City of Phoenix

Minutes

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

186278

City Council Formal Meeting

Wednesday, September 7, 2022 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on September 7, 2022 at 2:37 p.m. in the Council Chambers.

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

Councilman Waring temporarily left the voting body during Item 64 and returned during Item 66.

Mayor Gallego acknowledged the presence of Mr. Mario Barajas, a Spanish interpreter. In Spanish, Mr. Barajas announced his and Ms. Elsie Duarte's availability to the audience.

The City Clerk confirmed copies of the titles of Ordinances G-6964 and G-7011 through G-7028, S-48964 through S-48990, and Resolutions 22061 through 22068 were available to the public in the office if 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/reappointment by Mayor Gallego and Councilmembers:

Environmental Quality

Reappoint Sarah Porter, for a third term to expire August 31, 2024, as recommended by Mayor Gallego.

Laveen Village Planning Committee

Appoint Dean Chiarelli, filling a vacancy, for a term to expire November 19, 2023, as recommended by Councilmember Garcia.

Mayor's Human Trafficking Task Force

Appoint Lieutenant Rick Leyvas, replacing Lieutenant Dave Saflar, in an ex-officio position, as recommended by Mayor Gallego.

Phoenix Women's Commission

Appoint Christina Spicer, filling a vacancy, for a term to expire September 7, 2025, as recommended by Mayor Gallego.
Appoint Elizabeth Wood, filling a vacancy, for a term to expire September 7, 2025, as recommended by Mayor Gallego.

South Mountain Village Planning Committee

Appoint Darlene Jackson, filling a vacancy, for a partial term to expire November 19, 2022, as recommended by Councilmember Garcia.

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

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

No: 0

Mayor Gallego administered the oath of office to Dean Chiarelli, Laveen Village Planning Committee and Elizabeth Wood, Phoenix Women's Commission.

The above individuals were invited to approach the dais so Council could extend their appreciation.

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

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

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Stark, that items 2-11 be recommended for approval. The motion carried by the following voice vote:

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

2 Liquor License - Special Event - St. Luke Roman Catholic Parish Phoenix

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

Summary

Applicant
Jonathan Leithmann

Location
19644 N. 7th Ave.
Council District: 2

Function
Festival

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

Oct. 21, 2022 - 4 p.m. to 11 p.m. / 350 attendees
Oct. 22, 2022 - 4 p.m. to 11 p.m. / 400 attendees
Oct. 23, 2022 - 4 p.m. to 11 p.m. / 250 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

3 Liquor License - Special Event - Cancer Support Community Arizona

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

Summary

Applicant
Deborah DiCarlo

Location
360 E. Palm Lane
Council District: 4

Function
Dinner

Date(s) - Time(s) / Expected Attendance
Oct. 22, 2022 - 5 p.m. to 10 p.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

4 Liquor License - Little Anita's Mexican Food

Request for a liquor license. Arizona State License Application 201928.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
1516 E. Thomas Road
Zoning Classification: C-2
Council District: 4

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

The 60-day limit for processing this application is Sept. 11, 2022.

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

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

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
“Applicant is committed to upholding the highest standards to 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:
"Little Anita's Mexican Food is a family-friendly, casual New Mexican restaurant. The restaurant serves breakfast, lunch and dinner, including enchiladas, huevos rancheros, green chile cheeseburgers and their famous sopapillas. Applicant would like to offer alcoholic beverages to guests 21 and over as an incident to the dishes served."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Little Anita's Mexican Food
Liquor License Map - Little Anita's Mexican Food

This item was recommended for approval.

5 Liquor License - Fuku Sushi

Request for a liquor license. Arizona State License Application 202338.

Summary

Applicant
Matthew Serventi, Agent

License Type
Series 12 - Restaurant

Location
5538 N. 7th St., Ste. 110
Zoning Classification: C-2
Council District: 6

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 Sept. 20, 2022.

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.

Fuku Sushi & Teppan (Series 12)
940 E. University Blvd., 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:
"I have other restaurants in Tucson, Tempe and San Diego that have liquor licenses. I comply with all rules and regulations pertaining to liquor and having a business. All of my employees go through extensive liquor training to understand the importance of liquor safety. I understand this license is a privilege to have and must be upheld to the highest standard of safety, training and knowledge."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I believe in stimulating the local 7th street community. We will create a fun, safe, welcoming environment for the community. We hope to create multiple jobs within this area by offering high paying stable jobs. I would like to give back to the local area as well by sponsoring any of the local schools, sports teams and anyone else in between."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Fuku Sushi
Liquor License Map - Fuku Sushi

This item was recommended for approval.

6 Liquor License - Special Event - Local First Arizona Foundation

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

Summary

Applicant
Kimber Lanning

Location
67 W. Culver St.
Council District: 7

Function
Festival

Date(s) - Time(s) / Expected Attendance
Nov. 5, 2022 - 10 a.m. to 4 p.m. / 10,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

7 Liquor License - Legends at Arizona Federal

Request for a liquor license. Arizona State License Application 06070254.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 6 - Bar

Location
400 W. Washington St.
Zoning Classification: DTC-Business Core
Council District: 7

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

location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Sept. 24, 2022.

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.

Ak-Chin Pavilion (Series 6)
2121 N. 83rd Ave., Phoenix
Calls for police service: 55
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 currently own and operate other establishments in the Valley. We will continue to ensure our employees are trained in the Title 4 liquor law.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“The event venue has operated successfully with a liquor license. We would like to continue to offer our guests an alcoholic beverage of their choice while attending their event.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Legends at Arizona Federal
Liquor License Map - Legends at Arizona Federal

This item was recommended for approval.

8 Liquor License - Special Event - Girl Scouts - Arizona Cactus-Pine Council, Inc.

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

Summary

Applicant
Alycia Elfstrom

Location
1611 E. Dobbins Road
Council District: 8

Function
Networking Event

Date(s) - Time(s) / Expected Attendance
Nov. 5, 2022 - 6 p.m. to 11 p.m. / 600 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

9 Liquor License - Gary's Smoke Shop

Request for a liquor license. Arizona State License Application 202955.

Summary

Applicant
Ayman Shorees, Agent

License Type
Series 10 - Beer and Wine Store

Location
2843 N. 24th St.
Zoning Classification: C-2
Council District: 8

This request is for a new liquor license for a smoke shop. 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 Sept. 9, 2022.

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 - Gary's Smoke Shop
Liquor License Map - Gary's Smoke Shop

This item was recommended for approval.

10 Liquor License - Metaverse Ghost Kitchens

Request for a liquor license. Arizona State License Application 203375.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 12 - Restaurant

Location
2145 E. Van Buren St.
Zoning Classification: C-3
Council District: 8

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor alcohol consumption and outdoor dining as accessory uses to a restaurant. This business has plans to open in October 2022.

The 60-day limit for processing this application is Sept. 19, 2022.

