrez v. City of Phoenix*, 20-0702-001, BI, GL, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of bodily injury claim arising out of a police incident on Aug. 5, 2019.

This item was adopted.

23 Life Technologies Corporation

For $28,000.00 in payment authority to purchase a one-year service maintenance agreement from Nov. 1, 2021 through Nov. 29, 2022 for two 3500xl Genetic Analyzers for the Laboratory Services Bureau, Forensic Deoxyribonucleic Acid (DNA) Section for the Police Department. The 3500xl Genetic Analyzers are proprietary and have been validated for use with laboratory reagents to meet national standards. The instruments are critical for conducting DNA analysis on biological evidence collected during criminal investigations. Service is required to meet the federal standards for DNA casework laboratories.

This item was adopted.

25 Landscape and Utility Vehicles, Trailers and Equipment -

Requirements Contract - ADSPO18-202494 (Ordinance S-48092)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 150029 Drake Equipment of Arizona, Inc.; 150054 Alamo Group, Inc.; 150024 A&G Turf Equipment, Inc.; 150028 Fleming Trailers, Inc.; 150022 Diamond Mowers, LLC; 150055 A to Z Equipment; 150057 Deere & Company; 150027 Stotz Equipment; 150056 Sonsray Machinery LLC; 150030 GO AZ Motorcycles; 150031 Bingham Equipment Company for the purchase of utility vehicles, tractors, trailers, all-terrain vehicles, golf carts, lawn and garden equipment used by departments Citywide. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $10,017,588.

Summary

These contracts are used to provide trailers, landscaping equipment, and utility vehicles as needed for the maintenance of streets, water utilities, parks, solid waste collection and other areas that are vital to City operations. During the past two years, departments have worked to replace aging equipment at the same time there has been significant global price increases that necessitate the additional funding.

Contract Term

The contract term is June 1, 2019 through May 31, 2024.

Financial Impact

Upon approval of $10,017,588 in additional funds, the revised aggregate value of the contract will not exceed $15,617,588. Funds are available in the various departmental budgets.

Concurrence/Previous Council Action

This contract was originally approved by City Council on May 15, 2019.

This item was adopted.

26 Authorization to Enter into a Lease Agreement with International Flora Technologies, Ltd. at 28633 W. Patterson Road, Buckeye, Ariz. (Ordinance S-48091)

Request to authorize the City Manager, or his designee, to enter into a 10-year lease agreement with International Flora Technologies, Ltd.

(Floratech) for continued occupancy of approximately 10.95 acres of land improved with a 25,837 square foot industrial building at 28633 W. Patterson Road. Further request to authorize the City Treasurer to accept all funds related to this item.

Summary

Floratech has operated at this location since Aug. 15, 2008, and currently leases approximately 10.95 acres of land improved with a 25,837 square foot industrial building for the purpose of administrative offices, manufacturing and distribution of cosmetic products, related uses, and processing and storage. A new lease agreement will be executed and will supersede lease agreement 124291 which expires on Aug. 14, 2023. Floratech is a long-term tenant in good standing.

The lease will be for a 10-year term plus two, 5-year options to extend. Each option period will be exercised upon mutual agreement of the City and Floratech.

Monthly base rent for the first year will be $9,125, plus applicable taxes, which is within the range of market rents as determined by the Finance Real Estate Division. Base rent will be adjusted annually thereafter at a rate of three percent, and to market rent at the beginning of each option period, if exercised. Base rent will be abated in an amount not to exceed $3,541.67 per month over the initial 10-year term to offset Floratech's costs for installation of a 300,000-gallon water storage tank and pump for the purpose of fire suppression. The City will retain ownership of the fire suppression system (i.e. the water storage tank and pump) upon termination of the lease.

Floratech is responsible for all costs associated with operation and maintenance of the property and all fees, repairs and maintenance related to the fire suppression system. Floratech will provide insurance and indemnification acceptable to the City's Risk Management Division and the Law Department. The lease may be canceled pursuant to A.R.S. section 38-511. The lease may contain such other terms and conditions deemed necessary or appropriate by the City.

Contract Term

The lease agreement will be for a 10-year term, with two 5-year options.

Financial Impact

Net revenue, inclusive of abatement, during the 10-year term will be $830,295, plus applicable taxes.

Concurrence/Previous Council Action

The City Council approved:
Agreement 124291 (Ordinance S-35018) on May 7, 2008.
Amendment 1 and Amendment 2 to Agreement (Ordinance S-40610) on Aug. 15, 2013.

Location

28633 W. Patterson Road, Buckeye, Ariz. - identified by Maricopa County Assessor parcel number 401-66-026C.
Council District: Out of City

This item was adopted.

27 Acceptance and Dedication of Deeds and Easements for Roadway, Public Utility and Sidewalk Purposes (Ordinance S-48098)

Request for the City Council to accept and dedicate deeds and easements for roadway, public utility and sidewalk 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: Aida Ayala, its successor and assigns
Purpose: Public Utility
Location: 3545 W. Westcott Drive
File: FN 210097
Council
District: 1

Easement (b)
Applicant: 1122 Investment Bismarck LLC, its successor and assigns
Purpose: Sidewalk

Location: 2107 W. Whispering Wind Drive
File: FN 210093
Council
District: 1

Deed (c)
Applicant: Leonard Earl Thornton and Beverly Jo Thornton, its successor and assigns
Purpose: Roadway
Location: 10818 N. 17th Drive
File: FN 210082
Council
District: 3

Easement (d)
Applicant: Ninety-Nine Holdings, LLC, its successor and assigns
Purpose: Public Utility
Location: 1701 N. 99th Ave.
File: FN 210070
Council
District: 5

Easement (e)
Applicant: SSCW 99th Avenue Retail LLC, its successor and assigns
Purpose: Public Utility
Location: 1701 N. 99th Ave.
File: FN 210070
Council
District: 5

Easement (f)
Applicant: Rogelio V. Gonzalez, its successor and assigns
Purpose: Public Utility
Location: 3403 W. Van Buren St.
File: FN 210092
Council
District: 7

Easement (g)
Applicant: Jose Santana Bonilla Canchola and Thomas Velazquez, its successor and assigns
Purpose: Public Utility
Location: 702 W. Romley Road
File: FN 210087
Council
District: 7

Easement (h)
Applicant: Kay DC Enterprises, LLC, its successor and assigns
Purpose: Sidewalk
Location: 2444 and 2454 E. Broadway Road
File: FN 210083
Council
District: 8

Easement (i)
Applicant: Habitat for Humanity Central Arizona, its successor and assigns
Purpose: Public Utility
Location: 1216, 1220, 1221, 1224, 1227, 1228 and 1232 S. 12th Ave.
File: FN 210089
Council
District: 8

Deed (j)
Applicant: Callie Lounie Evitt and Norma Garrison, its successor and assigns
Purpose: Roadway
Location: 8201 S. 9th St.
File: FN 210084
Council
District: 8

This item was adopted.

28 Acceptance of Easements for Drainage, Vehicular Non Access and Water Purposes (Ordinance S-48099)

Request for the City Council to accept easements for drainage, vehicular non access and water purposes; further ordering the ordinance recorded.

Summary

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

Easement (a)
Applicant: 25th and Bell LIHTC, LLC, its successor and assigns
Purpose: Drainage
Location: 16801 N. 25th St.
File: FN 210078
Council District: 2

Easement (b)
Applicant: Rogelio V. Gonzalez, its successor and assigns
Purpose: Vehicular Non Access
Location: 3401 W. Van Buren St.
File: FN 210092
Council District: 6

Easement (c)
Applicant: William D.H. Francis and Shan L. Francis, Trustees UDT, Dated October 19, 1995, its successor and assigns
Purpose: Water
Location: 6027 E. Calle del Norte
File: FN 210086
Council District: 6

Easement (d)
Applicant: Zielinski Family Trust, U/A Dated June 24, 2021, its successor and assigns
Purpose: Water
Location: 4222 N. Paradise Way
File: FN 210086
Council District: 6

Easement (e)

Applicant: Highline Properties LLC, its successor and assigns
Purpose: Drainage
Location: 3812 E. Beverly Road
File: FN 210090
Council District: 8

Easement (f)
Applicant: MYIA Investments, LLC, its successor and assigns
Purpose: Drainage
Location: 10006 S. 19th Ave.
File: FN 210081
Council District: 8

This item was adopted.

30 Amendments to Pay Ordinance S-47689 in Accordance with Human Resources Committee 611 (Ordinance S-48116)

As part of a comprehensive proposal to address the job family of Street Maintenance Workers and establish a robust apprenticeship program, and to provide the Police Department with additional staffing flexibility with investigative duties, the following amendments to the Pay Ordinance [S 47689] are proposed in accordance with the recommendation of Human Resources Committee 611. The proposal will also require modifications to the City's Classification Plan [S-5815], which will be processed under a separate ordinance.

Insert New Language in Section 6
SECTION 6. On and after the effective date of this Ordinance, the pay rates for employees of the City of Phoenix shall be that shown in the Schedule II for each fiscal year, except that employees designated as Council Office Staff, Executive, or Middle Management **or enrolled in an apprenticeship program and assigned to apprentice compensation grades**, shall have a salary set by the City Manager which shall be at or between the minimum and maximum rates assigned to that classification as shown in the Schedule II for each fiscal year.

Insert New Subsection in Section 10
(y) Employees enrolled in an apprenticeship program and assigned to apprentice compensation grades may be advanced

within their assigned pay grade by the City Manager based upon periodic review of the individual employee's work performance.

Establish the classification of Police Civilian Investigator, Job Code 62560, Salary Plan 001, Grade 033 ($24.89 - $37.87/hourly), Benefit Category 007, Labor Unit Code: 007, EEO-4 Category: Professionals, FLSA Status: Nonexempt.

Establish the classification of General Apprentice-U1 (NC), Job Code 00010, Salary Plan 100, Grade 190 ($15.00 - $35.00/hourly), Benefit Category 001, Labor Unit Code: 001, EEO-4 Category: Technicians, FLSA Status: Nonexempt.

Modify the Grade of Street Maintenance Worker I, Job Code 70110, from Salary Plan 002, Grade 111 ($15.81 - $20.83/hourly) to Salary Plan 002, Grade 112 ($16.32 - $21.58/hourly).

Modify the Class Title and Grade of Street Maintenance Worker II, Job Code 70120, from Salary Plan 003, Grade 113 ($17.86 - $22.55/hourly) to Street Maintenance Worker, Salary Plan 003, Grade 114 ($18.47 - $23.55/hourly).

Modify the assignment of Street Maintenance Worker II*Rapid Responder, Job Code 70121, from Salary Plan 003, Grade 114 ($18.47 - $23.55/hourly) to Street Maintenance Worker*Rapid Responder, Salary Plan 003, Grade 115 ($19.16 - $24.53/hourly).

Modify the assignment of Street Maintenance Worker II*Crew Leader, Job Code 70122, from Salary Plan 003, Grade 114 ($18.47 - $23.55/hourly) to Street Maintenance Worker*Crew Leader, Salary Plan 003, Grade 115 ($19.16 - $24.53/hourly).

Summary

POLICE DEPARTMENT

BACKGROUND

It has been past practice to use sworn Police Department staff to perform all investigator functions. Due to staffing challenges, this practice may result in pulling uniformed sworn Police Officers away from patrol and other public facing duties in order to manage investigator tasks,

some of which do not necessarily need to be performed by a sworn peace officer.

Establishing a classification that allows for a civilian to perform selected investigator functions will provide necessary staffing flexibility and allow the Department to use their sworn staff where they are most needed. Assignments may include investigative or support responsibilities in the Drug Enforcement Bureau, Family Investigations Bureau, Property Crimes Bureau and Violent Crimes Bureau. This classification will not perform internal administrative investigations.

FINDINGS

Examples of similar job descriptions from other municipalities in the local labor market were reviewed, including Gilbert, Mesa, Peoria, and the Department of Public Safety. The target grade of 033 was identified as it aligns with two existing classifications within the Police Department; Police Research Analyst and Criminal Intelligence Analyst. This grade is also competitive with other municipalities.

STREET TRANSPORTATION DEPARTMENT

BACKGROUND

The base classification of Street Maintenance Worker II is heavily reliant upon recruiting candidates to the “underfill” classification of Street Maintenance Worker I. Throughout the course of the study, however, it was determined that designing an attractive apprenticeship program would be more beneficial than continuing to use the entry level classification. At the time of the study, there were about 20 filled positions at the entry level and nearly 30 filled positions at the base level.

FINDINGS

Recent attempts to recruit new employees into the job family were ineffective suggesting that the initial entry rates were not competitive. Further analysis of other local municipalities combined with market pricing from other sources revealed that the City is about two percent behind the labor market.

A one-grade increase was recommended for the base classification and the two “assignments” immediately above the base class to maintain the

competitive labor market position. And a new apprenticeship program was developed to address the attraction and recruiting issues.

APPRENTICESHIP

A new model for apprenticeships is proposed, using a generic classification and an open range without steps. This model will allow for the classification and salary range to be used by a variety of disciplines, and the specific rates of pay for the apprentices, as they progress through the program, will be developed in partnership between Classification/Compensation and the Apprenticeship Committee.

Financial Impact

The total estimated cost for the entire proposal is $48,300. Funding is available in the Police and Street Transportation departments.

Concurrence/Previous Council Action

This action was reviewed and recommended for approval by Human Resources Committee 611 on Oct. 11, 2021.

This item was adopted.

31 Amendments to Classification Plan S-5815 in Accordance with Human Resources Committee 611 (Ordinance S-48117)

As part of a comprehensive proposal to address the job family of Street Maintenance Workers and establish a robust apprenticeship program, and to provide the Police Department with additional staffing flexibility with investigative duties, the following amendments to the Classification Plan [S-5815] are proposed in accordance with the recommendation of Human Resources Committee 611. The proposal will also require modifications to the City's Pay Ordinance [S-47689] which will be processed under a separate ordinance.

Establish the classification of Police Civilian Investigator, Job Code 62560, Salary Plan 001, Grade 033 ($24.89 - $37.87/hourly), Benefit Category 007, Labor Unit Code: 007, EEO-4 Category: Professionals, FLSA Status: Nonexempt.

Establish the classification of General Apprentice-U1 (NC), Job Code 00010, Salary Plan 100, Grade 190 ($15.00 - $35.00/hourly), Benefit

Category 001, Labor Unit Code: 001, EEO-4 Category: Technicians, FLSA Status: Nonexempt.

Modify the Grade of Street Maintenance Worker I, Job Code 70110, from Salary Plan 002, Grade 111 ($15.81 - $20.83/hourly) to Salary Plan 002, Grade 112 ($16.32 - $21.58/hourly).

Modify the Class Title and Grade of Street Maintenance Worker II, Job Code 70120, from Salary Plan 003, Grade 113 ($17.86 - $22.55/hourly) to Street Maintenance Worker, Salary Plan 003, Grade 114 ($18.47 - $23.55/hourly).

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Summary

POLICE DEPARTMENT

BACKGROUND

It has been past practice to use sworn Police Department staff to perform all investigator functions. Due to staffing challenges, this practice may result in pulling uniformed sworn Police Officers away from patrol and other public facing duties in order to manage investigator tasks, some of which do not necessarily need to be performed by a sworn peace officer.