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

established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am currently part owner on six restaurants throughout the valley. As a owner I have never had any liquor law violations against any of the licenses. I will be attending current liquor law training to ensure that I and my staff are familiar with all new liquor laws to avoid sales to underage, recognizing obviously intoxicated customers as well as the valid types of identification in order to sell alcoholic beverages. Additionally, I will apply for a Use Permit to be able to serve food and alcoholic beverages on the patio."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"My establishment will be an asset to the downtown Phoenix renovation. I will be providing food and alcoholic beverages to customers while they watch digital art on screens within the restaurant. This is a unique atmosphere that will draw customers from various parts of the valley to enjoy the ambience while enjoying their meal. The food and art is the primary purpose of this business. Many local residents do not have access to this type of venue. Therefore, a liquor license will be in the best

interest of the community albeit food is primary."

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 - Metaverse Ghost Kitchens
Liquor License Map - Metaverse Ghost Kitchens

This item was recommended for approval.

11 Bingo License - Friendly Village of Orangewood Social Club Bingo

Request for a Class A Bingo License.

Summary
State law requires City Council approval before a State Bingo License can be issued.

Bingo License Types
Class A - gross receipts shall not exceed $15,600 per year
Class B - gross receipts shall not exceed $300,000 per year
Class C - anticipated gross receipts may exceed $300,000 per year

Applicant
Peggy Royster

Location
2650 W. Union Hills Drive, Clubhouse
Zoning Classification: R1-6
Council District: 1

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Guardado, that items 12-72 be adopted or approved, except items 21, 26, 35-38 and 64-72; noting items 31-33 are continued to the Sept. 21, 2022 City Council Formal Meeting, Item 35 is as revised per the Sept. 7, 2022 memo from the Street Transportation Director, Item 48 is as corrected, and Item 63 is continued to the Dec. 7, 2022 City Council Formal Meeting. The motion carried by the following vote:

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

Items 12-16, Ordinance S-48964 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.

12 Tempe Camera Repair, Incorporated

For $20,000.00 in payment authority for a new contract, entered on or about Sept. 1, 2022, for a term of five years for photofinishing services for the Phoenix Fire Department. The contract supports the Phoenix Strategic Plan, under the study area of Social Services Delivery, specifically, building healthy, caring communities; develop new and innovative mechanisms to improve the alignment and efficiency of local and citywide social services resources to meet neighborhood needs.

This item was adopted.

13 Federal Highway Administration

For $16,000.00 in payment authority to the Federal Highway

Administration for the Street Transportation Department. The funds will be used for the City's participation in a nationwide pooled-fund study that will investigate the newly published guidelines regarding traffic signal change and clearance intervals. A payment of $4,000.00 will be made annually for the next four years.

This item was adopted.

14 Arizona Municipal Water Users Association - Annual Payment Authorization

For $432,429.00 in payment authority for membership renewal to the Arizona Municipal Water Users Association for the Water Services Department. The Arizona Municipal Water Users Association supports the development of urban water policy and works collaboratively with water stakeholders to devise practical solutions to water problems to ensure sustainable growth for Arizona.

This item was adopted.

15 Settlement of Claim(s) Fox 10 v. City of Phoenix

To make payment of up to $36,000.00 in settlement of claims(s) in *Fox 10 v. City of Phoenix*, 20-1097-001, GL, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a property damage claim presented by Fox 10 arising from a water main break that occurred on May 19, 2021.

This item was adopted.

16 Settlement of Claim(s) Saucedo v. City of Phoenix

To make payment of up to $28,127.78 in settlement of claim(s) in *Salvador Marin Saucedo v. City of Phoenix*, 21-0091-002, GL, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement for a water main break claim that occurred on July 26, 2021, presented by Salvador Marin Saucedo.

This item was adopted.

17 Acceptance and Dedication of an Easement for Public Utility Purposes (Ordinance S-48974)

Request for the City Council to accept and dedicate an easement for public utility 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: Sandra Trejo and Bruno Vazquez, its successor and assigns
Purpose: Public Utility
Location: 1707 and 1715 E. Kelton Lane
File: FN 220067
Council District: 3

This item was adopted.

18 Grant of a Public Utility Easement on City-owned Property Near Tatum Boulevard and Deer Valley Drive (Ordinance S-48968)

Request the City Council to grant a public utility easement for consideration of $1 and/or other valuable consideration, for installation of an underground distribution electrical line to Well 308 on City-owned property in the Arizona Public Service Company service area, and further ordering the Ordinance recorded.

Summary

This public utility easement is more fully described in the legal description ("Easement Premises") recorded with the ordinance and will be granted to all public service corporations and telecommunication corporations (collectively "Grantee") providing utility service to the property located near Tatum Boulevard and Deer Valley Drive in perpetuity, so long as the Grantee uses the Easement Premises for the purposes herein specified, subject to the following terms and conditions:

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

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

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

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

Grantor shall maintain an appropriate three-foot clear area around all edges of all equipment pads for Grantee Facilities in addition to a clear operational area that extends 12 feet immediately in front of all transformer or switching cabinet openings, within the Easement Premises. No obstruction, trees, shrubs, fixtures or permanent structures shall be placed or permitted by Grantor within said areas. Grantee is hereby granted the right to trim, prune, cut, and clear away trees, brush, shrubs or other obstruction within said areas.

Grantee shall exercise reasonable care to avoid damage to the Easement Premises and all improvements thereon and agrees that following any work or use by Grantee within the Easement Premises,

the affected area, including without limitation, all pavement, landscaping, concrete and other improvements permitted within the Easement Premises pursuant to this easement will be restored by Grantee to as close to original condition as is reasonably possible, at the expense of Grantee.

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

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

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

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

Location
Near Tatum Boulevard and Deer Valley Drive.
Council District: 2

This item was adopted.

19 IT Research, Advisory and Consulting Services Qualified Vendor List Extensions (Ordinance S-48977)

Request to authorize the City Manager, or his designee, to extend the term of the existing qualified vendor list for professional Information Technology (IT) research, advisory, and consulting services; authorize contracts or contract extensions with the current list of vendors; and authorize additional expenditures on an as-needed basis for the Information Technology Services (ITS) Department in support of multiple City departments. The additional expenditures will not exceed $5 million. Remaining funds previously authorized by the City Council will be applied to the extended term. Further request to authorize the City Controller to disburse all funds related to this item.

Summary
The City has a large and diverse technology environment, requiring continuous projects and initiatives to maintain operations and implement new technology solutions. The IT Research, Advisory and Consulting Services Qualified Vendor List (QVL) allows the City to engage with the qualified firms to provide the most current industry research, develop strategy, perform fit-gap and similar analysis, recommend process improvements, assist with industry-driven requirement development for new technologies, assist in the development of IT solicitations, and perform pre-project planning and quality assurance.

Recent advisory and consulting services have provided critical support to IT projects and initiatives Citywide, including ShapePHX, phoenix.gov, firewall replacements, disaster recovery requirements, and the Fire Department's projects for modernization of the Computer-Aided Dispatch system and Records Management System. Current initiatives underway include the Police Department's Records Management System and assessment of the City's Time and Labor system and time-capturing methods. Authorizing the extension and additional funds would also allow

the Planning and Development Department to continue to utilize services to provide project oversight, quality assurance support services, and project management support related to ShapePHX.

Procurement

The current qualified vendor list was developed through a competitive procurement and was approved by the City Council in February 2018. No changes are being made to the approved list of vendors. Approved vendors are:

Qualified for Small Engagements:
Cadenza, LLC;
CISOSHARE;
Dimension Systems, Inc.;
Education, Leadership and Analytics, LLC;
Gaea Global Technologies, Inc.;
ISOutsource;
Mission Critical Partners;
OZ Engineering;
Paradigm Solutions, LLC;
Paramount Software Solutions, Inc.;
Rishaank, LLC;
Securance LLC;
SeNet International Corporation;
Sensi Project Solutions, Inc.;
ServiceTec International, Inc.; and
The Evolvers Group, L. P.

Qualified for Any Engagement:
Arcadis U.S., Inc.;
Ernst & Young;
Gartner, Inc.;
IDC Research, Inc.;
Public Consulting Group, Inc.;
Slalom LLC;
Timmons Group, Inc.; and
Zolon Tech, Inc.

Contract Term
The term of this qualified vendor list would be extended through Feb. 7, 2024.

Financial Impact
This amendment will increase the authorization for these contracts by an additional $5 million for a new total aggregate not to exceed $12.5 million. Funding is available in various departments' budgets.

Concurrence/Previous Council Action
The IT Research, Advisory and Consulting Services QVL was originally approved by City Council on Feb. 7, 2018, Ordinance S-44256.

This item was adopted.

20 Citywide Public Records Request System Indemnification and Liability Exemption Request (Ordinance S-48989)

Request to authorize the City Manager, or his designee, to grant an exemption from the indemnification and liability provisions of section 42-18 of the City Code and allow inclusion of indemnification and limitation of liability provisions in the agreement with GovQA, LLC as previously authorized by Ordinance S-48022 for a Public Records Request System. No additional funds are needed.

Summary
GovQA, LLC (GovQA) was selected to provide the City a cloud-based Software as a Services (SaaS) solution for a Public Records Request System ensuring security, transparency and flexibility. The solution will be used Citywide excluding the Police, Fire and Municipal Court departments. The City's current in-house public records request solution does not meet the business needs and security standards for the growing number of public records requests in the City. The GovQA solution is modern enterprise solution which will allow the public to securely submit public records requests, and provides secure end-to-end workflows and user-based roles for staff fulfilling the requests. The new solution reduces risk, improves efficiency, and provides robust reporting.

Information technology companies such as GovQA provide increasingly complex products and services and will not agree to fully indemnify the City nor accept unlimited liability. Granting an exception would authorize the City to negotiate indemnification and assumption of liability provisions that best protect the City while still being aligned to IT industry standards and acceptable to GovQA.

Contract Term
This contract is for a five-year term.

Financial Impact
There is no financial impact related to this request; funding for this agreement was approved as part of Ordinance S-48022. This request is only for authorization to grant an exception from the indemnification and liability provisions of City Code section 42-18.

Concurrence/Previous Council Action
This contract was originally approved by City Council on Oct. 27, 2021, Ordinance S-48022.

This item was adopted.

22 Request to Enter into an Agreement for Consulting Services to Develop the Housing Department's Five-Year Strategic Plan (Ordinance S-48988)

Request to authorize the City Manager, or his designee, to enter into an agreement with CVR Associates, Inc. to develop the Housing Department's Five-Year Strategic Plan in accordance with the specifications and provisions contained in the agreement and U.S. Department of Housing and Urban Development (HUD) programs. Further request to authorize the City Controller to disburse all funds related to this item over the life of the contract in an amount not to exceed $45,000.

Summary
The Housing Department will utilize this Strategic Plan to successfully analyze and assess market conditions and the environment, optimize strategies, and guide efforts to align with current and future opportunities,

including HUD programs for affordable housing, public housing, Section 8 vouchers and homeownership programs including special populations inclusive of those experiencing homelessness, homeless/disabled Veterans, human trafficking survivors and their families.

The Housing Department's previous Five-Year Strategic Plan was developed in late 2015, and has since expired. To better serve residents in the City of Phoenix, the Housing Department is requesting this contract.

Procurement Information
RFQ FY22-086-1 for Consulting Services to Develop the Housing Department's Five-Year Strategic Plan was conducted in accordance with Administrative Regulation 3.10. The solicitation was sent to six qualified potential vendors to provide these services. Four quotes were received by the Housing Department by July 28, 2022.

CVR Associates, Inc.:	$41,915
Rounds Consulting:	$48,425
CSG Advisors, Inc.:	$62,895
Bronner Group, LLC:	$64,325

In accordance with A.R. 3.10 and the requirement to select the lowest quote that is responsive and responsible, staff recommends that the quote from CVR Associates, Inc. be awarded the contract.

Contract Term
The contract term will begin Oct. 1, 2022, until completion of the deliverables in the contract.

Financial Impact
The aggregate contract value will not exceed $45,000 (including applicable taxes).

This item was adopted.

23 Request to Extend Contracts for COVID-19 Related Homeless Services (Ordinance S-48975)

Request to authorize the City Manager, or his designee, to amend the following contracts: 154922 (A New Leaf, Inc.- Rapid Rehousing); 154923 (A New Leaf, Inc - Emergency Shelter); 155179 (Central Arizona Shelter Services, Inc.); 154921 (Child Crisis Arizona); 154939 (Community Bridges, Inc - Emergency Shelter); 154940 (Community Bridges, Inc. - Street Outreach), 154968 (Homeward Bound), 154969 (Homeward Bound); 154962 (Southwest Behavioral Health Services, Inc.); and 154896 (UMOM New Day Centers) to extend the term of the contracts through Sept. 30, 2023. The aggregate value of the contracts will remain unchanged and will not exceed $10.6 million. Further request to authorize the City Controller to disburse all funds related to this item. Funding is Emergency Solutions Grant (ESG)- CV2 monies from the U.S. Department of Housing and Urban Development (HUD). There is no impact to the General Fund.

Summary

The City of Phoenix contracted with various nonprofit organizations to provide homeless services in the following categories: Emergency Shelter, Street Outreach, Rapid Rehousing, Homelessness Prevention, Data Collection, and/or Administration under the ESG expenditure guidelines. In doing so, the City of Phoenix seeks to end an individual’s homelessness through outreach and case management services, housing stabilization, and the eventual provision of a pathway to permanent housing while simultaneously adhering to Center for Disease Control recommendations to prioritize efforts for vulnerable individuals due to the COVID-19 pandemic.

Funding is used to prevent, prepare for, and mitigate the effects of the COVID-19 pandemic among individuals and/or families experiencing homelessness who are at greater risk of exposure and susceptibility, and to support additional homeless assistance and prevention activities to alleviate the impacts of COVID-19 within the community.