Establishing a classification that allows for a civilian to perform selected investigator functions will provide necessary staffing flexibility and allow the Department to use their sworn staff where they are most needed. Assignments may include investigative or support responsibilities in the Drug Enforcement Bureau, Family Investigations Bureau, Property Crimes Bureau and Violent Crimes Bureau. This classification will not perform internal administrative investigations.

FINDINGS

Examples of similar job descriptions from other municipalities in the local labor market were reviewed, including Gilbert, Mesa, Peoria, and the Department of Public Safety. The target grade of 033 was identified as it aligns with two existing classifications within the Police Department; Police Research Analyst and Criminal Intelligence Analyst. This grade is also competitive with other municipalities.

STREET TRANSPORTATION DEPARTMENT

BACKGROUND

The base classification of Street Maintenance Worker II is heavily reliant upon recruiting candidates to the “underfill” classification of Street Maintenance Worker I. Throughout the course of the study, however, it was determined that designing an attractive apprenticeship program would be more beneficial than continuing to use the entry level classification. At the time of the study, there were about 20 filled positions at the entry level and nearly 30 filled positions at the base level.

FINDINGS

Recent attempts to recruit new employees into the job family were ineffective suggesting that the initial entry rates were not competitive. Further analysis of other local municipalities combined with market pricing from other sources revealed that the City is about two percent behind the labor market.

A one-grade increase was recommended for the base classification and the two “assignments” immediately above the base class to maintain the competitive labor market position. And a new apprenticeship program was developed to address the attraction and recruiting issues.

APPRENTICESHIP

A new model for apprenticeships is proposed, using a generic classification and an open range without steps. This model will allow for the classification and salary range to be used by a variety of disciplines, and the specific rates of pay for the apprentices, as they progress through the program, will be developed in partnership between Classification/Compensation and the Apprenticeship Committee.

Financial Impact

The total estimated cost for the entire proposal is $48,300. Funding is available in the Police and Street Transportation departments.

Concurrence/Previous Council Action

This action was reviewed and recommended for approval by Human Resources Committee 611 on Oct. 11, 2021.

This item was adopted.

32 Amend Personnel Rule 5f and 15e (Ordinance S-48118)

Request City Council approval of amendments to City of Phoenix Personnel Rules 5f and 15e. This action establishes final rules and adopts changes to update the City's Personnel Rules.

Summary

The proposed rule changes are designed to improve current City practice on addressing seniority when reclassifying filled positions and ensure the City is, at minimum, in compliance with State law on administering military leave (**Attachment A - Personnel Rule 5 & 15**).

Public Outreach

A public meeting was conducted by the Human Resources Department on Oct. 19, 2021, to formally solicit comments on the proposed amendments.

This item was adopted.

33 Professional IT Services for Oracle Environment (Ordinance S-48130)

Request to authorize the City Manager, or his designee, to amend Ordinance S-43013, amend the terms and authorize additional expenditures for Agreement 144150 with Bias Corporation; Agreement 144149 with ERP Analysts, Inc.; Agreement 144147 with LCS Technologies, Inc.; and Agreement 144148 with Sofbang, LLC, for professional IT services for the City's Oracle environment for departments citywide, in an amount not to exceed $450,000. Any remaining funds authorized by previous Council action will be applied to the extended contract term. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

The City uses Oracle applications and technologies in multiple departments and for several critical citywide systems. These agreements provide specialized staff and technical services to implement and support citywide, enterprise level Oracle systems. Uses include PeopleSoft development and system administration for the City's Human Capital Management system supported by Information Technology Services, database administration for the Customer Care and Billing System (CC&B), Utilities Work and Asset Management (WAM), and Mobile Workforce Management (MWM) systems supported by the Water Services Department, and business intelligence development for the Public Works Department. Funding professional services to optimize the use of the City's Oracle systems creates efficiencies, improves customer service, and supports delivery of services to the public. Additionally, these contracts allow departments to quickly utilize highly experienced Oracle technology professionals to address unforeseen technology issues or support surges.

This request will also provide funding for additional Oracle technology staff and services for the Water Services Department's upgrade to the MWM system, which is used to manage the department's mobile workforce of field crews. The upgrade will provide new functionality and efficiencies which improves security and customer service.

These agreements are essential to the City, as they will allow departments to continue implementing, updating, or obtaining support of Oracle related applications and technologies on an as-needed basis.

Contract Term

The term of these agreements will be extended through Nov. 30, 2022.

Financial Impact

These contracts were originally approved on Nov. 30, 2016 with an aggregate value of $7,500,000. With the additional $450,000 (including taxes), the aggregate spending authority for these contracts is $7,950,000 over the six-year term ending Nov. 30, 2022. Funds are available in various departments' budgets.

Concurrence/Previous Council Action

These agreements were originally approved by the City Council on Nov. 30, 2016, Ordinance S-43013.

This item was adopted.

36 Authorization to Enter Into an Intergovernmental Agreement with Maricopa County Department of Public Health (Ordinance S-48113)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement with Maricopa County Department of Public Health (MCDPH) for media expansion of MCDPH's, "Positively You," campaign. Further request to authorize the City Controller to disburse all funds related to this item. Funding is available through the Human Services Department. Aggregate expenditure will not exceed $50,000.

Summary

MCDPH's, "Positively You," campaign is a media initiative designed to educate and empower young people with HIV to proactively engage in HIV treatments. The campaign uses multiple mediums to share the inspiring stories of six young, local individuals (Ambassadors) living with HIV. Through video, web, and printed materials, the Ambassadors share initial reaction to their diagnosis and how each overcame fear and internal stigma to access medical care and support services. Media expansion will include: additional Ambassador videos and photo shoots, re-design of current social media ads and website functionality, outreach events, and printed materials.

Contract Term

The term of the contract will begin on or about Nov. 17, 2021, and end on June 30, 2022.

Financial Impact

The aggregate value of the contract shall not exceed $50,000. Funding is available through the Human Services Department.

This item was adopted.

40 Uniformed Unarmed Security Services (Ordinance S-48094)

Request to authorize the City Manager, or his designee, to enter into contract with IPSA Security Services, LLC. to provide Uniformed

Unarmed Security Services for the Phoenix Convention Center Department (PCCD). The agreement is for five years beginning on June 30, 2022 and shall be for an aggregate total of $10,951,790 with an estimated annual amount of $2,190,358. Request further authorization for the Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

The PCCD is seeking to enter into a contract with IPSA Security Services, LLC. to provide Uniformed Unarmed Security Services. PCCD contracts for licensed security guard services, 24 hours a day, at the Phoenix Convention Center facilities, Symphony Hall, Orpheum Theatre and parking facilities. The service also includes, but is not limited to, staffing and operating the Operations Center, providing security services on an as-needed basis, mobile patrols by bicycle, fire watch, fire panel monitoring, monitoring access control and security systems, incident reporting and coordinating with first responders.

Procurement Information

The recommendation is in accordance with City of Phoenix Administrative Regulation 3.10, following the Request for Proposal (RFP) procurement process. There were nine proposals received by the PCCD Financial and Procurement Services section on Aug. 9, 2021. The offers were evaluated on price, responsiveness to specifications, and responsibility to provide the required service. The price was determined to be fair and reasonable. The solicitation notification was publicly posted and available for download from the City's website.

The top three responsive proposers were as follows:

IPSA Security Services, LLC.	#1: Score 816.14
Inter-Con Security Systems, Inc	#2: Score 774.64
GardaWorld Security Services	#3: Score 724.75

Contract Term

The contract term is for five years beginning June 30, 2022.

Financial Impact

The agreement is for five years and shall be for an aggregate total of

$10,951,790 with an annual estimated amount of $2,190,358. Funds are available in the Phoenix Convention Center Department operating budget.

Location
Council Districts: 7 and 8

Phoenix Convention Center, 100 N. Third St.
Symphony Hall, 75 N. 2nd St.
Herberger Theater, 222 E. Monroe St.
Orpheum Theatre, 203 W. Adams St.
Regency Garage, 40 N. 2nd St.
Heritage Garage, 501 E. Monroe St.
East Garage, 601 E. Washington St.
West Garage, 185 N. 2nd St.
North Garage, 429 E. Monroe St.
Tonto Marshalling Yard, 1102 E. Tonto St.

This item was adopted.

41 Authorization to Enter Into Agreement for FY 2021-22 and to Extend FY 2017-18 Agreement for Tourism and Hospitality Advisory Board Funds (Ordinance S-48114)

Request to authorize the City Manager, or his designee, to enter into a contract with the Greater Phoenix Convention and Visitors Bureau (GPCVB) for FY 2021-22 Tourism and Hospitality Advisory Board (THAB) funds and to extend the FY 2017-18 THAB funding agreement with GPCVB for five additional years. Further request authorization for the City Controller to disburse all funds related to this item.

Summary
The Tourism and Hospitality Advisory Board (THAB) is the City of Phoenix Board that, annually, reviews and recommends projects and/or programs that enhance the City's tourism and hospitality industry. The 14-member board is comprised of eight hoteliers (one from each Council district), two at-large members from hospitality related industries, two citywide representatives, one non-voting representative from City staff, and one non-voting member from the GPCVB. For FY 2021-22, $500,000 is appropriated for tourism and hospitality initiatives.

The hospitality industry has begun to gradually recover from the global Coronavirus pandemic. Robust booking activity for future conventions, trade shows and events in 2022 and beyond bodes well for the destination however, the industry continues to be impacted by the cancellation and/or postponement of some conventions, meetings and trade shows.

Procurement Information

The 2021-2022 funding recommendation is in accordance with City of Phoenix Administrative Regulation 3.10, following the approved City of Phoenix Request for Agreement (RFA) procurement process.

On September 21, 2021 at the THAB meeting, the GPCVB presented the proposed FY 2021-22 funding request and scope of work for consideration. In partnership with GPCVB, the current funding proposal will help aid in stimulating the local tourism and hospitality industry and assist in increasing activity to hotels and businesses in the local area; many impacted by the current pandemic. Under the proposal, the GPCVB will utilize THAB funding in the following areas to support the City's tourism and hospitality industry now and over the next several years:

Convention Client Hosting Obligations ($150,000) - Represents nine meetings and conventions to be held at the Phoenix Convention Center between June 2022 and November 2023. It is anticipated that these nine groups will generate approximately 48,000 convention attendees, more than 63,000 hotel room nights and more than $494 in direct spending for every dollar invested.

Phoenix Convention Center Promotional Support ($25,000) - Funds will be used to attract and support new convention business contracted during FY 2021-22 or later. The funds will assist newly contracted groups with support in areas of rental abatements, IT costs, AV costs, registration, or transportation assistance. GPCVB is targeting groups planning to host meetings or events during identified Phoenix Convention Center and Phoenix-area hotel need periods or short-term bookings exploring meeting options in the destination for 2022.

Mega Event Support for the 2023 NFL Super Bowl ($200,000) - Funds will be utilized to offset expenses, such as facility costs, personnel, public safety, traffic barricades and street closures, fan and media events and other such hosting costs. This will be the fourth year of a five-year request to support the Super Bowl in 2023.

Mega Event Support for the 2024 NCAA Men's Final Four ($125,000) - Funds will be utilized to offset expenses, such as facility costs, personnel, public safety, traffic barricades and street closures, fan and media events and other related hosting costs. This will be the third year of a five-year request to support the NCAA Men’s Final Four tournament in 2024.

Additionally, during the September 21, 2021 THAB meeting, the GPCVB presented the results of prior year agreements. It was noted that the 2017-18 THAB funding request secured numerous events that were scheduled to take place in 2020 and 2021. As a result of pandemic related cancellations or postponements, the 2017-18 THAB funds will not be fully expended prior to the expiration of the contract. Accordingly, THAB has recommended that the 2017-18 THAB funding agreement with GPCVB approved by City Council on October 4, 2017 under ordinance S-43953 be extended an additional five years to allow time for events postponed to be rebooked in future years or be replaced with like events.

Contract Term
The contract term is five years with no extension options.

Financial Impact
The budget will not exceed $500,000 over the life of the contract. Extending the term for the FY 2017-18 THAB funds agreement with GPCVB would result in no additional cost to the Phoenix Convention Center. THAB is funded through the Sports Facilities Fund, which is the hospitality industry's share of special excise taxes on hotel/motel lodging and rental cars.

Concurrence/Previous Council Action
The Economic Development and Equity (EDE) Subcommittee recommended approval of this item by a 4-0 vote at its October 27, 2021

meeting. This item was also unanimously approved by the Tourism and Hospitality Advisory Board at its September 21, 2021 meeting.

This item was adopted.

42 Extend Contracts for Fire Station Alerting System Services and Equipment with U.S. Digital Designs, Inc. (Ordinance S-48132)

Request to authorize the City Manager, or his designee, to allow additional expenditures and to extend contracts 144392 and 144152 with U.S. Digital Designs, Inc. (USDD) for station alerting system services and equipment for the Fire Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $2,440,000.

Summary

The Phoenix Fire Department (PFD) is currently under contract with USDD to provide maintenance and service for the proprietary software and equipment (station alerting system) that is used at all Phoenix and regional fire stations to alert crews of an incoming emergency. Fire station alerting equipment, refers to the equipment in fire stations that notifies firefighters on shift that they are being dispatched on an emergency call. This equipment is installed in all Phoenix fire stations and all Valley fire stations participating in the regional CAD system. The equipment and maintenance is proprietary. In addition, the USDD alerting system has an interface with the current Northrup Grumman CAD system and the Motorola radio system. This combination of services, components and interfaces is used to facilitate seamless dispatching for first responders around the valley.

The current contracts are scheduled to expire on Dec. 8, 2021. While PFD is in process of finalizing two new contracts, extensions are necessary to ensure services are not interrupted prior to contract finalization.

Contract Term

Upon approval, the contract term for contracts 144392 and 144152 will be extended for up to 12 months, on a month-to-month basis, through Dec. 8, 2022.

Financial Impact

Upon approval of the $2,440,000 in additional funds, the revised aggregate value of the two contracts will not exceed $14,190,000. Funds are available in the Fire Department's budget.

Concurrence/Previous Council Action

These contracts were originally approved by City Council on Nov. 18, 2015.

This item was adopted.

43 Additional Expenditures for Fire Hose and Ladder Testing - Requirements Contract - T15-091 (A) (Ordinance S-48100)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 149417 with Fire Catt LLC, to provide fire hose and ladder testing for the Phoenix Fire Department (PFD). Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $80,000.

Summary

The additional funds are needed due to the additional fleet of specialized vehicles equipped with numerous ladders and fire hoses. Pursuant to the National Fire Protection Association Standards 1962 and 1932, testing and inspections of fire hoses and ladders must be performed annually by trained personnel. Due to additional fleet and new hires, the PFD will need the additional funding to be added to the contract for the next two years of testing. Without proper testing and inspections, the Fire Department would experience equipment failures and be subject to potential property loss and jeopardize firefighter and public safety.

Contract Term

The contract term is Jan. 24, 2019 through Jan. 23, 2023.

Financial Impact

Upon approval of $80,000 in additional funds, the revised aggregate value of the contract will not exceed $214,000. Funds are available in the Fire Department’s budget.

Concurrence/Previous Council Action

This contract was originally approved by City Council on Jan. 23, 2019.

This item was adopted.

44 Safety Fall Protection and Technical Rescue Equipment - Requirements Contract - RFA 16-152B (Ordinance S-48095)

Request to authorize the City Manager, or his designee, to extend Agreement 144580 with AHS Rescue, LLC and continue using funds approved under Ordinances S-43244 and S-47744 to purchase safety fall protection and technical rescue equipment for the Fire and Information Technology Services departments. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed.

Summary

The contract provides safety fall protection and technical rescue equipment as required for the Fire and Information Technology Services departments. Workers are required to climb communication towers and other structures for maintenance and repair. The equipment provided on this contract is critical for the safety of the employees as they perform their tasks. Central Procurement is currently in process of soliciting a new contract for these items.

Contract Term

Upon approval, the contract term will be extended through Dec. 31, 2022.

Financial Impact

The aggregate value of the contract is $135,000. No additional funds are needed.

Concurrence/Previous Council Action

The contract was originally approved by the City Council on Feb. 15, 2017, and the Fire Department was added on June 23, 2021.

This item was adopted.

45 Public Outreach and Community Engagement Services Contract - Amendment 1 (Ordinance S-48129)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 151323 with Gunn Communications, Inc., to add the Fire Department as a contract user, to provide additional contract capacity, and to increase expenditure authority for the contract. Further

request to authorize the City Controller to disburse all funds related to this item. The additional expenditures included in this amendment will not exceed $18,900.

Summary

This contract provides public outreach and community engagement services for various planning, design and construction projects, including transportation programs and services for the Street Transportation Department.

The purpose of this amendment is to add contract capacity to allow the City Manager's Office, via the Fire Department, to provide outreach and engagement services for the Community Advocacy Program. The program is critical in providing effective crisis response care to individuals who experience traumatic events, who are suffering from mental illness, substance abuse disorders, are victims of crime and assault, or are considered vulnerable or experiencing homelessness.

Contract Term

The contract term will remain unchanged, with potential options to extend the contract through Jan. 31, 2025.

Financial Impact

The initial authorization for the Public Outreach and Community Engagement Services contract was for an expenditure not-to-exceed $1.5 million. This amendment will increase the authorization for the contract by an additional $18,900, for a new total not-to-exceed contract value of $1,518,900.

Funding for this amendment is available in the Fire Department's budget.

Concurrence/Previous Council Action

The City Council approved the Public Outreach and Community Engagement Services Contract 151323 (Ordinance S-46184) on Nov. 20, 2019.

This item was adopted.

46 Alco-Sensor Equipment, Parts and Supplies - Requirements Contract - IFB 21-083 (Ordinance S-48102)

Request to authorize the City Manager, or his designee, to enter into a contract with Intoximeters Inc. to purchase Alco-Sensor Evidential Breath Testing Device (Breathalyzer) for the Police Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $150,000.

Summary

The Breathalyzer is used to produce precise, accurate, and repeatable results on direct breath sample testing. The device has been used by the Phoenix Police Department for several years and has proven to be effective. The contract is partially funded through Proposition 207, an award from the Governor's Office of Highway Safety Enforcement and Street Racing and must be ordered and delivered by the Dec. 31, 2021 deadline.

Procurement Information

IFB 21-083 was conducted in accordance with Administrative Regulation 3.10. The Procurement Division received one offer on Aug. 6, 2021, which was evaluated on price, responsiveness to specifications, and responsibility to provide the required goods and services. The bid notification was sent to 170 suppliers and was publicly posted and available for download from the City's website.

The price was determined to be fair and reasonable based on a review of similar products available on State contract. The City of Phoenix is purchasing a particular product that has more accessories than the State contract, therefore pricing is slightly higher and the price difference is justified.

The Assistant Finance Director recommends that the offer from Intoximeters Inc. be accepted as the lowest priced, responsive, and responsible offer.

Contract Term

The five-year contract term will begin on, or about, Nov. 17, 2021.

Financial Impact

The aggregate contract value will not exceed $150,000. Funds are available in the Police Department’s budget.

This item was adopted.

47 ANSI National Accreditation Board Services - Requirements Contract - EXC 22-014 (Ordinance S-48120)

Request to authorize the City Manager, or his designee, to enter into a contract with ANSI National Accreditation Board, LLC (ANAB) to provide accreditation in the field of forensic science testing under industry standard of International Standards Organization/International Electrotechnical Commission 17025 and supplemental requirements for forensic testing laboratories for the Police Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $228,162.

Summary

ANAB is recognized by the American Accreditation Cooperation and the International Laboratory Accreditation Cooperation and provides the Phoenix Police Department's Laboratory Services Bureau with the required accreditation in the field of forensic science testing necessary to apply for and receive critical grant funding. Accreditation services allow the Phoenix Police Crime Laboratory to fulfill their commitment to generate accurate, impartial scientific examinations and opinions for the criminal justice system in the interest of enhancing public safety.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved Determination Memo which stated that ANAB is the only original accrediting body that can maintain and extend the granted accreditation status. Due to the nature of accreditation programs, there is no other vendor that can replace or substitute for the original accrediting body.

The Assistant Finance Director recommends that the contract with ANSI National Accreditation Board, LLC be accepted.

Contract Term

The five-year contract term will begin on or about Dec. 1, 2021.

Financial Impact

The aggregate contract value will not exceed $228,162 and funds are

available in the Police Department's budget.

This item was adopted.

48 Body Worn Cameras - Requirements Contract - RFP 18-056B (Ordinance S-48125)

Request to authorize the City Manager, or his designee, to allow additional expenditures for Contract 149316 with Axon Enterprise, Inc. for additional body worn cameras for the Phoenix Police Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $2,002,801.

Summary

The Police Department currently has 2,200 body worn cameras (BWC) deployed to all first responders and requests an additional 783 BWCs to allow all sworn employees to have a camera. This will ensure that all uniformed sworn in an enforcement capacity, will have a BWC during mobilization of large events and investigative and administrative details that work supplemental overtime, to provide support in a first responder patrol function.

Contract Term

The contract term is Feb. 19, 2019 through Feb. 14, 2024.

Financial Impact

Upon approval of $2,002,801 in additional funds, the revised aggregate value of the contract will not exceed $8,182,085. Funds are available in the Police Department's operating budget.

Concurrence/Previous Council Action

This contract was originally approved by formal Council action on Feb. 6, 2019.

This item was adopted.

49 Downtown Camera Project (Ordinance S-48123)

Request to authorize the City Manager, or his designee, to replace and redesign the security camera system in the City's downtown core. These cameras are critical to the City's overall security posture, protect the City's critical infrastructure, and support the public's safety and security

during large-scale events in the downtown core. As the City of Phoenix prepares for the upcoming Super Bowl in February 2023, existing cameras continue to fail and have exceeded end of life and must be replaced. The downtown camera project is scalable and will be implemented in phases. Further request authorization for the City Controller to disburse all funds related to this item. The first phase is expected to cost approximately $600,000, while the entire project is expected to cost approximately $1.6 million to complete.

Summary

Between 2008-2012, the Phoenix Police Department's Homeland Defense Bureau's Threat Mitigation Unit utilized grant funding to begin incrementally building a downtown camera capability within the City's downtown core complex (defined as Jackson Street to the I-10 Freeway, 7th Avenue to 7th Street). Over time, the Homeland Security Grant Program funding was reduced and remains a highly competitive process. The Department of Justice/Federal Emergency Management Agency has also placed an increased emphasis on ensuring a regional benefit of all projects funded. This change in guidance no longer makes it possible for the City of Phoenix to utilize Urban Area Security Initiative (UASI) funding to sustain and grow the downtown camera system.

Of the original 60 cameras installed only about 25 remain in varying states of operational condition. As the City of Phoenix prepares for the upcoming Super Bowl and multiple high-profile activities that will take place in the downtown core, access to a comprehensive camera network is critical to effectively manage public safety and the preservation of our City's critical infrastructure.

The proposed project includes:

The replacement of approximately 33 Homeland Defense Bureau cameras (approximate cost $200,000).

Installation of 15 cameras in the downtown core on a wireless transmission system (approximate cost $200,000).

Adding necessary IT infrastructure, servers and storage (approximate cost $200,000).

Once funding is approved, the Homeland Defense Bureau's Threat Mitigation Unit will partner with Public Works and Information Technology

Services (ITS) for specific quotes and development of a deployment and installation plan. ITS is aware of this project; however, there is no current impact until the purchasing phase for the requested equipment.

Procurement Information

The items required for this project will be purchased utilizing existing City of Phoenix contract vendors. No competitive process will be required however, amendments to increase contract spending limits may be required in the future with dates to be determined.

Financial Impact

The initial cost of this project is $600,000.The total project projected investment costs are estimated to be $1.6 million to complete. Funds are available in the Phoenix Police Department's budget.

Concurrence/Previous Council Action

This item was recommended for City Council approval by the Public Safety and Justice Subcommittee on Nov. 10, 2021 by a vote of 3-1.

Location

Downtown core, Jackson Street to the I-10 Freeway, 7th Avenue to 7th Street.

Council Districts: 7 and 8

This item was continued to the Dec. 1, 2021 City Council Formal Meeting.

50 Arizona Governor's Office of Youth, Faith and Family Child Abduction Response Team Grant (Ordinance S-48126)

Request authorization for the City Manager, or his designee, to allow the Police Department to apply for, accept and enter into an agreement with the Arizona Governor's Office of Youth, Faith and Family and seven state law enforcement agencies. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The grant amount requested is $14,000. No matching funds are required.

Summary

The Police Department is seeking state funding to purchase a trailer and equipment to support the efforts of the Arizona Child Abduction

Response Team (AZCART).

The AZCART is comprised of over 600 trained sworn and civilian staff from law enforcement agencies throughout the state of Arizona. The AZCART is called into action when a child is missing and investigative analysis reveals there is a nexus to the kidnapping or abduction by a stranger. When needed, the AZCART may handle the statewide coordination to assist law enforcement agencies with the child abduction investigations and provide staffing, to include technical and resource assistance such as neighborhood canvasses, video/electronic canvasses, search, and rescue. They may also coordinate with the Federal Bureau of Investigation.

Each year through an intergovernmental agreement, the AZCART statewide coordination rotates from the following listed law enforcement agencies. This rotation would include the grant purchased trailer and equipment.

City of Apache Junction
Federal Bureau of Investigation
Town of Maricopa
Town of Paradise Valley
City of Chandler
Town of Gilbert
City of Mesa
City of Scottsdale

If awarded, grant funding will be utilized to purchase a trailer and equipment to be used by the AZCART.

Contract Term
There is not a project period associated with this grant.

Financial Impact
No matching funds are required.

This item was adopted.

51 Public Safety Assessment Services Agreement for Police Recruit Applicants - Amendment 2 (Ordinance S-48122)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 152403 with International Public Management Association for Human Resources (IPMA-HR) for one year through May

20, 2023 and to authorize additional payment authority in the amount of $65,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The City entered into contract with IPMA-HR in 2020 as a pilot program to assess the efficacy of online testing which has proven successful. The Contractor provides written exams for Police Recruit applicants, access to live remote proctoring, and study guides. The exams are administered online by IPMA-HR and in person by the Human Resources and Police departments. Approval to extend the contract for one year will allow sufficient time for Human Resources Talent Acquisition and Police Department staff to conduct research on online testing best practices and existing online testing resources for Police Recruit and other city classifications prior to writing a Request for Proposals (RFP).

Council approved this contract on Jan. 29, 2020; however, the contract did not begin until May 21, 2020 due to the implementation period. The original contract term was for one year with one option to extend the term for one additional year. The extension is needed to ensure there is no interruption of testing services to fill critical Police Recruit positions. The number of Police Recruit vacancies is at an all-time high.

The Police Department will begin paying the applicant online testing fees, one-time per applicant, in an effort to reach a wider applicant pool which is hoped to also increase applicant diversity. In-person tests are paid by the Police Department.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo citing special circumstance without competition because research validated IPMA-HR as the national leader in public sector human resources that also provides assessment services to the public sector.

Financial Impact

Upon the approval of the additional payment authority of $65,000, the revised aggregate value will be $101,100. Funds are available in the Human Resources and Police departments' budgets.

Concurrence/Previous Council Action
The initial contract was approved by City Council on Jan. 29, 2020.

This item was adopted.

52 Third-Party Monitoring Consultant Contract (Ordinance S-48128)

Request to authorize the City Manager, or his designee, to amend, allow additional expenditures, and extend Contract 153991 with 21st Century Policing, LLC (21CP) for the purchase of consulting services related to monitoring of the Phoenix Police Department administrative investigation. Further request authorization for the City Controller to disburse all funds related to this item. The expenditures will not exceed $95,000.

Summary
Additional funds are needed for this existing contract with 21st Century Policing for a new scope to assist with monitoring an internal Professional Standards Bureau investigation (to include administrative duties, reviewing files, assisting with review of an investigative plan, attending interviews and drafting questions), then reviewing resulting disciplinary recommendations and summaries, and attending City meetings as needed. 21CP was selected after receiving resumes and information from five vendors, and then conducting interviews with three; two vendors withdrew. 21CP was chosen, in part, due to their familiarity with police processes through their existing work with the City; additionally, for their breadth of experience in the type of administrative investigation that is needed for this internal administrative investigation of the Oct. 17, 2020 arrests of protesters.

Contract Term
Upon approval, the contract term will be extended through Sept. 17, 2022.

Financial Impact
Approval of $95,000 in additional funds for this contract are for this scope of work. Funds are available in the Law Department's budget.

Concurrence/Previous Council Action
This contract was originally approved by City Council on March 17, 2021.

This item was adopted.

57 Request Authorization to Submit Federal Transit Administration's Buses and Bus Facilities Grant Application and Enter into Grant Agreements (Ordinance S-48127)

Request to authorize the City Manager, or the City Manager's designee, to submit an application to the Federal Transit Administration (FTA) for grant assistance from the FTA's Buses and Bus Facilities Program. Request also to authorize the City Manager, or the City Manager's designee, to execute an agreement with FTA for the purpose of accepting the grant if awarded, and to enter into an agreement with Valley Metro for receiving its pass-through share of the awarded grant funds. Further request to authorize the City Treasurer to receive, and the City Controller to disburse, all funds related to this item in accordance with the terms of the aforementioned grant and agreements. The total of all grant funds in the application will not exceed $8,203,416.

Summary

Phoenix is the designated recipient of FTA grant funds for the Phoenix-Mesa Urbanized Area. As such, Phoenix submits FTA grant applications on behalf of all local governments and agencies in the region.

In partnership with Valley Metro, City of Phoenix is requesting grant funding from the Section 5339 Buses and Bus Facilities Program. Grants under this Program are for capital projects to replace, rehabilitate, purchase, or lease buses and related equipment, or to rehabilitate, purchase, construct, or lease bus-related facilities. This Program supports local and federal initiatives to build modern infrastructure and an equitable, clean-energy future.

The Public Transit Department in partnership with Valley Metro will seek to utilize a combination of Section 5339 grant and local-match funding to implement a program for the purchase of a contingent of electric buses and the installation of supporting facility infrastructure and equipment to evaluate the utilization of electric bus technology for regional transit service.

The FTA application deadline is Nov. 19, 2021.

Financial Impact

Grant funds in the application total will not exceed $8,203,416. The project will be utilizing pass-through funding from the Federal Transit Administration and $844,973 in local funding provided by the Public Transportation Fund (Proposition 400), managed by Valley Metro. No City of Phoenix funds are included in the application.