HUD has extended the expenditure deadline for ESG-CV2 funds. As such, staff is requesting to extend the following contracts to align the expiration dates with that of HUD. Contract amounts are as follows:

A New Leaf (Contract 154922) - $1,169,963;

A New Leaf (Contract 154923) - $129,129;
Central Arizona Shelter Services, Inc. (Contract 155179) - $1,035,254;
Child Crisis Arizona (Contract 154921) - $1,196,459;
Community Bridges, Inc. (Contract 154939) - $371,223;
Community Bridges, Inc. (Contract 154940) - $2,285,979;
Homeward Bound (Contract 154968) - $ 1,471,301;
Homeward Bound (Contract 154969) - $827,494;
Southwest Behavioral Health Services (Contract 154962) - $584,198; and
UMOM New Day Centers (Contract 154896) - $1,529,000.

Total: $10.6 million

Contract Term
The term of the extension period for each contract will be from on or about Oct. 1, 2022, through Sept. 30, 2023.

Financial Impact
Funding is available from the Emergency Solutions Grant - CV2 monies from the U.S. Department of Housing and Urban Development (HUD). There is no impact to the General Fund.

Concurrence/Previous Council Action
The City Council approved Contracts 154922, 154923, 154921, 155179, 154939, 154940, 154968, 154969, 154962, and 154896 (Ordinance S-47793) on July 1, 2021.

The City Council approved additional funding for Community Bridges, Inc. 154940 (Ordinance S-48547) on April 20, 2022.

This item was adopted.

24 Request to Extend Contract with United States Veteran Initiative for COVID-19 Related Essential Services and Shelter Operations for At-Risk Veterans and their Families (Ordinance S-48978)

Request to authorize the City Manager, or his designee, to amend Contract 156909 with the United States Veteran Initiative (U.S. Vets) for COVID-19 related essential services and shelter operations for at-risk

Veterans and their families through Sept. 30, 2023. The initial term of the contract was July 1, 2022, to Sept. 30, 2022. The total value of the contract will remain unchanged and will not exceed $500,000 over the life of the contract. Further request to authorize the City Controller to disburse all funds related to this item. Funding is Emergency Solutions Grant- CV (ESG-CV) monies from the U.S. Department of Housing and Urban Development (HUD). There is no impact to the General Fund.

Summary
U.S. Vets provides COVID-19 related essential services and shelter operations for Veterans who are at-risk of experiencing homelessness. U.S. Vets is exclusively focused on providing life-sustaining resources, services, and homeless prevention support to at-risk Veterans on their path back to housing and supportive services to help prevent a return to homelessness.

HUD has extended the expenditure deadline for ESG-CV funds. As such, staff is requesting to extend the contract to align the expiration dates with that of HUD.

Contract Term
The extension period will begin on or about Oct. 1, 2022, and run through Sept. 30, 2023.

Financial Impact
The total contract value will remain unchanged and will not exceed $500,000. Funding is available from ESG-CV. There is no impact to the General Fund.

Concurrence/Previous Council Action
The City Council approved Contract 156909 (Ordinance S-47175) on Dec. 16, 2020.

This item was adopted.

25 Request to Extend Contract with Central Arizona Shelter Services, Inc. for COVID-19 Related Essential Public Facility Improvements for the Human Services Campus (Ordinance S-48985)

Request to authorize the City Manager, or his designee, to extend Contract 155456 with Central Arizona Shelter Services, Inc. (CASS) for COVID-19 related essential public facility improvements for the Human Services Campus, to June 30, 2023. Further request to authorize the City Controller to disburse all funds related to this item. Funding is available from Community Development Block Grant Coronavirus Aid, Relief, and Economic Security Act (CDBG-CV) funding from the U.S. Department of Housing and Urban Development (HUD). There is no impact to the General Fund.

Summary

On April 7, 2021, the City Council approved entering into contract with CASS to utilize CDBG-CV funds for public facility improvements at the Human Resources Campus. Of the $2.4 million of CDBG-CV funds allocated to CASS, $1,275,187 was for public facility improvements to remodel interior spaces at the Single Adult Shelter. The remodel was intended to support the creation of 130 new shelter beds, bringing the total shelter beds to 600.

The contract is set to expire Sept. 30, 2022, and an extension through June 30, 2023, is necessary to allow CASS additional time to complete the scope of the contract. The value of the contract will remain unchanged and will not exceed $1,275,187.

Contract Term

The term of the contract extension period will be from Oct. 1, 2022, through June 30, 2023.

Financial Impact

The total contract value will remain unchanged and will not exceed $1,275,187. Funding is available from Community Development Block Grant CARES Act funds. There is no impact to the General Fund.

Concurrence/Previous Council Action

On Feb. 17, 2021, the City Council approved Ordinance S-47330, a Substantial Amendment to the 2015-20 Consolidated Plan's 2019-20 Annual Action Plan.

On April 7, 2021, the City Council approved Ordinance S-47463 to enter into contracts with CASS and the Human Services Campus to fund COVID-19 related essential services, facility improvements, operations and homelessness support activities.

Location
210 S. 12th Ave.
Council District: 7

This item was adopted.

27 Aircraft Rescue Mobile Prop Training Contract RFP 22-F01- Request for Award (Ordinance S-48965)

Request to authorize the City Manager, or his designee, to enter into a contract with 139 Fire, LLC to provide Aircraft Rescue Firefighter Training at the Phoenix Fire Department Training Academy and Phoenix Sky Harbor International Airport. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $170,550.

Summary
This contract will provide training and certification to Phoenix Fire Department (PFD) firefighters for service at Aviation Department facilities, including Phoenix Sky Harbor International Airport. The airport has Aircraft Rescue Firefighting (ARFF) capabilities with an extensive apparatus and personnel to provide fire and medical response to an aircraft emergency. In order to maintain these capabilities, PFD firefighters stationed at Phoenix Sky Harbor International Airport must train in accordance with Federal Aviation Administration (FAA) standards. These standards mandate that PFD firefighters train with live burn exercises annually. For the first two years and final two years of the five-year agreement, a mobile prop may be utilized for the training. During the third year, a more extensive training requires use of a staged, full-scale, simultaneously burning aircraft. This contract serves only for the mobile prop exercises.

Procurement Information
A Request for Proposal (RFP) procurement was processed in

accordance with City of Phoenix Administrative Regulation 3.10. One proposal was received by the Fire Department on July 11, 2022. The offer submitted by 139 Fire, LLC was evaluated and deemed to be fair and reasonable based on the evaluation criteria presented in the RFP.

Contract Term
The contract will begin on or about Sept. 15, 2022 for a five-year term with no options to extend.

Financial Impact
The aggregate contract value will not exceed $170,550.

Funding is available in the Aviation and Fire departments' operating budgets.

Location
Phoenix Fire Department Training Academy located in Council District 7 and Phoenix Sky Harbor International Airport located in Council District 8.

This item was adopted.