Location

Council Districts: Citywide and Out of City

This item was adopted.

58 Glacier Camera System at North Gateway Transfer Station, Materials Recovery Facility Pilot Program (Ordinance S-48105)

Request to authorize the City Manager, or his designee, to enter into an agreement with Glacier Technology, Inc. to install a vision camera system at the North Gateway Materials Recovery Facility. Further request to authorize the City Controller to disburse all funds related to this item. This agreement will have an aggregate amount of $12,000.

Summary

Glacier Technology, Inc. will install a vision camera system over the residue belt in the Materials Recovery Facility (MRF) at the North Gateway Transfer Station. This camera will be installed on top of the belts and will scan material flowing through. It is programmed to recognize various materials and will provide real-time data of materials being lost on the residue belt over any period. The City conducts manual hand sorted material audits annually and spot checks of the residue line weekly. Installing this system will allow the City to measure the MRF processor performance in real-time.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a determination memo, citing special circumstance, without competition.

Contract Term

This contract is to begin after receiving City Council approval and will be for two years. This includes the installation and training phase and one year of collecting data.

Financial Impact

This project will have a total aggregate amount not to exceed $12,000 over the term of the pilot program.

Funding is available in the Public Works Department's budget.

Location

North Gateway Transfer Station - 30205 N. Black Canyon Hwy.
Council District: 2

This item was adopted.

59 Downtown Custodial Services Agreement (Ordinance S-48108)

Request to authorize the City Manager, or his designee, to enter into an agreement with 3H Service System, Inc., for custodial services in City-owned downtown facilities. Further request to authorize the City Controller to disburse all funds related to this item. The total aggregate amount is $6,003,785 over the life of the agreement.

Summary

The Public Works Department is responsible for maintaining the cleanliness of City-owned facilities located in the downtown area. These facilities require daily custodial services including cleaning of the restrooms, public areas, conference rooms, floors, and other areas of the buildings. Ancillary services will be conducted on an as-needed basis including carpet cleaning, floor waxing, and top scrubbing. These services help maintain clean, sanitary, and safe work and public spaces within these facilities.

Procurement Information

Invitation for Bid 22-FMD-022 was conducted in accordance with Administrative Regulation 3.10. Seven offers were received by the Public Works Department Procurement Services Division on Aug. 25, 2021. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required services. The offer submitted by 3H Service System, Inc. was deemed fair and reasonable.

3H Service System, Inc.: $1,200,757 estimated annual price for regular

custodial and ancillary services of all 10 City-owned downtown facilities covered under this agreement.

Contract Term
The one-year term of the agreement will begin on or about Jan. 1, 2022. The agreement contains four, one-year options to extend the term, for a total agreement term of up to five years if all options are exercised.

Financial Impact
The aggregate value of the agreement, including all option years, is $6,003,785, including all applicable taxes, with an estimated annual expenditure of $1,200,757.

Funding is available in the Public Works Department's budget.

Location
Downtown Phoenix
Council District: 7

This item was adopted.

60 Custodial Services for Public Works Department Locations Agreement (Ordinance S-48109)

Request to authorize the City Manager, or his designee, to enter into an agreement with UBM Enterprise, Inc., for custodial services of City-owned Public Works Department facilities. Further request to authorize the City Controller to disburse all funds related to this item. The total aggregate amount is $3,720,720 over the life of the agreement.

Summary
The Public Works Department is responsible for maintaining the cleanliness of City-owned, Public Works facilities including fleet service centers and solid waste transfer stations. These facilities require daily custodial services including cleaning of the restrooms, public areas, conference rooms, floors, and other areas of the buildings. Ancillary services will be conducted on an as-need basis including carpet cleaning, floor waxing, and top scrubbing. These services help maintain clean, sanitary, and safe work and public spaces within these facilities.

Procurement Information

Invitation for Bid 22-FMD-023 was conducted in accordance with Administrative Regulation 3.10. Seven offers were received by the Public Works Department Procurement Services Division on Aug. 25, 2021. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required services. The offer submitted by UBM Enterprise, Inc. was deemed fair and reasonable.

UBM Enterprise, Inc.: $59,511.92 monthly price for the regular custodial services of all 18 locations covered under this agreement. Ancillary services are provided on an as-needed basis in addition to the monthly price.

Contract Term

The one-year term of the agreement will begin on or about March 1, 2022. The agreement will contain four, one-year options to extend the term, for a total agreement term of up to five years if all options are exercised.

Financial Impact

The aggregate value of the agreement, including all option years, is $3,720,720, including all applicable taxes, with an estimated annual expenditure of $744,144.

Funding is available in the Public Works Department's budget.

This item was adopted.

61 Pavement Preservation - Two-Step Job Order Contracting Services - 4108JOC199 (Ordinance S-48097)

Request to authorize the City Manager, or his designee, to enter into separate master agreements with three contractors to provide Pavement Preservation Two-Step Job Order Contracting services citywide 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 $135 million.

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

Summary

The Contractors' services will be used on an as-needed basis to provide Pavement Preservation Job Order Contracting (JOC) services for asphalt emulsion fog sealing and rejuvenating asphalt emulsions on arterial, major collector, collector, minor collector, and local streets; asphalt sealcoating and cool pavement surface coatings on minor collector and local streets; and incidental surface preparation work as needed for proper application of pavement preservation coatings. All work will be in accordance with Maricopa Association of Governments (MAG) and/or Phoenix Supplement to MAG. 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. Five firms submitted proposals and are listed below.

Selected Firms

Rank 1: Viasun Corporation
Rank 2: Sunland Asphalt & Construction, LLC
Rank 3: M. R. Tanner Development and Construction, LLC

Additional Proposers
Rank 4: VSS International, Inc.
Rank 5: Cactus Asphalt, a division of Cactus Transport, Inc.

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

Financial Impact
The master agreement values for each of the JOC contractors will not exceed $45 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed $135 million. The value for each job order agreement performed under this mater agreement will be up to $4 million each. In no event will any job order agreement exceed this limit without Council approval to increase the limit.

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

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

This item was adopted.

62 Crack Sealing - Two-Step Job Order Contracting Services - 4108JOC200 (Ordinance S-48112)

Request to authorize the City Manager, or his designee, to enter into separate master agreements with four contractors to provide Crack Sealing Two-Step Job Order Contracting services Citywide 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 $132 million.

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

Summary

The Contractors' services will be used on an as-needed basis to provide Crack Sealing Two-Step Job Order Contracting (JOC) services for sealing cracks in pavement surfaces on arterial, major collector, collector, minor collector, and local streets; other asphalt surface preparation work for future resurfacing; and incidental surface preparation work as needed for proper application of pavement preservation coatings. All work will be in accordance with Maricopa Association of Governments (MAG) and/or Phoenix Supplement to MAG. 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. Six firms submitted proposals and are listed below.

<u>Selected Firms</u>

Rank 1: M. R. Tanner Development and Construction, LLC

Rank 2: ViaSun Corporation
Rank 3: Sunland Asphalt & Construction, LLC
Rank 4: Weems Asphalt, LLC

Additional Proposers
Rank 5: Cactus Asphalt, a division of Cactus Transport, Inc.
Rank 6: VSS International, Inc.

Contract Term
The term of each master agreement is for up to five years, or up to $33 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 $33 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed $132 million. The value for each job order agreement performed under this master agreement will be up to $4 million each. In no event will any job order agreement exceed this limit without Council approval to increase the limit.

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

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

This item was adopted.

63 Wastewater Facilities General Construction - Job Order Contracting Services - 4108JOC197 (Ordinance S-48089)

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

separate master agreements with three contractors, to provide Wastewater Facilities General Construction Job Order Contracting services for the Water Services Department. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for services will not exceed $120 million.

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

Summary

The Contractors' services will be used on an as-needed basis to provide Wastewater Facilities General Construction Job Order Contracting (JOC) services for three wastewater treatment plants, 29 lift stations, and 4,900 miles of gravity sewer line throughout the service area. The work includes, but is not limited to: installation and/or replacement of mechanical equipment, such as pumps, chemical feed equipment, valves and/or actuators; installations of instrumentation and electrical equipment, such as analyzers, meters, sensors, variable frequency drives, and Supervisory Control and Data Acquisition (SCADA) system components, including conduit and/or wiring; programming Remote Terminal Units (RTUs), Programmable Logic Controllers (PLCs) and instrumentation to control facilities in accordance with City Operating Divisions control strategy; general work such as building modifications, structural repairs and/or modifications, painting, specialized maintenance, and concrete, masonry or structural steel work; emergency repair services; pre-construction and post construction services; engineering design services when necessary or required; and sewer line rehabilitation, repair

or replacement. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

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

Contract Term
The term of each master agreement is for up to five years, or up to $40 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact
The master agreement values for each of the JOC contractors will not exceed $40 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed $120 million. The value for each job order agreement performed under this master agreement will be up to $4 million each. In no event will any job order agreement exceed this limit without Council approval to increase the limit.

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

This item was adopted.

64 Cave Creek and Lone Mountain Waterline Connection - Construction Manager at Risk Construction Services - WS85100032, WS85500451 and WS85400007 (Ordinance S-48093)

Request to authorize the City Manager, or his designee, to enter into an agreement with Garney Companies, Inc. to provide Construction Manager at Risk Construction Services for the Cave Creek and Lone Mountain Waterline Connection 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 $14,050,000.

Summary

The purpose of this project is to construct approximately one mile of new waterline to connect between existing infrastructure south of Carefree Highway and the new 10A-B1 Booster Pump Station (BPS). Approximately one mile of new waterline will also be constructed along Lone Mountain Road for system resiliency when the BPS is operational.

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

Garney's services include, but are not limited to: construct the Cave Creek Road and Lone Mountain Road waterlines, solicitation of bids for major portions of work, schedule and manage site operations, acquisition and maintenance of required permits and licenses, coordinate schedules and activities with other contractors, engineers, City of Phoenix departments, utility companies, and other agencies as required.

Procurement Information

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

Contract Term

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

Financial Impact

The agreement value for Garney will not exceed $14,050,000, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved Construction Manager at Risk Preconstruction Services Agreement 153443 (Ordinance S-47136) on Dec. 2, 2020.

Location

Cave Creek Road from Apache Rain Road to Carefree Highway; and Lone Mountain Road from Cave Creek Road to 56th Street.
Council District: 2

This item was adopted.

65 Booster Pump Stations 5A-B1, 1-B3 and 4SA-B2 Rehabilitation and Replacement - Construction Manager at Risk Construction Services - WS85100032 (Ordinance S-48096)

Request to authorize the City Manager, or his designee, to enter into an agreement with Felix Construction Company to provide Construction Manager at Risk Construction Services for the Booster Pump Stations 5A-B1, 1-B3 and 4SA-B2 Rehabilitation and Replacement project. Further request authorization to execute 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 fee for services will not exceed $17,050,000.

Summary

The purpose of this project is to rehabilitate or replace three Booster Pump Stations (BPS) deemed critical for the operation of the water distribution system. The rehabilitation design and construction of these facilities includes, but is not limited to: mechanical, structural, civil, electrical, and instrumentation and control upgrades, as well as potential increases in capacity.

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

Felix's services include, but are not limited to: constructing the selected final plans and specifications; soliciting of bids for major portions of the work; scheduling and managing site operations; acquisition and maintenance of required permits and licenses; and coordinating with various City departments, utility companies, and other agencies, as required. Felix will prepare GMPs for the following BPS sites:

5A-B1 Firm Capacity: 2.8 million gallons per day (MGD); Improvements: Civil, Mechanical, Electrical, Instrumentation
1-B3 Firm Capacity: 135 MGD; Improvements: Electrical, Instrumentation
4SA-B2 Firm Capacity: 1.34 MGD; Improvements: Civil, Mechanical, Electrical, Instrumentation

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

Procurement Information

The selection was made using a qualifications-based selection process

set forth in section 34-603 of the Arizona Revised Statutes. Scoring and selection were made in conjunction with the Construction Manager at Risk Preconstruction Services selection process.

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

Financial Impact
The agreement value for Felix will not exceed $17,050,000, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action
The City Council approved Construction Manager at Risk Preconstruction Services Agreement 150119 (Ordinance S-45708) on June 5, 2019.

Location
Council Districts: 2, 3 and 8

This item was adopted.

66 Booster Pump Station Replacement 10A-B1 - Construction Manager at Risk Construction Services - WS85100032 (Ordinance S-48104)

Request to authorize the City Manager, or his designee, to enter into an agreement with Hunter Contracting Co. to provide Construction Manager at Risk Construction Services for the Booster Pump Station Replacement 10A-B1 project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure

authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $5,025,000.

Summary

The purpose of this project is to make improvements and upgrades to Booster Pump Station 10A-B1, and increase pumping capacity. This booster pump station serves the area along Cave Creek Road north of Dove Valley Road.

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

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

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

Procurement Information

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

Contract Term

The term of the agreement is three years from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement

prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The agreement value for Hunter Contracting Co. will not exceed $5,025,000, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved Construction Manager at Risk Preconstruction Services Agreement 153442 (Ordinance S-47135) on Dec. 2, 2020.

Location

Council District: 2

This item was adopted.

67 Copper Pipe - Request for Award (Ordinance S-48106)

Request to authorize the City Manager, or his designee, to enter into an agreement with Ferguson Enterprises, LLC., to provide copper pipe. Further request authorization for the City Controller to disburse all funds related to this item. This agreement will not exceed $2 million.

Summary

The purpose of this agreement is to purchase copper pipe on an as-needed basis to maintain the infrastructure of various facilities within the Water Services Department. The pipes are used for installation, repair and maintenance of water production, distribution, wastewater collection and treatment infrastructure.

Ferguson Enterprises, LLC's services include but are not limited to the supply of various sizes of copper pipe.

Procurement Information

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

Two vendors submitted bids and are listed below. All bids were found to be responsive and responsible.

Selected Bidder:
Ferguson Enterprises, LLC.: $1,540,436

Other Bidder:
Core & Main, LP: $1,781,052

Contract Term

The agreement will begin on or about Dec. 1, 2021, for a five-year aggregate term with no options to extend.

Financial Impact

The agreement value for Ferguson Enterprises, LLC., will not exceed $2 million for the five-year aggregate term.

Funding is available in the Water Services Department operating budget.

This item was adopted.

68 Bar Screens, Components and Parts Agreement - Request for Award (Ordinance S-48107)

Request to authorize the City Manager, or his designee, to enter into separate agreements with MISCOwater and SUEZ WTS Solutions USA, Inc., to provide components and parts for the purpose of repairing and replacing bar screens for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The value of the agreements will not exceed $684,600.

Summary

The purpose of this agreement is to purchase the repair components and parts for bar screens used at the Water Production and Wastewater Treatment plants. Bar screens operate 24 hours a day, 7 days per week, to remove solids from entering the plant. Over time, staff must replace

parts due to corrosion, damage, wear and tear to ensure the equipment is continually operable.

Contractor's services include but are not limited to providing bar screen components and parts on an as-needed basis.

Procurement Information
The recommendations were made using an Invitation for Bids procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

Two vendors submitted bids and are listed below. All bids were found to be responsive and responsible.

Selected Bidders:
Group 1 - SUEZ WTS Solutions USA, Inc.: $38,457.18
Groups 2 and 3 - MISCOwater: $657,597.26

Contract Term
The agreement will begin on or about Jan. 1, 2022, for a five-year aggregate term with no options to extend.

Financial Impact
The agreement values will not exceed $684,600 for the five-year aggregate term.

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

This item was adopted.

69 Hauling of Water Sludge and Screening Hauling Services Agreement - Request for Award (Ordinance S-48111)

Request to authorize the City Manager, or his designee, to enter into an agreement with Western Utility Contractors dba Overley’s to provide hauling of water sludge and screening hauling services for the purpose of remaining in compliance with 40 CFR 503, Standards for the Use or Disposal of Sewage Sludge. Further request to authorize the City Controller to disburse all funds related to this item. The agreement will

not exceed $7.5 million.

Summary

The purpose of this agreement is to provide hauling of water sludge and screening hauling services for the Water Services Department's water and wastewater treatment plants.

Western Utility Contractors dba Overley's services include, but are not limited to: removing, transporting and disposing of water sludge, barscreen conveyor and wastewater screenings, cleaning the work area, cleaning up spills or leaks, and replacing and moving rental roll-off bins upon request by the City.

Procurement Information

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

Three vendors submitted bids and are listed below, and all bids were found to be responsive and responsible.

Selected Bidder:
Western Utility Contractors dba Overley's: $1,418,771.75

Other Bidders:
Otto Trucking, Inc.: $1,783,270
Minero Trucking, LLC: $2,112,500

Contract Term

The agreement will begin on or about Jan. 1, 2022, for a five-year aggregate term with no options to extend.

Financial Impact

The agreement value for Western Utility Contractors dba Overley's will not exceed $7.5 million for the five-year aggregate term.

Funding is available in the Water Services Department Operating budget.

This item was adopted.

70 **Salt River Project Distribution Design and Construction Contract for Well 156 Beautification - WS85400200-4 (Ordinance S-48103)**

Request to authorize the City Manager, or his designee, to enter into a Distribution Design and Construction Contract with Salt River Project to provide upgraded electrical service to City Well 156 located near North 59th Avenue and West Osborn Road. Further request to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18. Additionally, request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $2,650.

Summary

The Water Services Department is constructing improvements at Well 156 located near North 59th Avenue and West Osborn Road which will require installation of a new commercial electrical service to the site. The total cost of work for the Distribution Design and Construction Contract is $2,650. This work is in conjunction with City Project WS85400200-4 Well 156 Beautification.

Contract Term

The term of the contract will begin in November 2021 and will expire when the service is installed and power is provided to the site.

Financial Impact

Funding in the amount of $2,650 is available in the Water Services Department's Capital Improvement Program budget.

Location

Near North 59th Avenue and West Osborn Road.
Council District: 7

This item was adopted.

71 **Agreement with Salt River Project to Produce a Wintertime Orographic Cloud Seeding Climatology for the White Mountains of Arizona (Ordinance S-48115)**

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

sharing agreement with the Salt River Project Agricultural Improvement and Power District to share the costs to develop a Wintertime Orographic Cloud Seeding Climatology for the White Mountains of Arizona. Further request to authorize the City Controller to disburse all funds related to this item. The cost will not exceed $40,000.

Summary

Nearly 60 percent of the City's water supply originates in the Salt and Verde watersheds, and the primary source of water is precipitation in the form of winter snowpack. The State of Arizona has been in drought conditions for over 20 years, impacting water supplies from all sources. This is a concern for both Salt River Project Agricultural Improvement and Power District (SRP) and the City which rely upon water supplies generated from snowpack.

Cloud seeding is a process that introduces ice into subfreezing clouds containing super cooled liquid water which can enhance the precipitation efficiency of the clouds and add to the snowpack and subsequent runoff. During the late 20th century, the United States Bureau of Reclamation indicated there was significant potential to enhance surface water supplies from winter cloud seeding; however, the Salt River watershed in the White Mountains was not included in the research.

SRP would like to further study the value of cloud seeding in the Salt River watershed. Due to the Salt River watershed being a significant source of the City's water portfolio, SRP has requested that the City participate in a cost sharing agreement to support the study.

Contract Term

The agreement will terminate once the Wintertime Orographic Cloud Seeding Climatology study has been completed.

Financial Impact

The total cost estimate for the Wintertime Orographic Cloud Seeding Climatology study is approximately $140,000. The City's share of the costs as specified by the Agreement is $40,000.

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

Location
White Mountains of Arizona
Council District: Out of City

This item was adopted.

72 Final Plat - Sky Crossing - Parcel 16 - Tract P - PLAT 210046 - North of Deer Valley Drive and East of 32nd Street

Plat: 210046
Project: 16-1029
Name of Plat: Sky Crossing - Parcel 16 - Tract P
Owner: Sky Crossing Community Association, Inc.
Engineer: HilgartWilson, LLC
Request: A private drive tract adjustment
Reviewed by Staff: Oct. 13, 2021
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 a private drive tract.

Location
Generally located north of Deer Valley Drive and east of 32nd Street.
Council District: 2

This item was approved.

73 Final Plat - Northwest Corner of Central Avenue & Indian School Road - PLAT 200610 - Northwest Corner of Central Avenue and Indian School Road

Plat: 200610
Project: 19-598
Name of Plat: Northwest Corner of Central Avenue & Indian School Road
Owner: TB 4100 N Central Ave, LLC
Engineer: Jerry K Haws, RLS
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Oct. 19, 2021
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 Central Avenue and Indian School Road.
Council District: 4

This item was approved.

74 Final Plat - Arcadia 24 - PLAT 210036 - West of 38th Street and North of Osborn Road

Plat: 210036
Project: 20-2985
Name of Plat: Arcadia 24
Owner: 3622 N 38th Street LLC
Engineer: Adrian Burcham, RLS
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Oct. 13, 2021
Final Plat requires Formal Action Only

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

Location
Generally located west of 38th Street and north of Osborn Road.
Council District: 6

This item was approved.

75 Final Plat - McKinley Green - PLAT 200547 - Northeast Corner of 2nd Avenue and McKinley Street

Plat: 200547
Project: 19-1930
Name of Plat: McKinley Green
Owner: First McKinley Owner, LLC
Engineer: Troy A. Ray, RLS
Request: A 1 Lot Commercial Plat

Reviewed by Staff: Oct. 20, 2021
Final Plat requires Formal Action Only

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with Abandonment V190063A. The sequence of recording is as follows: the resolution of abandonment is first, and this plat is second.

Location

Generally located at the northeast corner of 2nd Avenue and McKinley Street.
Council District: 7

This item was approved.

76 Final Plat - Diablo Business Park - PLAT 200517 - Northeast Corner of Wier Avenue and 36th Street

Plat: 200517
Project: 01-21563
Name of Plat: Diablo Business Park
Owner: BKM Diablo 227, LLC
Engineer: Anthony Slater, RLS
Request: An 8 Lot Commercial Plat
Reviewed by Staff: Oct. 6, 2021
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 Wier Avenue and 36th Street.
Council District: 8

This item was approved.

77 Partial Conservation Easement Release at 306 W. Almeria Road (Ordinance S-48110)

Request to authorize the City Manager, or his designee, to enter into necessary agreements and conveyances to release items for the recorded conservation easement at 306 W. Almeria Road in the Willo Historic District to allow an addition to the rear of the house.

Summary

City Council approved a $10,000 grant in 2019 to assist with the rehabilitation of the house at 306 W. Almeria Road in the Willo Historic District. In exchange for the funds, owners Billy Shields and Lora Villasenor executed a 15-year conservation easement. The easement runs with the property until April 24, 2034. On July 17, 2020, the property was acquired by Jason and Jessica Blaydes. The Blaydes are looking to expand the house by constructing an addition to the rear. To facilitate the new addition, an existing Arizona room at the rear of the house would be removed, along with a carport connecting the house and detached garage. The addition would also require the removal of a small section of the original rear wall and three original steel casement windows.

Staff has no objections to the proposed rear addition as it meets the General Design Guidelines for Historic Properties and the criteria adopted by the Historic Preservation Commission for approval as a Certificate of No Effect (CNE). Neither the Arizona room nor the carport has historic value. Removal of a small section of the wall is allowed under the CNE policy, as long as a majority of the wall remains intact. The steel casement windows will be retained and reused in the proposed addition. Staff recommends these items be released from the conservation easement. Staff does not believe it is necessary to extend the terms of the easement or require repayment of the grant funds in this case.

Concurrence/Previous Council Action

The Historic Preservation Commission recommended approval on Oct. 18, 2021.

The Economic Development and Equity Subcommittee considered this item on Oct. 27, 2021 and recommended approval.

Location

306 W. Almeria Road

Council District: 4

This item was adopted.

78 Acceptance of Conservation Easement - 800 N. 1st Ave. (Ordinance S-48131)

Request to authorize the City Manager, or his designee, to accept a perpetual conservation easement at 800 N. 1st Ave. in conjunction with Abandonment Application V190063A. The conservation easement will be recorded via separate instrument.

Summary

On Dec. 18, 2019, the City Council heard the appeal to overturn the Abandonment Hearing Officer's approval of Case V190063A, the abandonment of an alleyway on a portion of the block bounded by 1st Avenue (East), 2nd Avenue (West) and McKinley (South). The City Council upheld the hearing officer's conditional approval of the original abandonment request subject to stipulations and added six additional stipulations.

One of the stipulations of the conditional approval was that a perpetual conservation easement, in accordance with the requirements of the City's Historic Preservation Office, be dedicated over the portion of the site known as the "McKinley Club," located at 800 N. 1st Ave. (APN 111-40-074A). Built in 1947, the McKinley Club building was originally a small medical center constructed by Dr. H.D. Ketcherside and Dr. Joseph Bank. These doctors, along with six other physicians, opened their offices in the structure in May 1947. Designed by architect Harold Ekman, the Midcentury Modern building has stuccoed exterior walls, steel casement windows, decorative planters and window grilles, and a tiled interior courtyard with a fountain.

The applicant, True North Studio, has worked with Historic Preservation and Law Department staff to develop the language for the conservation easement. Acceptance of the easement will satisfy the stipulation of the abandonment.

Financial Impact

Acceptance of the conservation easement will have no financial impact to the City.

Location
800 N. 1st Ave.
Council District: 7

This item was adopted.

79 Abandonment of Alley - V190063A - North of McKinley Street between 1st and 2nd Avenue (Resolution 21978)

Abandonment: V190063A
Project: 19-1930
Applicant: True North Studio
Request: To abandon the alley adjacent to lots 1 - 10 per Plat, “Bennet Place”; Book 002, Page 43, recorded with Maricopa County Recorder.
Date of Decision/Hearing: Dec. 18, 2019

Summary
This resolution also needs to record concurrently with PLAT 200547. The sequence of recording is as follows: this resolution of abandonment is first, and PLAT 200547 is second.

Location
North of McKinley Street between 1st and 2nd Avenue
Council District: 7

Financial Impact
A consideration fee was also collected as part of this abandonment in the amount of $36,200.

This item was adopted.

80 Modification of Stipulation Request for Ratification of Oct. 20, 2021 Planning Hearing Officer Action - PHO-6-21--Z-29-03-1 - Southeast Corner of 67th Avenue Alignment and the Pinnacle Vista Drive Alignment (6524 West Gold Mountain Pass)

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 Oct. 20, 2021. This ratification requires formal action only.

Summary
Application: PHO-6-21--Z-29-03-1
Existing Zoning: R1-8

Acreage: .90

Applicant/Representative: Daniel Istrate
Owner: Daniel Ognean

Proposal:
1. Modification of Stipulation 1 regarding the developable area and preservation area of Lot 9.

Concurrence/Previous Council Action
Village Planning Committee (VPC) Recommendation: The Deer Valley Village Planning Committee heard this case on Oct. 14, 2021 and recommended approval, by an 8-0 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Oct. 20, 2021, and recommended approval with a modification. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location
Southeast corner of 67th Avenue alignment and the Pinnacle Vista Drive alignment (6524 West Gold Mountain Pass)
Council District: 1
Parcel Address: 6524 W. Gold Mountain Pass

This item was approved.

81 Modification of Stipulation Request for Ratification of Oct. 20, 2021 Planning Hearing Officer Action - PHO-1-21--Z-57-06-7 - Approximately 300 Feet North of the Northwest Corner of 91st Avenue and Lower Buckeye Road

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 Oct. 20, 2021. This ratification requires formal action only.

Summary
Application: PHO-1-21--Z-57-06-7
Existing Zoning: S-1 (Approved C-2)
Acreage: 7.10

Applicant/Representative: William Allison, Withey Morris PLC
Owner: Parkwood Partners LLC

Proposal:
1. Modification of Stipulation 1 regarding site plan, elevations and conceptual landscape plan date stamped August 15, 2006.
2. Deletion of Stipulation 1a regarding a master architecture theme.
3. Deletion of Stipulation 2 regarding a pedestrian circulation plan.
4. Deletion of Stipulation 3 regarding an enhanced landscape feature at the intersection of 91st Avenue and Lower Buckeye Road.
5. Deletion of Stipulation 4 regarding an enhanced landscape feature on both sides of entrances on 91st Avenue and Lower Buckeye Road.
6. Deletion of Stipulation 9 regarding a right of way triangle.
7. Technical corrections to Stipulation 5, 7, 8 and 10.

Concurrence/Previous Council Action
Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard this case on Oct. 19, 2021 and recommended denial by a 5-2 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Oct. 20, 2021, and recommended approval with a modification and additional stipulations. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location
Approximately 300 feet north of the northwest corner of 91st Avenue and Lower Buckeye Road
Council District: 7
Parcel Address: N/A

This item was approved.

83 Modification of Stipulation Request for Ratification of Oct. 20, 2021 Planning Hearing Officer Action - PHO-1-21--Z-142-03-7(8) - Approximately 115 Feet West of the Southwest Corner of 2nd Drive and Beverly Road

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 Oct. 20, 2021. This ratification requires formal action only.

Summary

Application: PHO-1-21--Z-142-03-7(8)
Existing Zoning: MUA
Acreage: 12.79

Applicant/Owner/Representative: John Haldiman

Proposal:
1. Modification of Stipulation 1 regarding specific conformance with the site plan date stamped November 24, 2003.
2. Deletion of Stipulation 2.B regarding zoning administrator determination regarding horse trailer storage.
3. Deletion of Stipulation 2.D regarding landscaped areas.
4. Deletion of Stipulation 3 regarding site plan approval for new development.
5. Deletion of Stipulation 5 regarding construction of streets adjacent to the development.
6. Technical corrections to Stipulations 2, 2.A and 2.C.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The South Mountain Village Planning Committee heard this case on Oct. 12, 2021 and recommended approval by a 10-0 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Oct. 20, 2021, and recommended denial as filed and approval with a modification. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location

Approximately 115 feet west of the southwest corner of 2nd Drive and Beverly Road
Council District: 8
Parcel Address: N/A

This item was approved.

84 Amend City Code - Ordinance Adoption - Rezoning Application

PHO-1-21--Z-69-08-8 - Northwest Corner of 36th Street and Southern Avenue (Ordinance G-6918)

Request to authorize the City Manager, or his designee, to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Oct. 20, 2021.