28 FY 2022 Edward Byrne Memorial Justice Assistance Grant (Ordinance S-48984)

Request retroactive authorization for the City Manager, or his designee, to allow the Police Department to apply for, accept and enter into an agreement with the Bureau of Justice Assistance and Intergovernmental Agreements with Maricopa County, Town of Gilbert and the cities of Avondale, Buckeye, Chandler, Glendale, Goodyear, Mesa, Peoria, Scottsdale, Tempe, and Surprise, for the 2022 Edward Byrne Memorial Justice Assistance Grant (JAG) in an amount not to exceed $1,609,591. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary
The City has received funding through this grant program for the past several years. The Police Department was informed of the availability of these funds on June 22, 2022. The Police Department will manage this grant by administering the funding to the eligible local agencies,

completing programmatic and financial reporting, and initiating the intergovernmental agreements associated with the grant awards.

The 2022 JAG grant application was submitted by the Police Department on behalf of the City of Phoenix and eligible partnering agencies. The proposed allocation of the award includes the following:

City of Phoenix:	$1,093,104
Maricopa County:	$38,766
Town of Gilbert:	$19,433
City of Avondale:	$21,021
City of Buckeye:	$9,356
City of Chandler:	$43,233
City of Glendale:	$78,673
City of Goodyear:	$14,245
City of Mesa:	$143,150
City of Peoria:	$31,420
City of Scottsdale:	$32,437
City of Tempe:	$72,022
City of Surprise:	$12,731
Total Award:	$1,609,591

The proposed budgetary allocations for the City of Phoenix includes $207,142 for the Parks and Recreation Department for Project BRAVE (Bringing Reality About Violence Education). Project BRAVE is a violence prevention and education program that was created with the goal of decreasing violence in our community through awareness and leadership training activities. The project provides comprehensive workshops held at various sites, non-profit agencies, and after school programs.

The Police Department proposes to use the remaining $828,572 to assist the department in supplying patrol squads with newly designed ballistic shields for use during critical incidents involving firearms. The shields are designed to be more agile, tactically sound, and lighter in weight. The shields can be used in a variety of ways and for a longer period of time. Each patrol squad supervisor will be assigned a ballistic shield resulting in reduced response times in delivering essential tools when needed.

The grant application was due Aug. 11, 2022. If authorization is denied, the grant application will be rescinded.

Contract Term
The contract term is Oct. 1, 2021 through Sept. 30, 2025.

Financial Impact
No matching funds are required.

This item was adopted.

29 Donation from Phoenix Police Foundation of Equipment for Canine Unit (Ordinance S-48987)

Request to authorize the City Manager, or his designee, to accept a donation of equipment for the Phoenix Police Department Canine Unit from the Phoenix Police Foundation for up to $60,600. Further request authorization for the City Treasurer to accept all funds, and for the City Controller to disburse all funds related to this item.

Summary
The Phoenix Police Department's Canine Unit plays a critical role in policing, including locating a suspect or being used as a less lethal and preservation of life tool for the officers and suspects. The Phoenix Police Department is the largest law enforcement agency in Arizona and has the most extensive canine program with 17 dogs and handlers. Regardless of the number of safety precautions taken, canine work in policing is inherently dangerous. This equipment will assist with training and provide as many tools as possible to increase canine, handler, and community safety.

This donation consists of five separate types of equipment:

Canine Scent Wall: This item is designed to be used as a training tool to keep police dogs sharp in their narcotic recognition skills and reinforce their odor detection abilities. The objective is to keep the dogs at peak performance by utilizing the scent wall and boxes to identify narcotic, nitrate, and human remains detection. The value of this item is $941.09.

Canine Bite Suits: The donation of four bite suits will be used as a tool when training canines to apprehend suspects and follow handler commands. The objective is to keep the dogs at peak performance by utilizing the most realistic training environment possible. The value of the four suits is $6,340.

Throwbot 2 Robots: This donation is for two robots. The Throwbot 2 robot is a throwable micro-robot platform that enables operators to obtain instantaneous video and audio reconnaissance within indoor or outdoor environments. The robots are designed to withstand repeated drops of up to 30 feet onto concrete. This allows operators to throw the robot into hazardous situations in order to quickly make informed decisions. The value of the two robots is $32,840.

CORE Under-Door Camera: The donation of one under-door camera allows the user to see under doors with an approximate quarter-inch gap between the door and floor. The two camera model provides the user with a forward and upward look into the room being inspected. The camera is also equipped with high intensity infrared illumination for non-illuminated rooms/areas. The ability to illuminate a room prior to sending an officer or canine will provide immediate intelligence on the layout of the room and reduce the chances of a lethal encounter. The value of the under-door camera is $9,829.36.

FLIR Monocular Systems: The donation of two Forward Looking Infrared (FLIR) Monocular systems will assist police K-9 teams search within various environments, such as buildings, both residential and commercial, yards, neighborhoods, and large open areas like parks and desert areas, by identifying "hot spots" at a distance. This early warning system would improve the ability to create an apprehension plan involving the least amount of force and reduces the possibility of a lethal encounter. The value of two FLIR systems is $10,640.79.

The Phoenix Police Foundation is a 501(c)(3) charitable organization. The Foundation is committed to addressing unmet capital needs of the Phoenix Police Department, providing financial assistance in crisis situations, and recognizing those who protect our community.

Financial Impact

Cost to the City will include any standard operation and maintenance expenses. Funds are available in the Police Department's budget.

This item was adopted.

30 Hydrant Fueling System Modification (Ordinance S-48981)

Request to authorize the City Manager, or his designee, to enter into a sale and purchase agreement and to amend Hydrant Fueling Agreement Lease No. 57871-ARL with the Arizona Fueling Facilities Corporation (AFFC) for the modification of the fuel storage and hydrant fuel line system at Phoenix Sky Harbor International Airport.

Summary

AFFC is a consortium of airlines that operates under a ground lease for its piping system, which allows the airlines to fuel their aircraft at the gates from hydrants tied to the system. The hydrant fueling system was extended to provide fueling service to eight new gates as part of the Terminal 4, S1 Concourse construction project. To accommodate the accelerated schedule for this project, the Aviation Department included design and construction of the hydrant fuel line into its building contract. Following construction, AFFC will reimburse the City for the new section of the pipeline.

Financial Impact

The total cost for design and construction is approximately $2.8 million. Following receipt of final payment by AFFC, the Aviation Department will transfer pipeline ownership to AFFC by a bill of sale.

Concurrence/Previous Council Action

The Business and Development Subcommittee recommended approval of this item on Aug. 4, 2022 by a vote of 3-0.
The Phoenix Aviation Advisory Board recommended approval of this item on Aug. 18, 2022 by a vote of 8-0.

Location

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

This item was adopted.

31 Miscellaneous Building Repairs Agreement (Ordinance S-48966)

Request to authorize the City Manager, or his designee, to enter into separate agreements with: Skyline Builders & Restoration, Inc.; BWC Enterprise, Inc. dba Woodruff Construction; and Bio Janitorial Service, Inc., for miscellaneous building repairs to be used on an as-needed basis in City-owned facilities. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate value of the agreements will not exceed $1.35 million.

Summary

The Public Works Department is responsible for maintaining City-owned facilities. These services will be used for commercial maintenance, incidental building repairs, and tenant improvement services for over 600 City-owned facilities. The services will be used on an as-needed basis to provide Public Works with additional support with increased building repairs and tenant improvements for various customer departments. In addition to minor repair projects, these agreements will provide regular preventative maintenance services that are necessary to enhance aesthetics and extend the useful life of City-owned structures and properties.