Summary
Application: PHO-1-21--Z-69-08-8
Existing Zoning: C-1
Acreage: 5.0

Applicant: Avenue North
Owner: Hermes, Inc.
Representative: Benjamin Tate, Withey Morris PLC

Proposal:
1. Modification of Stipulation 1 regarding general conformance with the site plan and elevations date stamped July 3, 2008.
2. Technical corrections to Stipulations 4 and 5.

Concurrence/Previous Council Action
Village Planning Committee (VPC) Recommendation: The South Mountain Village Planning Committee heard this case on Oct. 12, 2021 and recommended approval with a modification and an additional stipulation, by a vote of 9-0-1.
PHO Action: The Planning Hearing Officer heard this case on Oct. 20, 2021 and recommended approval with a modification and additional stipulations. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location
Northwest corner of 36th Street and Southern Avenue
Council District: 8
Parcel Address: N/A

This item was adopted.

Items 21 and 24, Ordinance S-48088 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 Settlement of Claim(s) Muhaymin v. City of Phoenix

To make payment of up to $5,000,000.00 in settlement of claim(s) in *Muhaymin v City of Phoenix*, 16-0678-001, BI, GL, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of bodily injury claim arising out of a police incident on Jan. 4, 2017 involving the Police Department.

Discussion

A motion was made and seconded to approve this item.

Vice Mayor Garcia recalled making comments on this case and expressed this settlement was not justice as Muhammad should have been provided housing and resources. He stressed the City needed to provide housing, behavioral and mental health resources to all constituents instead of enforcement. He said he hoped these funds helped the family be successful and looked forward to working with the CAP program to support people with mental health. He requested the County Attorney's Office to reopen this case to further investigate what happened, noting he would be voting yes on this item.

Councilwoman Guardado offered her condolences to the Muhaymin family and said she wanted to continue prioritizing accountability and transparency as well as services and support for those in need.

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

Yes:	7 -	Councilwoman Ansari, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Garcia and Mayor Gallego
No:	2 -	Councilman DiCiccio and Councilman Waring

24 **Maricopa County Community College District Rio Salado**

For $10,000.00 in payment authority for the use of the Maricopa County Rio Salado Community College Police Academy testing services for the Police Department. The funds will ensure that recruits are awarded college credit for their classroom training, testing, and grading through the Rio Salado Community College. Once the recruits become Police Officers, they will be awarded college credits. The Phoenix Regional Police Academy provides training to recruits for the Phoenix Police Department, the Arizona Department of Public Safety, and other police agencies in Arizona. The academy holds up to 12 classes per year, with an average of 30 recruits in each class.

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

Yes:	8 -	Councilwoman Ansari, Councilman DiCiccio, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Councilman Waring, Vice Mayor Garcia and Mayor Gallego
No:	0	
Conflict:	1 -	Councilwoman Pastor

29 **Acquisition of Real Property for a Street Improvement Project Located Along 13th Street Between Van Buren and Moreland Streets (Ordinance S-48090)**

Request to authorize the City Manager, or his designee, to acquire all real property and related property interests required by donation, purchase within the City's appraised value, or by the power of eminent domain for a Street Improvement Project located along 13th Street between Van Buren and Moreland streets. Further request to authorize dedication of land with roadway and/or public improvements to public use for right of way purposes via separate recording instrument. Additionally request to authorize the City Controller to disburse all funds related to this item.

Summary

Acquisition of real property is required for roadway and other street improvements along 13th Street between Van Buren and Moreland streets. Improvements include pavement, curb, gutter and construction of

Americans with Disabilities Act compliant sidewalks.

The parcels affected by this project and included in this request are identified in **Attachment A**.

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

Location
13th Street between Van Buren and Moreland streets.
Council District: 8

Discussion
A motion was made and seconded to approve this item.

Raleigh Dombek thanked Council for moving this project forward, but he wanted clarification on the properties and details of the acquisition.

Street Transportation Director Kini Knudson conveyed this project had a lot of support several years ago, noting staff had been working diligently to complete the design of this project. He stated this project would complete many necessary amenities along 13th Street just east of downtown. He advised that staff identified land acquisition needed for this project totaling 14 properties, noting 12 of the properties required temporary construction easements to do the construction work. He added the remaining 2 properties were triangle pieces at the intersections of 13th Street and Roosevelt and 13th Street and Moreland.

Mr. Dombek asked that the HOA be kept informed, noting they supported this project moving forward.

Mayor Gallego stated other neighbors had advocated for similar investment, noting Mr. Knudson and staff would communicate with the Garfield HOA.

Vice Mayor Garcia stressed the importance of communicating with the Garfield HOA as they put in a lot of work to make sure this project happened. He expressed he was excited about this new infrastructure on

13th Street and supported this item.

Mr. Knudson affirmed staff would provide communication.

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

Yes: 9 - Councilwoman Ansari, Councilman DiCiccio, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Garcia and Mayor Gallego

No: 0

34 2021-22 HOME Investment Partnerships Program Call for Interest

Request City Council approval of the Housing Department's 2021-22 HOME Investment Partnerships Act (HOME) Program Call for Interest (CFI), Community Priorities for the HOME CFI, and the associated revisions to the Affordable Housing Loan Program (AHLP) Guidelines. The HOME Program is a federally funded program. There is no impact to the General Fund.

Summary

The AHLP's Community Priorities (Priorities) and Underwriting Guidelines allow the City to be proactive in communicating housing needs to developers of affordable and/or special needs housing. On Nov. 4, 2020, the City Council approved the Priorities as follows, and the Housing Department recommends continuing with these Priorities for the 2021-22 CFI:

Acquisition, rehabilitation, and/or new construction of properties that focus on homeless or special needs populations and provide appropriate services to assist and sustain these populations; and

Acquisition, rehabilitation, and/or new construction of properties where the developer qualifies as a Community Housing Development Organization (CHDO) as defined by the HOME Program.

The total allocation available for the 2021-22 CFI is approximately $6 million in HOME funding, of which $883,814 must be awarded to CHDOs. The funds will allow for an estimated five to six affordable housing project

awards with a maximum award of $1 million.

Procurement Information
The CFI will be available through the City's website on Nov. 22, 2021. A selection committee will convene to evaluate proposed projects for the CFI-identified Priorities, based on the criteria listed below. The committee will be made up of representatives from City departments and community partners with housing development expertise who are not competing for the funding. Formal recommendation for the CFI award(s) will be presented to the Economic Development and Equity Subcommittee and City Council for approval.

Applicants must meet the following threshold criteria prior to moving forward for evaluation and scoring by the selection committee.

Threshold Criteria:
Application submitted before deadline;
Development team is not on the U.S. Department of Housing and Urban Development Debarment List;
Compliance with existing city loans;
Property management experience, minimum three years; and
Complete application as specified in the CFI.

Those applications that do not meet the threshold criteria will be rejected and not move forward to evaluation.

Evaluation criteria for selection will include the following:

Developer Experience - 260 points
Capacity and prior experience of the organization; its staff member and consultant experience in planning and completing projects similar to the proposed project; property management experience of those who will manage the proposed property, including compliance with federally subsidized units.

Project Merits - 430 points
Project need, proximity to services; sustainability as demonstrated in

energy efficient design; location near transportation; amenities included in the project design; site plans and elevations; accessibility; experience of the General Contractor; project readiness and timeline.

Financial Feasibility - 260 points
Includes development financing plan; funding commitments; mitigation of identified risks; leverage of City funds.

Project Impact - 50 points
How likely the project is to succeed and accomplish its goals; serve the intended population; and demonstration of financial feasibility and project readiness.

AHLP Guidelines Revision
The City first adopted the AHLP and Underwriting Guidelines (Guidelines) in October 2005. Since then, the Guidelines have been periodically updated to reflect current City priorities, federal funding regulations and changes in lending practices. The Guidelines were last updated in November 2020. The goals of the Guidelines are to:

Provide long-term housing affordability;
Outline clear guidelines for quality, well-constructed or rehabilitated housing;
Create predictable, clear underwriting and approval process; and
Manage risk and encourage high performing projects.

Proposed revisions to the AHLP Guidelines include the following clarifications:

Supportive Services to be provided to all qualifying special needs populations, regardless of the project type; and
A Material Change Request must be submitted when there is a deviation from the project that was proposed in the application such as number of units, population served, and project design.

There were no revisions to scoring, evaluation criteria and threshold for this CFI.

Financial Impact

There is no impact to the General Fund. HOME is a federally funded program.

Discussion

A motion was made and seconded to approve this item.

Mayor Gallego stated some on Council had been working with the new leadership at the State Housing Department to better align goals. She indicated funds had been released with priorities that were aligned with the City, including support for victims of domestic violence, veterans, people experiencing homelessness and youth exiting the foster care system. She asked if the City was able to line up these funds so City projects could compete for State funds.

Deputy City Manager Gina Montes replied yes, noting the City's priorities were aligned with opportunities in the State.

Housing Director Titus Mathew added in April 2022 many of the City's projects that apply for HOME funds would be in alignment with the State tax credit application process. He said staff was hoping to issue award letters in March 2022 to also align with the application period.

Mayor Gallego recalled these funds were awarded for projects throughout the City and wanted to continue with geographic diversity as affordable housing was needed in every part of Phoenix. She stated she was excited that sustainability and energy efficiency were areas points were being awarded since there were housing authorities looking at net-zero goals. She thanked Housing staff for their work on this matter.

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

Yes: 9 - Councilwoman Ansari, Councilman DiCiccio, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Garcia and Mayor Gallego

No: 0

35 Authorization to Enter into Agreements with Aunt Rita's

Foundation and the Arizona Community Foundation, Inc. to Support the Fast-Track Cities Initiative (Ordinance S-48101)

Request to authorize the City Manager, or his designee, to enter into agreements with Aunt Rita's Foundation (ARF) and the Arizona Community Foundation, Inc. (ACF) to provide funding to support HIV/AIDS awareness, education, and support services for individuals living with HIV through the City's Fast Track Cities Initiative. Expenditures will not exceed $75,000 per agreement or $150,000 in aggregate. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

The Fast-Track Cities Initiative is an international effort working to end the HIV/AIDS pandemic, and the City of Phoenix is one of 25 cities in the U.S. working to reach this goal. This funding will serve to:

Increase engagement and awareness so that individuals know their HIV status;

Support linking those living with HIV to treatment;

Support efforts in continual care for those living with HIV; and

Support follow-up conducted with individuals who fall out of care.

ARF and ACF are leaders in providing critical HIV services to those living with and at-risk for HIV and AIDS. These organizations will subcontract with and disburse funding to their various partner agencies to expand advocacy and enhance access to care for evolving Antiretroviral Treatment and continue outreach to communities of color who are disproportionately impacted by HIV/AIDS. ARF is a founding member of the City of Phoenix Fast Track Cities Initiative and plays a vital role in advocating at the Arizona Legislature and State government to establish laws, regulations, and policies that further efforts to educate on, prevent, and treat HIV. ARF also fundraises on behalf of partner agencies in Arizona who offer services such as HIV testing, treatment and prevention, housing, substance use counseling, behavioral health, and harm reduction. ACF, through their fundraising, develops solutions and promotes innovation across a broad array of areas including education, health, community development, and more.

Contract Term

The term of each contract will begin on or about Dec. 1, 2021 and end June 30, 2022.

Financial Impact
The aggregate value of the contracts shall not exceed $150,000. The funding for each entity will be:

Aunt Rita's Foundation: $75,000
Arizona Community Foundation: $75,000

Funding is available through the Human Services Department.

Discussion
A motion was made and seconded to approve this item.

Councilwoman Pastor thanked staff and Fast-Track Cities for making this happen and advocating for dollars that would go out to the community as well as reach the City's goal of ending AIDS.

Councilwoman Stark wished to echo those comments, noting this group was passionate in this cause. She also thanked Fast-Track Cities and staff.

Mayor Gallego mentioned HIV was preventable and treatable, and said she was proud that Phoenix had been a Fast-Track City since 2016. She acknowledged some of the great work this group had done, noting Phoenix had received international recognition in this area. She stated the City was making good progress of reaching its goal to end HIV by 2030 and expressed this was an exciting step forward.

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

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

37 Golf Management System Request Contract Award

Recommendation

Request to authorize the City Manager, or his designee, to negotiate and enter into a contract with NBC Sports Next Golf Now, LLC to provide golf management system technology software and services. There is no impact to the General Fund. The contractor will retain revenue generated by tee time fees.

Summary

The Parks and Recreation Department requires updated golf management software, which will be the new point of sale system for bookings, payment of tee times and purchasing of items. The system will also provide tracking, reporting of revenue streams and serve as an email marketing tool to increase marketing tactics.

On July 1, 2021, City Council approved staff to issue a Request for Proposals (RFP) to identify an experienced organization that can develop, implement, train, manage and support a system that will provide an enhancement to the City's municipal golf courses. The current agreement providing similar services will expire in the spring of 2022, and a new agreement is needed to ensure the continuity of golf management services and to provide needed updates.

If approved, NBC Sports Next Golf Now, LLC will begin working with staff to allow time for the configuration and implementation of the new golf management software system.

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

Procurement Information

Golf Management System Request for Proposals, PKS-RFP-21-004, was issued on Aug. 5, 2021 and conducted in accordance with Administrative Regulation 3.10. The City received three proposals from two organizations; one organization submitted two separate proposals. Of the three proposals received, one proposal from each organization was moved forward for demonstrations and interviews.

The proposals were evaluated and scored by a panel of golf, technology

and finance professionals internal and external to the City. The evaluation panel recommends NBC Sports Next Golf Now, LLC for contract award, to provide the software and services as requested. Out of 1,000 possible points, the scoring results are as follows:

NBC Sports Next Golf Now, LLC:	890
Golf Compete, Inc dba foreUP:	845

Contract Term
The term of the contract will be for five years, with one option to extend for five additional years which may be exercised at the City's discretion.

Financial Impact
The agreement has no impact to the General Fund. The contractor will retain revenue generated by tee time fees.

Location
Council Districts: 3, 4, 5, 6 and 7

Discussion
A motion was made and seconded to approve this item.

Councilwoman O'Brien asked how this system did not impact the General Fund.

Parks and Recreation Director Cynthia Aguilar replied this was a contract the City had for many years, noting staff did a new solicitation. She explained the City gives the vendor a block of golf tee times every month that the vendor markets and sells which provides the revenue they need to cover the software expenses. She added the software permitted the City to accept credit card payments, perform online bookings of tee times and track other valuable data related to City golf courses.

Councilwoman O'Brien questioned if it was a block of tee times.

Ms. Aguilar responded that was correct, noting staff identifies a small portion of tee times that were unpopular booking times which served a dual purpose of getting these tee times booked and further promote City golf courses.

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

Yes: 8 - Councilwoman Ansari, Councilman DiCiccio, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Garcia and Mayor Gallego

No: 1 - Councilman Waring

38 **Public Hearing and Resolution to Approve the 2022 Downtown Enhanced Municipal Services District Assessments (Resolution 21977)**

Request to hold a public hearing for the approval of the 2022 Downtown Enhanced Municipal Services District (Downtown EMSD) assessments and adopt a resolution approving such assessments for the 2022 calendar year. The General Fund estimated annual expenditure for this program is $449,664.17.