Procurement Information

Invitation for Bid 23-FMD-013 was conducted in accordance with Administrative Regulation 3.10. Three offers were received by the Public Works Department Procurement Services Division on April 20, 2022. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and the responsibility to provide the required services. The offers submitted by Skyline Builders & Restoration, Inc.; BWC Enterprise, Inc. dba Woodruff Construction; and Bio Janitorial Service, Inc. were deemed fair and reasonable.

Skyline Builders & Restoration, Inc.: $4,610 bid total
BWC Enterprise, Inc. dba Woodruff Construction: $7,320 bid total
Bio Janitorial Service, Inc.: $8,377.50 bid total

Contract Term

The one-year term of the contracts will begin on or about Oct. 1, 2022. The contracts will include two one-year options to extend the term, for a

total contract term of up to three years if all options are exercised.

Financial Impact

The aggregate value of the agreements, including all option years, is $1.35 million, including all applicable taxes, with an estimated annual expenditure of $450,000.

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

This item was continued to the Sept. 21, 2022 City Council Formal Meeting.

32 Electrical Services Agreement Invitation Request for Award for Bid 23-FMD-014 (Ordinance S-48967)

Request to authorize the City Manager, or his designee, to enter into separate agreements with: Hawkeye Electric, Inc.; JFK Electrical Contracting Enterprises, Inc.; Russell E. Kurz doing business as Performance Electric; and Sabino Electric, Inc., to provide electrical services in City-owned facilities. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate value of the agreements will not exceed $6,609,600.

Summary

The Public Works Department is responsible for maintaining and repairing electrical components in numerous City-owned facilities. These electrical services provide the installation of electrical equipment in buildings, repair and replacement of cables and wires, installation and repair of service entrance sections, and other necessary electrical services on an as-needed basis. These electrical services are necessary to help ensure electrical systems are properly maintained and all code requirements are met for the safety of employees, residents, and the public. This agreement provides back-up services to augment and support the City's Electricians trained and assigned to these functions. This agreement is also used by the Phoenix Convention Center and Water Services departments.

Procurement Information

In accordance with Administrative Regulation 3.10 Invitation for Bid 23-FMD-014, four offers were received by the Public Works Department

Procurement Services Division on May 11, 2022. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required services. The offers submitted by Hawkeye Electric, Inc.; JFK Electrical Contracting Enterprises, Inc.; Russell E. Kurz doing business as Performance Electric; and Sabino Electric, Inc. were deemed fair and reasonable.

Group A - Journeyman
Hawkeye Electric, Inc.: $389,960 bid total; and
Sabino Electric, Inc.: $544,000 bid total

Group B - Skilled Electrician
Hawkeye Electric, Inc.: 389,960 bid total;
JFK Electrical Contracting Enterprises, Inc.: $431,000 bid total;
Russell E. Kurz doing business as Performance Electric: $271,550 bid total; and
Sabino Electric, Inc.: $469,000 bid total

Group C - Apprentice/Helper
Hawkeye Electric, Inc.: $90,250 bid total; and
Sabino Electric, Inc.: $158,500 bid total

Contract Term
The agreements will begin on or about Oct. 1, 2022 for a one-year term, with two one-year options to extend.

Financial Impact
The aggregate value of the agreements, including all option years, is $6,609,600, including all applicable taxes, with an estimated annual expenditure of $2,203,200.

Funding is available in the Phoenix Convention Center, Water Services, and Public Works departments' budgets.

This item was continued to the Sept. 21, 2022 City Council Formal Meeting.

33 Heating, Ventilation, and Air Conditioning Maintenance, Repair,

and Replacement Services Agreement (Ordinance S-48971)

Request to authorize the City Manager, or his designee, to enter into separate agreements with: Artic Air Heating & Cooling, Inc.; Crawford Mechanical Services, LLC; HACI Service, LLC; Chiller Services, Inc.; United Technologies, LLC doing business as UNI-TECH; and A Quality HVAC Services, LLC to provide heating, ventilation, and air conditioning (HVAC) maintenance and repair services in City-owned facilities. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate value of the agreements will not exceed $10,086,000.

Summary

The Public Works Department is responsible for maintaining and repairing the HVAC systems and equipment in numerous City-owned facilities. The agreements provide back-up services to augment and support the City's HVAC staff trained and assigned to responding to urgent and routine service requests. The agreements provide regular maintenance, necessary repairs, and the replacement of system components to ensure facility air conditioning and heating systems are operating properly, effectively, and efficiently. These services are necessary for the health and safety of employees, residents, and the public in City-owned facilities. These agreements will also provide services for facilities maintained by the Aviation Department and Phoenix Convention Center.

Procurement Information

Invitation for Bid 23-FMD-016 was conducted in accordance with Administrative Regulation 3.10. Nine offers were received by the Public Works Department Procurement Services Division on May 25, 2022. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required services. The offers submitted by Artic Air Heating & Cooling, Inc.; Crawford Mechanical Services, LLC; HACI Service, LLC doing business as UNI-TECH; Chiller Services, Inc.; United Technologies, LLC; and A Quality HVAC Services, LLC were deemed fair and reasonable.

See **Attachment A** for the bid summary of offers submitted for Groups

1-7.

Contract Term
The agreements will begin on or about Oct. 1, 2022, for a one-year term with two one-year options to extend.

Financial Impact
The aggregate value of the agreements, including all option years, will not exceed $10,086,000, including all applicable taxes, with an estimated annual expenditure of $3,362,000.

Funding is available in the Aviation, Phoenix Convention Center, and Public Works Departments' budgets.

This item was continued to the Sept. 21, 2022 City Council Formal Meeting.

34 Allison Transmissions Repair, Rebuild and Replacement for Fleet Vehicles Contract IFB 23-FSD-017 - Request for Award (Ordinance S-48972)

Request to authorize the City Manager, or his designee, to enter into contract with RWC International, LTD to provide Allison transmission repair, rebuild, and replacement for fleet vehicles. Further request to authorize the City Controller to disburse all funds related to this item. The value of the contract will not exceed $607,260.

Summary
The Public Works Department is responsible for the maintenance and repair of over 7,500 vehicles and equipment. This contract will be used to supplement the repair, rebuild, and replacement of Allison transmissions. The City's fleet currently has over 800 units with various types of Allison transmissions that often have complex repairs that require expedited repairs to allow the fleet to be up and running for City services.
Procurement Information
In accordance with Administrative Regulation 3.10, the Public Works Department conducted Invitation for Bid (IFB) 23-FSD-017. The Public Works Department reached out to 60 vendors, and there was one offer received. The bid was evaluated for responsibility and responsiveness

under the specifications, with the vendor below recommended for award based on hourly labor rate:

RWC International, LTD: $135.00/hr

Contract Term
The contract will begin on or about Nov. 1, 2022, for a three-year term, with two one-year options to extend.

Financial Impact
This contract will have an estimated annual expenditure of $121,452 with an aggregate value of $607,260 over the life of the contract.

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

This item was adopted.

39 Transportation Funding through Maricopa Association of Governments in Federal Fiscal Year 2022 (Ordinance S-48982)

Request to authorize the City Manager, or his designee, to apply for, accept, and if awarded, enter into agreements for fiscal year 2022 transportation funding through the Maricopa Association of Governments for the non-federal Roadway Safety Program and federal Congestion Mitigation Air Quality Particulate Matter 10 micrometers or smaller certified street sweepers. Further request an exemption from the indemnification prohibition set forth in the Phoenix City Code section 42-18 for a governmental entity pursuant to Phoenix City Code section 42-20. Additionally request to authorize the City Treasurer to accept and the City Controller to disburse all funds related to this item. If awarded, the City's estimated cost share will not exceed $400,000.

Summary
On Aug. 1, 2022, the Maricopa Association of Governments (MAG) announced a call for projects for two programs: the non-federal Roadway Safety Program (RSP) and federal Congestion Mitigation and Air Quality Improvement (CMAQ) Particulate Matter 10 micrometers or smaller (PM-10) certified street sweepers. There is approximately $1,960,737 in

RSP and $1,343,220 in CMAQ funding available under this current call. The due date for applications is Sept. 16, 2022. The City intends to submit applications for up to six RSP projects and two PM-10 certified street sweepers to replace two older sweepers. Obtaining grant funding, either federal or non-federal, allows the City to leverage local dollars to design, build and procure new projects and equipment for the benefit of the community.

Financial Impact

The maximum federal participation and the local match requirements vary with each program. For the RSP, the City will fund the cost of design or 10 percent of the total project costs, and the grant will fund construction costs or 90 percent of the project cost. For CMAQ PM-10 certified street sweepers, federal participation is capped at 94.3 percent of the total eligible equipment costs. The City will fund the required 5.7 percent local match plus any overmatch amount to fund additional City-required features or specifications that are not eligible for reimbursement under CMAQ.

If all six RSP applications are approved, the City local match requirement is estimated at $300,000. If both CMAQ PM-10 certified street sweepers are approved, the estimated local match would be $100,000. This amount includes the 5.7 percent local match and other non-reimbursable items that are specific to the City's PM-10 certified street sweepers. If awarded, funding will be available in the Street Transportation Department's Capital Improvement Program budget.

This item was adopted.

40 91st Avenue Wastewater Treatment Plant, Plant 2B Rehabilitation - Construction Manager at Risk Construction Services - WS90100112 (Ordinance S-48969)

Request to authorize the City Manager, or his designee, to enter into an agreement with McCarthy Building Companies, Inc. to provide Construction Manager at Risk Construction Services for the 91st Avenue Wastewater Treatment Plant, Plant 2B Rehabilitation project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided

below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $73.5 million.

Summary

The purpose of this project is to rehabilitate or replace assets throughout Plant 2B at the 91st Avenue Wastewater Treatment Plant (WWTP) and incorporate current technologies and equipment.

McCarthy Building Companies, Inc.'s (McCarthy) 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. McCarthy will be responsible for construction means and methods related to the project and fulfilling the SBE program requirements. McCarthy will be required to solicit bids from prequalified subcontractors and to perform the work using the City's subcontractor selection process. McCarthy may also compete to self-perform limited amounts of work.

McCarthy's services include but are not limited to: replacement and rehabilitation of equipment per final plans and specifications, solicitation of bids for major portions of work, scheduling and managing site operations, acquisition and maintenance of required permits and licenses, and coordination of schedules and activities with other contractors, engineers, City departments, utility companies, and other agencies as required.

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

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 (CMAR) Preconstruction Services selection process.

Contract Term

The term of the agreement is four 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 McCarthy will not exceed $73.5 million, including all subcontractor and reimbursable costs.

Funding is available in the Water Services Department's Capital Improvement Program budget using SROG funds.

Concurrence/Previous Council Action
The SROG managers:
Authorized the project on Sept. 6, 2020.

The City Council approved:
Professional Services Agreement 153379 (Ordinance S-47068) on Nov. 18, 2020; and
CMAR Preconstruction Services Agreement 152905 (Ordinance S-46930) on Sept. 16, 2020.

Location
91st Avenue WWTP
Council District: 7

This item was adopted.

41 Wastewater Monitoring System Contract RFP-2021-WWC- 503- Request for Award (Ordinance S-48970)

Request to authorize the City Manager, or his designee, to enter into a contract with Kando Environmental to provide Wastewater Monitoring Systems for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $1,780,000.

Summary

The Water Services Department Wastewater Collections Division, Wastewater Treatment Division and Environmental Services Division are each faced with wastewater quality challenges related to the collection system. These challenges are primarily related to the control of industrial/commercial wastewater which affects the viability of treatment and the frequency of pollutant loading. This contract will provide reliable sensor-based, real-time monitoring, and decision support systems (Monitoring System) integrated with analytics to evaluate wastewater quality and flow.

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

Procurement Information
A Request for Proposal procurement was processed in accordance with City of Phoenix Administrative Regulation 3.10.

One vendor submitted a proposal that was deemed responsive and responsible. An evaluation committee of City staff evaluated the offer based on the following criteria with a maximum possible point total of 1000:

Qualifications and Experience (0-350 points)
Monitoring System Capability and Capacity (0-255 points)
Approach to Field Implementation and Training (0-245 points)
Cost (0-150 points)

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

Kando Environmental: 657.50 points

Contract Term
The contract will begin on or about Sept. 19, 2022, for a two-year term with three one-year options to extend.

Financial Impact
The aggregate contract value will not exceed $1,780,000. Funding is

available in the Water Services Department Capital Improvement Program budget.

This item was adopted.

42 Intergovernmental Agreement - Weather Station Operation for Turf Irrigation Management, University of Arizona (Ordinance S-48979)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Arizona Board of Regents, University of Arizona, for maintenance and operation of the Phoenix Encanto, Phoenix Greenway, and Desert Ridge weather stations, which are owned by the City of Phoenix. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed $90,000.

Summary
The University of Arizona operates the Arizona Meteorological Network, a statewide network that measures local weather conditions to provide real-time information about suggested landscape watering levels for residences and businesses in Phoenix and throughout Arizona. Included in the Intergovernmental Agreement (IGA) are the following services: operate, calibrate, and maintain weather station instrumentation at the three above-listed sites; collect daily weather data; and generate climate information for posting to the internet, for business and residential use.

Contract Term
The agreement will begin on or about Oct. 1, 2022 for a period of five years.

Financial Impact
The aggregate value of this IGA will not exceed $90,000 (including applicable taxes). Funds are available in the Water Services Department Operating Budget.

This item was adopted.