Summary

Pursuant to State law, a public hearing must be held prior to the annual adoption of the assessments for the Downtown EMSD. The City Council authorized the formation of the Downtown EMSD in 1990 to provide enhanced public services, above and beyond the level of services provided in the remainder of the City. The costs for the Downtown EMSD services are paid through assessments on property owners within the Downtown EMSD boundaries, which are generally bounded by Fillmore Street on the north, 7th Street on the east, 3rd Avenue on the west, and on the south by the railroad tracks south of Jackson Street.

The City contracts directly with Downtown Phoenix, Inc. (DPI) to implement the work program, as described in **Attachment A**. The work plan and budget for calendar year (CY) 2022 provides a variety of enhanced services in the downtown core, including business improvement services and overall business development.

The annual assessments for the Downtown EMSD will be levied for CY 2022 after the required legal process for the Downtown EMSD has been completed. Assessments are determined in proportion to the benefits

received by each parcel. There are approximately 785 parcels in the Downtown EMSD that the budget will be assessed on. This is based on the approved Downtown EMSD assessment diagram that indicates the properties to be assessed for enhanced municipal services. This diagram is on file in the office of the Director of the City of Phoenix Street Transportation Department, and was posted online at the City's Community and Economic Development Department website.

The figures below represent the assessments for private and public property owners based on the approved 2022 Downtown EMSD budget of $4,380,935. See **Attachment B** for a breakdown of the expense categories. This includes $162,509 for streetscape maintenance expenses, which are paid only by property owners and tenants adjacent to the Streetscape Improvement District (SID). The SID includes certain portions of Monroe Street from 3rd Avenue to 7th Street; Adams Street from 2nd Avenue to 2nd Street; 2nd Street from Jefferson to Van Buren streets; and 3rd Street from Monroe to Van Buren streets.

Estimated 2022 District Budget: $4,380,935
Estimated 2022 Assessment Revenue: $4,230,935
Estimated 2022 Non-assessment Revenue: $150,000

Downtown EMSD Calendar Year 2022 Assessments
Private Property Owners Assessments: $1,885,256
Public Property Assessments: $2,345,679
Total Assessments: $4,230,935

Streetscape Maintenance Expenses (expenses included in the figures above)
Private Property Owners Assessments: $94,484
Public Property Assessments: $68,025
Total Streetscape Expenses: $162,509

Financial Impact

The City's total estimated annual expenditure for this program is $1,432,799.21, which includes:

$449,664.17 from the General Fund (approximate $110,173 increase from 2021);

$582,505.12 from the Phoenix Convention Center;
$139,146.73 from the Sports Facilities Fund;
$9,719.51 from the Genomics Facilities Operations and Maintenance Fund; and
$251,763.68 from collections from tenants on City-owned properties.

Concurrence/Previous Council Action
This item was recommended for approval at the Economic Development and Equity Subcommittee meeting on Sept. 28, 2021, by a vote of 4-0.

On Oct. 27, 2021, the City Council approved:
The 2022 Downtown EMSD Budget, Assessments and Set Public Hearing Date of Nov. 17, 2021 for the hearing on the estimated assessments; and
The 2022 Downtown EMSD Assessment Diagram.

Public Outreach
On Oct. 27, 2021, the City Council set the date of Nov. 17, 2021 as the date for the public hearing on the Downtown EMSD assessments. On Oct. 27, 2021, a total of 20 days prior to the hearing as legally required, all property owners were notified by mail of their annual assessment cost by the Street Transportation and Community and Economic Development departments. In addition, DPI has sent letters to all property owners, and the Downtown EMSD Board approved the 2022 budget at its July 2021 board meeting.

To answer any questions that property owners in the Downtown EMSD might have, Community and Economic Development Department staff made themselves available virtually for an hour prior to the Nov. 17, 2021 public hearing. Notice of the public hearing was also published in the Record Reporter as specified below. No further notification is required after the public hearing.

To be published:
The Record Reporter
Nov. 3, 2021
Nov. 5, 2021

Location

The Downtown EMSD is generally bounded by Fillmore Street on the north, 7th Street on the east, 3rd Avenue on the west, and on the south by the railroad tracks south of Jackson Street.
Council Districts: 7 and 8

Discussion

Mayor Gallego declared the public hearing open. Noting no one was on the line to provide comments, she declared the public hearing closed.

Mayor Gallego stated she supported this item and related Item 39 as downtown was coming back powerfully from COVID compared to other peer downtowns. She pointed out there were more restaurants downtown than pre-pandemic, noting 83 percent of the restaurants and retail businesses were locally owned. She expressed she appreciated the Municipal Services District's creative marketing which helped navigate closure of some small businesses. She added the City had a 77 percent increase in commercial and residential projects under construction in the Downtown Phoenix partnership area from 2019 to end of fourth quarter 2020. She conveyed the ambassadors were also busy with an increase in helping patrons from 4,500 assists pre-pandemic to over 10,000 assists last month. She said she appreciated the hard work and looked forward to more investment and amenities in downtown.

The hearing was held. A motion was made by Vice Mayor Garcia, seconded by Councilwoman Ansari, that this item be adopted. The motion carried by the following vote:

Yes:	7 -	Councilwoman Ansari, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Garcia and Mayor Gallego
No:	2 -	Councilman DiCiccio and Councilman Waring

39 Pay Invoices for 2022 Downtown Enhanced Municipal Services District (Ordinance S-48121)

Request to authorize the City Manager, or his designee, to pay all invoices received from Downtown Phoenix, Inc. (DPI) through the Phoenix Downtown Enhanced Municipal Services District (EMSD) Agreement, in an amount not to exceed $4,380,935 for work related to

the Calendar Year 2022 Downtown EMSD budget and work plan through Dec. 31, 2022. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

The City Council authorized formation of the Downtown EMSD in 1990 to provide enhanced public services, above and beyond the level of services provided in the remainder of the City. The City contracts directly with DPI to implement the work program of the Downtown EMSD, including the Ambassadors program, streetscape improvements and maintenance, the Clean Team program, marketing, event promotion, business assistance and transportation services. Pursuant to State law, each year a budget must be approved for the Downtown EMSD. This action is the final step in the annual budget process to authorize the Community and Economic Development Department to pay DPI for services rendered in Calendar Year 2022 under the Downtown EMSD contract.

Financial Impact

The City's total estimated annual expenditure for this program is $1,432,799.21, which includes:

$449,664.17 from the General Fund (approximate $110,173 increase from 2021);

$582,505.12 from the Phoenix Convention Center;

$139,146.73 from the Sports Facilities Fund;

$9,719.51 from the Genomics Facilities Operations and Maintenance Fund; and

$251,763.68 from collections from tenants on City-owned properties.

An additional $912,879 is collected from other government-owned properties including Maricopa County, Maricopa County Stadium District and the State of Arizona. The remaining $1,885,256 of funds are collected from private property owners through an assessment on their property tax bill.

Estimated 2022 District Budget: $4,380,935
Estimated 2022 Assessment Revenue: $4,230,935
Estimated 2022 Non-assessment Revenue: $150,000

Concurrence/Previous Council Action
This item was recommended for approval at the Economic Development and Equity Subcommittee meeting on Sept. 28, 2021, by a vote of 4-0.

On Oct. 27, 2021, the City Council approved:
The 2022 Downtown EMSD Budget, Assessments and Set Public Hearing Date of Nov. 17, 2021 for the hearing on the estimated assessments; and
The 2022 Downtown EMSD Assessment Diagram.

Public Outreach
On Oct. 27, 2021, the City Council set the date of Nov. 17, 2021 as the date for the public hearing on the Downtown EMSD assessments. On Oct. 27, 2021, a total of 20 days prior to the hearing as legally required, all property owners were notified by mail of their annual assessment cost by the Street Transportation and Community and Economic Development departments. In addition, DPI has sent letters to all property owners, and the Downtown EMSD Board approved the 2022 budget at its July 2021 board meeting.

To answer any questions that property owners in the Downtown EMSD might have, Community and Economic Development Department staff made themselves available virtually for an hour prior to the Nov. 17, 2021 public hearing. Notice of the public hearing was also published in the Record Reporter as specified below. No further notification is required after the public hearing.

To be published:
The Record Reporter
Nov. 3, 2021
Nov. 5, 2021

Location
The Downtown EMSD is generally bounded by Fillmore Street on the north, 7th Street on the east, 3rd Avenue on the west, and on the south by the railroad tracks south of Jackson Street.
Council Districts: 7 and 8
One electronic comment was submitted for the record with a neutral

position on this item.

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

Yes: 7 - Councilwoman Ansari, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Garcia and Mayor Gallego

No: 2 - Councilman DiCiccio and Councilman Waring

53 Ordinance to Repeal City Code Sections, Chapter 36, Sections 36-70.01 through 36-70.04 Regarding Impoundment of Vehicles Cited for Racing or Reckless Driving (Ordinance G-6919)

Council adopted City Code sections to allow for impoundment of vehicles for street racing or reckless driving, and a process for post-impoundment storage hearings, and earlier release. This past Legislative session, the Arizona Legislature passed laws that also address impoundment of vehicles for street racing and in some areas, conflict with City Code. The code sections adopted by Ordinance G-6822 will therefore be repealed, and the City of Phoenix will enforce state law.

Summary

In May 2021, City Council amended the City Code and adopted new code sections to address street racing and reckless driving, adding authority to impound vehicles, and conduct hearings to address allegations of improper impoundments. In addition, the Police Department has revised Operations Order 6.6, Towing and Wreckers, to implement the new code, and specifically to address situations encountered by the Street Racing Task Force. On Sept. 29, 2021, new state laws went into effect that address street racing, reckless driving, as well as obstruction of thoroughfares. The new state laws, in some ways, conflicted with the City Code, and also added new requirements and penalties that were not consistent with the City Code.

Some of the notable differences in the new state law included a 20-day impound for street racing or reckless driving. The City Code imposed 30 days. In addition, the new state law imposed a seven-day impound for

obstruction of thoroughfares, which did not exist in City Code. The new state law added penalties for persons who "aid and abet" street racing or reckless driving. The City Code only addressed violations of the driver. The new state law increased the daily storage charge for impounded vehicles to $25 per day. The City Code is $15 per day.

The state law is a comprehensive framework of several statutes that address several aspects of street racing and reckless driving. Upon repeal, the Police Department will be able to rely on just one regulatory scheme, and utilize the many avenues provided under the new state law to combat this unlawful activity.

Discussion

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

A motion was made and seconded to approve this item.

Councilwoman Pastor thanked everyone who worked on this item as she had people approach her in the Maryvale area about street racing in shopping centers and shopping malls. She also thanked former Councilwoman Thelda Williams as she led this piece, noting the State passed legislation which helped in changing the Code.

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

Yes: 9 - Councilwoman Ansari, Councilman DiCiccio, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Garcia and Mayor Gallego

No: 0

54 Green Transit Technology Request for Proposals

Request to authorize the City Manager, or his designee, to approve the Public Transit Department’s Request for Proposals process to procure vehicles for implementing a pilot program to operate and evaluate a sub-fleet of heavy-duty transit buses that use zero and/or near-zero emissions technology.

Summary

The Public Transit Department (PTD) has worked for many years to ensure that our fleet has the most up-to-date, environmentally friendly buses with the best-proven technology available to operate within Phoenix's environment, particularly in terms of vehicle range (how far buses travel with respect to regional transit services) and extreme temperatures (ensuring buses have adequate air conditioning and other on-board systems to provide a comfortable passenger experience during hotter months). This Request for Proposals would allow the department to establish a sub-fleet of green buses and test, on a long-term basis, a contingent of zero-emission buses for their ability to operate in our environment and support operating needs, such as peak passenger loads, on-board equipment, and higher-capacity air conditioning systems. This sub-fleet would serve as a pilot program, allowing PTD to gain experience with newer technologies to determine how best to integrate them into the City's transit fleet.

Procurement Information

The Request for Proposals will be issued in Spring 2022 and request proposals to manufacture buses using electric hybrid, battery electric, and/or hydrogen power, or other suitable technologies bus manufacturers might propose, along with detailing any associated charging and fueling equipment needed for the buses. PTD will assemble a pilot fleet of buses using one or more of these available technologies.

Contract Term

The term of the awarded contract shall be five years and consist of procuring approximately 20 buses.

Financial Impact

The contract's estimated aggregate value is approximately $25 million. In conjunction with the purchase of these vehicles, staff will continue researching and applying for grant opportunities as they arise.

Based on research, it is estimated that the purchase of the buses will cost in the range of $4 to $5 million annually through the life of the contract. Staff estimates that additional infrastructure costs related to special charging/fueling requirements will cost an additional $3 million at a single transit garage over the life of the project and will be procured

separately.

Concurrence

The Transportation, Infrastructure and Planning Subcommittee recommended approval of this item on Oct. 20, 2021 by a vote of 4-0.

Discussion

Autumn Johnson stated she supported this item.

Mayor Gallego stated this was an exciting item as it would allow the City to have the best understanding of available technology for a sustainable transit system.

A motion was made and seconded to approve this item.

Councilwoman Ansari expressed she was excited about this item as it was a big step forward after Council recently approved a climate action plan. She said she understood this was a $25 million test program and hoped it was successful as the City tried to meet its goals regarding City fleet electrification and necessary infrastructure. She remarked she also wanted to have future request for proposals that focused on the infrastructure.

Mayor Gallego conveyed Phoenix had been a leader in sustainable fuels and she encouraged private-sector partners to participate in this endeavor.

Councilwoman Pastor commended Mayor Gallego and Councilwoman Ansari for leading the way in this matter. Councilwoman Pastor requested staff develop a plan on how the City would reach these goals, particularly the 2050 benchmarks, and to start implementing some of the items based on that plan.

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

Yes: 7 - Councilwoman Ansari, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Garcia and Mayor Gallego

No: 2 - Councilman DiCiccio and Councilman Waring

55 **40-Foot Heavy Duty Transit Bus Contract Award Recommendation (Ordinance S-48119)**

Request to authorize the City Manager, or his designee, to enter into a contract with GILLIG, LLC to manufacture and deliver replacement 40-foot heavy-duty local transit buses for the Public Transit Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $145,023,384.

Summary

A Request for Proposals (RFP #PTD20-003) was issued to solicit this five-year contract with a transit vehicle manufacturing firm to manufacture and deliver 40-foot heavy-duty local transit buses that use compressed natural gas (CNG) or biodiesel as the fuel source. City Council approved the issuance of this solicitation at their Feb. 17, 2021 formal meeting. Buses will be ordered based on the Public Transit Department's replacement schedule for local buses that have met or exceeded their useful life under Federal Transit Administration guidelines.

The Public Transit Department will also issue a solicitation for the procurement, evaluation and use of zero and near-zero emission buses, if approved by Council. The City's most recent and previous testing of alternate transit vehicles demonstrated that CNG buses provided the best low-emissions option that also operates safely, effectively and reliably on long routes in the Phoenix climate. However, the "Green Transit" technology procurement will solicit the most up-to-date, environmentally friendly buses, including electric, hybrid or other alternative propulsion vehicles available for additional testing and on a long-term basis. The contract award recommended in this item will allow the City to replace buses that have exceeded their useful life and have reduced reliability and efficiency, while continuing to explore, evaluate and move forward with the alternative-powered buses as technologies advance and

become available.

Procurement Information
RFP #PTD20-003 was issued on April 15, 2021, with two firms submitting proposals for consideration. An evaluation committee of qualified staff from Public Transit Department and Valley Metro was appointed to conduct detailed evaluations of all proposals received, establish a competitive range, and select a proposer to receive the contract award.

A technical advisory team was also established to provide technical assistance to the evaluation committee based on the advisors' knowledge and experience with transit vehicle manufacturing and long-term maintenance practices. The technical advisory team's role was to review the technical portions of each proposal for compliance with RFP specifications.

Each RFP was evaluated and scored based on the following criteria (1,000 points total possible):
Design, Quality, and Production Process (up to 400 points);
Price (up to 400 points); and
Warranty (up to 200 points).

Two proposals were received from the following firms:
GILLIG, LLC; and
New Flyer.

The evaluation recommendations were reached by consensus in consideration of published selection criteria, with the committee selecting GILLIG, LLC for award. The following summarizes the results:

Proposers	Total points
GILLIG, LLC	820
New Flyer	775

In accordance with Phoenix City Code section 43-14(J), a contract shall be awarded to the most highly-rated, responsible firm whose offer conforms in all material respects to the requirements and criteria outlined

in the solicitation. Accordingly, the Public Transit Department's Procurement Officer recommends the award to GILLIG, LLC.

Included in the RFP's pricing schedule was the following language: "The estimated quantities shown on the enclosed Price Schedules are estimates only, contingent upon availability of appropriated funds and subject to change during the term of the Contract. The City is not obligated to make purchases in these exact amounts." As such, Public Transit Department staff will continue exploring other viable technologies that meet the region's operational needs and look for opportunities to transition to other proven propulsion technologies.

Financial Impact

The term of the awarded contract shall be five years with an aggregate value of $145,023,384. Buses are funded 85 percent with federal funds and 15 percent with regional funds. The Public Transit Department estimates purchasing a maximum of 265 buses over the five-year period. Funds are available in the Public Transit Department's five-year Capital Improvement Program.

Concurrence

The Transportation, Infrastructure and Planning Subcommittee recommended approval of this item on Oct. 20, 2021 by a vote of 3-1.

Discussion

Maggie Acosta recalled that Council recently passed a climate action plan with a goal of reaching net-zero emission which would improve air quality. She expressed the City used compressed natural gas the plan would fail, noting the pollution affected elderly and people with health issues. She expressed she did not want the City to approve a contract that used fuel sources when there was new technology available.

Don Ameden urged Council to reconsider this contract as compressed natural gas (CNG) should not be the future of the City's transit system, but should consider zero-emission alternatives. He mentioned Council recently passed a climate action plan and needed to be innovative to achieve a net-zero goal which would improve air quality. He said approving this contract which used fuel sources was not in line with the plan and would impact public health. He suggested this contract should

be reviewed and approved annually so that Council could consider zero-emission technology regularly.

Katie Lavra urged Council not to approve a contract for five years that used compressed natural gas buses, but rather invest in hybrid or electric buses. She asked that Council vote no on this item and to obtain more proposals.

Autumn Johnson encouraged Council to vote no on this item. She recalled Council recently passed a climate action plan and said continuing to invest in fossil fuel transit or fleet vehicles was incompatible with the plan. She conveyed the City should invest in electric or other zero-emission vehicles as emitting vehicles contributed to air quality conditions. She stressed this proposal or similar procurement should be all sources so other technologies could compete and provide more information for consideration. She pointed out Tucson had five electric buses with plans to purchase five more in 2022, while Miami had 75 electric buses.

Julian Zepeda asked that Council reconsider this contract as compressed natural gas was not the future of the City's transit system and instead consider zero-emission alternative solutions. He suggested the City wait and see what federal funds it could get for electric buses and requested Council to vote no on this item.

Irma Pacheco urged Council to reconsider this contract as compressed natural gas was not the future of the City's transit system and instead consider cleaner fuel emission alternatives. She conveyed Tucson just purchased five electric buses and committed to five more in 2022, noting Miami had 75 electric buses. She suggested this contract be approved annually so Council could consider zero-emission technology on a regular basis.

JoAnna Strother urged Council to vote no on this item since Phoenix had poor air quality which was harmful to children and people with asthma and COPD. She emphasized vehicle emission was the biggest contributor to air pollution, noting a 2020 report showed that all electric transportation could benefit people's health and improve business. She pointed out the

federal government was investing in electric transportation with Tucson purchasing five electric buses and committed to five more next year. She asked that Council consider investing in zero-emission transit instead of this five-year contract for CNG buses.

One electronic comment was submitted for the record in opposition.

Councilwoman Ansari said she wanted to understand the scope of this RFP and asked what fuel sources were included in this request for proposal.

Public Transit Director Jesus Sapien replied the scope of this RFP was CNG and biodiesel which was requested by staff in February. He explained that rationale was based on staff's 2013 analysis of the fleet and fueling infrastructure, and observed changes in the transit industry regarding movement in propulsion systems. He advised staff recommended the issuance of this RFP with a mixture of two-thirds of the fleet running on natural gas and one-third operating on biodiesel.

Deputy City Manager Mario Paniagua thanked Council for their leadership in helping the City address climate change and getting to zero-emission vehicles in the future. He said staff was also committed to those goals and would continue to look at converting to cleaner buses in the future. He acknowledged advances had been made in electric vehicles, but not quite as far in buses as had been done in smaller vehicles. He pointed out a couple items already approved by Council today and the federal government would provide funds for electric buses and charging facilities which would help the City move forward in that conversion. He emphasized it was important the City maintain its existing fleet of buses and ensure they were safe and reliable for passengers. He stated getting new riders was a way of getting people out of their cars and onto buses which helped with climate change. He conveyed this RFP would keep the City's fleet operational while also moving forward with Council's request for zero-emission vehicles.

Councilwoman Ansari stated she appreciated staff's reaffirmation to zero-emission. She recalled the RFP was limited to CNG and biodiesel, but she wanted to know why this RFP was for five years and up to $145

million which was seven times more than the previous item. She expressed she understood the need to replace buses, but she knew based on staff's data that was only 12 buses this year. She asked why the contract scope was so large and for such a long period of time.

Mr. Sapien responded over the past ten years staff had tested other technologies, such as hydrogen, battery, electric, hybrid, LNG, CNG, diesel, and biodiesel. He explained several years ago staff's tests with battery electric buses showed they traveled approximately 80-90 miles while manufacturers said they had an estimated distance of 120-150 miles, noting the Phoenix environment resulted in a different outcome. He conveyed staff continued testing them over the years in the spring and summer, and the latest advancement in technology showed that buses traveled between 150 and 180 miles. He acknowledged technology had improved, but the City's regional transit system structure needed buses that covered more range. He advised staff issued the RFP for five years in case there was a need to cover vehicle replacements; however, there was language in the RFP that said the City was not committed to buying five years worth of buses if another viable technology was found to replace buses.

Councilwoman Ansari expressed she wanted to clarify that context and provided an example of replacing buses the next two years to meet contract obligations then see hybrid electric vehicles were meeting the City's benchmarks. She asked if the City could expand the RFP or not use all of this $145 million.

Mr. Sapien affirmed the City could transition from one technology to another once staff identified one that was proven in the Phoenix environment.

Councilman DiCiccio expressed this was a difficult decision to retrofit the entire fleet, noting his concern was not knowing the exact number of buses being purchased in the first or second year. He suggested doing another RFP and include electric buses to compare all uses at the same time. He said he was not supportive of this item, especially without monitoring, and remarked it was better to have more options so Council could make an informed decision.

Councilwoman Guardado said she wanted to know when Council could see a plan to shift from CNG to electric buses because other cities were already moving to electric buses. She supported Councilwoman Ansari's questioning since Council wanted to move to all electric vehicles. Councilwoman Guardado expressed concern that this RFP went out the way it did and requested staff present a plan to Council in the next couple weeks that showed their commitment to electric vehicles.

Vice Mayor Garcia agreed with Councilman DiCiccio and Councilwoman Guardado, noting the City needed to lead the way. Vice Mayor Garcia recalled that Council voted for this RFP in February, but the City had a climate action plan now and this item contradicted it. He did not support a five-year contract; however, he understood some buses might need to be replaced. He said he wanted to know what resources staff needed to follow through on Council's commitment to the plan. He reiterated he could not support this proposal, especially for five years, given that Council just approved the previous item for clean transit technology.

Councilwoman Pastor said she understood the City was part of a regional transit system and what happened in Phoenix affected other cities in that system, but Council needed to support the sustainability plan.

Councilwoman Pastor made a motion to continue this item until staff could return with a proposal that Council could support.

Councilwoman Guardado seconded the motion.

Mayor Gallego asked if a date was needed.

City Attorney Cris Meyer affirmed the continuance needed a date certain.

Mayor Gallego noted the next formal meetings were December 1 and 15.

Mr. Paniagua recommended December 15 based on Council's request.

Councilwomen Pastor and Guardado agreed with the continuance date.

Councilwoman Ansari stated she supported the motion, noting testimony showed everyone wanted Phoenix to lead the way in electrification efforts. She expressed she was uncomfortable supporting an item that authorized so much money on a fuel source which countered all the work being done towards electrification. She said she wanted this to be reviewed annually before Council and for staff to put out RFPs that were relevant at the time.

Mayor Gallego announced another individual who had registered to speak was on the line and would provide comments following Councilman DiCiccio.

Councilman DiCiccio directed staff to come back with a plan on how to get this done along with the number of buses needed in the next year. He stressed he would not support this RFP unless it was electrical, noting now was the time to move this forward given the money involved.

Caryn Potter thanked staff for their efforts on bringing this RFP forward as well as the current discussion. She stated she was opposed to this request for proposal because it did not include all resources to compete at the same level, such as electric buses. She emphasized the City should not make transportation investments without understanding all available options, like maximizing federal dollars by coordinating the current needs of buses and fleet vehicles. She urged Council to not make a decision without considering all options.

A motion was made by Councilwoman Pastor, seconded by Councilwoman Guardado, that this item be continued to the Dec. 15, 2021 City Council Formal Meeting. The motion carried by the following voice vote:

Yes:	8 -	Councilwoman Ansari, Councilman DiCiccio, Councilwoman Guardado, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Garcia and Mayor Gallego
No:	1 -	Councilwoman O'Brien

56 Request Retroactive Authorization to Submit Federal Transit Administration's American Rescue Plan Route Planning Restoration Grant Application and Enter into Grant Agreement

(Ordinance S-48124)

Request to retroactively authorize the City Manager, or their designee, to submit an application to the Federal Transit Administration for grant assistance from the Route Planning Restoration Program under the American Rescue Plan Act. Further request to authorize the City Manager, or their designee, to execute an agreement with FTA for the purpose of accepting the grant if awarded, and to enter into an agreement with Valley Metro for receiving its pass-through share of the awarded grant funds. Additionally request to authorize the City Treasurer to receive, and the City Controller to disburse, all funds related to this item in accordance with the terms of the aforementioned grant and agreements. The total of all grant funds in the application is $945,000.

Summary

Phoenix is the designated recipient of Federal Transit Administration (FTA) grant funds for the Phoenix-Mesa Urbanized Area. As such, Phoenix submits FTA grant applications on behalf of all local governments and agencies in the region.

In partnership with Valley Metro, the City of Phoenix is requesting funding for the study of high-capacity transit (HCT) options in West Phoenix, an area with existing high transit ridership. The area to be studied is roughly between Central and 91st avenues, and McDowell and Camelback roads.

This study would build on past planning efforts in West Phoenix, as well as incorporate new developments like the Phoenix Bus Rapid Transit (BRT) Program, to identify an alternatives analysis, looking to identify the most productive corridors as well as an HCT mode (light rail and/or BRT).

Throughout the study, community outreach will be conducted and paired with data analysis to identify a Locally Preferred Alternative (LPA). This study may also include an examination of the bus network in the area to recommended changes to build-up transit service in advance of implementing HCT.

The application deadline is Nov. 15, 2021. Due to the timing of the grant application deadline, staff will need to submit the grant application prior to the Council's action. If the Council does not approve this request, staff

would withdraw the application.

Financial Impact
Grant funds in the application total $945,000. No City of Phoenix or local funds are included in the application as this grant has no local match requirement.

Location
Council Districts: 4, 5 and 7

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

Yes:	8 -	Councilwoman Ansari, Councilman DiCiccio, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Garcia and Mayor Gallego
No:	1 -	Councilman Waring

82 Modification of Stipulation Request for Ratification of Oct. 20, 2021 Planning Hearing Officer Action - PHO-2-21--Z-111-01-8(7) - Northwest Corner of 75th Avenue and Baseline Road

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 Oct. 20, 2021. This ratification requires formal action only.

Summary
Application: PHO-2-21--Z-111-01-8(7)
Existing Zoning: R1-8, R-3A, and C-1
Acreage: 40.09

Applicant: Cassandra Ayres, Beus Gilbert McGroder
Owner: Coplen 61.4 LLC, et al.
Representative: Paul Gilbert, Beus Gilbert McGroder

Proposal:
1. Modification of Stipulation 1 regarding general conformance with the site plan date stamped April 10, 2002.

2. Review of site plans and elevations by the Planning Hearing Officer per Stipulation 2.
3. Deletion of Stipulation 9 regarding the completion of the Developer Project Information Form for the MAG Transportation Improvement Program.
4. Deletion of Stipulation 17 regarding 50 percent open space being high and dry.
5. Modification of Stipulation 22 regarding architectural character consistent with the Laveen Plan.
6. Deletion of Stipulation 24 regarding corporate colors and associated graphics as an accent feature.
7. Deletion of Stipulation 25 regarding pitched roofs on commercial buildings.
8. Deletion of Stipulation 27 regarding windows on any facade with a primary customer entrance.
9. Deletion of Stipulation 28 regarding landscaping of surface parking areas.
10. Modification of Stipulation 35 regarding maximum height of service station canopies or drive-through canopies.
11. Deletion of Stipulation 36 regarding canopy support pillar size and materials.
12. Modification of Stipulation 42 regarding a maximum of 312 lots.
13. Modification of Stipulation 43 regarding minimum lot widths.
14. Modification of Stipulation 45 regarding rural mail delivery and the use of gang mailboxes.
15. Modification of Stipulation 46 regarding roof treatment variety.
16. Modification of Stipulation 48 regarding general conformance with the site plan dated April 5, 2002.
17. Modification of Stipulation 52 regarding a variety of at least six different types of roof treatments.
18. Modification of Stipulation 53 regarding materials that would minimize stucco and tile.
19. Modification of Stipulation 56 regarding substantial conformance with view fence pictures.
20. Technical corrections to Stipulations 10, 23, 33 and 38.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Laveen

Village Planning Committee heard this case on Oct. 11, 2021 and recommended denial by a 8-0 vote.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on Oct. 20, 2021, and recommended denial as filed and approval with modifications and additional stipulations. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location
Northwest corner of 75th Avenue and Baseline Road
Council District: 7
Parcel Address: N/A

Discussion
A motion was made and seconded to approve this item.

Mark Rodriguez spoke in support of this item.

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

Yes: 9 - Councilwoman Ansari, Councilman DiCiccio, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Garcia and Mayor Gallego

No: 0

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

000 CITIZEN COMMENTS

There was no one on the line to provide testimony.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 4:08 p.m.

MAYOR

ATTEST:

CITY CLERK

SM

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the formal session of the City Council of the City of Phoenix held on the 17th day of November, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 15th day of May, 2024.

CITY CLERK