43 Salt River Project Construction and Service Agreements for Deer Valley Water Treatment Plant Cortez Substation (Ordinance

S-48303) - Amendment (Ordinance S-48980)

Request Council to amend the not-to-exceed value of Ordinance S-48303, from $600,000 to $660,000 due to equipment cost escalation. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

The City Manager, or his designee, has been authorized by the Phoenix City Council to enter into contracts with the Salt River Project (SRP) to upgrade protective electrical equipment for the Cortez Substation at the Deer Valley Water Treatment Plant. These upgrades will replace transformer protection devices that have reached the end of their useful lifecycle. The replacement of these devices will ensure facility and personnel safety and help ensure continuous operation of this water treatment plant. The original authorization occurred on Feb. 2, 2022, for the agreement to not exceed $600,000.00. Subsequent to that authorization, equipment price escalation occurred and has increased the new proposal estimate to $660,000. This request is for Council to increase the not-to-exceed amount by $60,000 for a total of $660,000.

Contract Term

The contract term remains unchanged. The contract term is for four years starting on or about Feb. 2, 2022.

Financial Impact

Upon approval of $60,000 in additional funds, the revised amount for the service agreements will not exceed $660,000. Funds are available in the Water Services Department's Capital Improvement Program budget.

Concurrence/Previous Council Action

City Council originally approved the SRP agreements for Deer Valley Water Treatment Plant Cortez Substation (Ordinance S-48303) on Feb. 2, 2022.

Location

Deer Valley Water Treatment Plant
Council District: 1

This item was adopted.

44 Third Party Lab Audit/Assessments Contract - RFP 2122-WES-334 - Request for Award (Ordinance S-48983)

Request to authorize the City Manager, or his designee, to enter into agreements with Shepherd Technical Services, Inc. and NV5/Dade Moeller to provide independent consulting services for the Water Services Department, Environmental Services Division. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the agreements will not exceed $350,000.

Summary
The purpose of the agreements is to provide independent consulting services for the Environmental Services Division. The audits/assessments will be conducted to review the analytical activities of City of Phoenix Laboratory and Field Operations. The agreements will provide audit/assessment services for the purpose of process improvement and ensuring compliance while strengthening the City's quality assurance system.

Procurement Information
The recommendations were made using a Request for Proposal procurement process in accordance with the City of Phoenix Administrative Regulation 3.10.

Two vendors submitted bids and are listed below and all bids were found to be responsive and responsible. An evaluation committee of City staff evaluated those offers based on the following criteria with a maximum possible point total of 1000:

Qualifications and Experience - 500 points
Method of Approach/Hours - 400 points
Cost - 100 points

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

Shepherd Technical Services, Inc.: 525 points
NV5/Dade Moeller: 650 points

Contract Term
The agreements will begin on or about Sept. 7, 2022, for a five-year term.

Financial Impact
The aggregate value will not exceed $350,000.

Funding is available in the Water Services Department Operating budget.

This item was adopted.

45 Final Plat - TSMC Supplier Site C - PLAT 220035 - Southeast Corner of 3rd Avenue and Pinnacle Peak Road

Plat: 220035
Project: 21-3478
Name of Plat: TSMC Supplier Site C
Owner: DV Parcel C Owner, LLC
Engineer: James A. Brucci, RLS
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Aug. 9, 2022
Final Plat requires Formal Action Only

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

Location
Generally located at the southeast corner of 3rd Avenue and Pinnacle Peak Road.
Council District: 1

This item was approved.

46 Abandonment of Right-of-Way - ABND 200568 - Georgia Avenue, between 28th Drive and 27th Avenue (Resolution 22065)

Abandonment: ABND 200568
Project: 99-817
Applicant(s): Grand Canyon University
Request: To abandon the Georgia Avenue right-of-way between 28th Drive and 27th Avenue.
Date of Decision/Hearing: Feb. 18, 2021

Summary
This resolution of abandonment should be recorded concurrent with the resolution of abandonment for ABND 210041. There is no particular order of recording required.

Location
Georgia Avenue, between 28th Drive and 27th Avenue
Council District: 5

Financial Impact
A consideration fee was also collected as part of this abandonment in the amount of $168,400.00.

This item was adopted.

47 Abandonment of Right-of-Way - ABND 210041 - 28th Drive, between Colter Street and Georgia Avenue (Resolution 22066)

Abandonment: ABND 210041
Project: 99-817
Applicant: Baird Fullerton, Grand Canyon University
Request: The entirety of 28th Drive right-of-way, between Colter Street and Georgia Avenue
Date of Decision/Hearing: Sept. 23, 2021

Summary
This resolution of abandonment should be recorded concurrent with the resolution of abandonment for ABND 200568. There is no particular order of recording required.

Location
28th Drive, between Colter Street and Georgia Avenue

Council District: 5

Financial Impact
A fee was also collected as part of this abandonment in the amount of $159,400.00.

This item was adopted.

48 Abandonment of Right-of-Way - ABND 220018 - 13220 North Cave Creek Road (Resolution 22062)

Abandonment: ABND 220018
Project: 99-40878
Applicant: Nicholas Taylor
Request: The right-of-way on the eastern boundary of the parcel identified by APN 116-11-01-0240 for approximately 15-feet.
Date of Decision/Hearing: May 26, 2022.

Location
13220 North Cave Creek Road.
Council District: 5

Financial Impact
A consideration fee was also collected as part of this abandonment in the amount of $7,500.00.

This item was adopted as corrected.

49 Abandonment of Alley - ABND 220006 - 5402 East Calle Tuberia (Resolution 22064)

Abandonment: ABND 220006
Project: 00-524
Applicant: Daniel Plapp
Request: A portion of the alley off of Calle Tuberia adjacent to parcels 128-21-001, -007, -005, 006A, and -008 as shown on the associated exhibit.
Date of Decision/Hearing: April 14, 2022

Location

5402 East Calle Tuberia.
Council District: 6

Financial Impact
A consideration fee was also collected as part of this abandonment in the amount of $1,087.60.

This item was adopted.

50 Remove/Replace Zoning District - 19th Avenue and Parsons Road - Annexation 507 (Ordinance G-7016)

Request to authorize the City Manager, or his designee, to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by removing the Maricopa County R-2 zoning district and replacing it with the City of Phoenix R-2 zoning district on the property at the location described below, which was annexed into the City of Phoenix on Apr. 20, 2022, by Ordinance S-48549.

Location
19th Avenue and Parsons Road
Council District: 1
Parcel Addresses: None assigned and 1518 W. Parsons Ave.

This item was adopted.

51 Amend City Code - Ordinance Adoption - Rezoning Application Z-3-B-15-1 (Norterra PUD) - Northwest Corner of 19th Avenue and Happy Valley Road (Ordinance G-7021)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-3-B-15-1 and rezone the site from PUD (Planned Unit Development) to PUD (Planned Unit Development) for a Major Amendment to the Norterra PUD to allow an increase in dwelling units and hotel rooms, and to modify parking and sign standards.

Summary
Current Zoning: PUD
Proposed Zoning: PUD

Acreage: 405.40 acres
Proposed Use: Major Amendment to the Norterra PUD to allow an increase in dwelling units and hotel rooms, and to modify parking and sign standards

Owner: USAA Real Estate Company, et al.
Applicant: USAA Real Estate Company
Representative: William F. Allison, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Info: The Deer Valley Village Planning Committee heard this case on April 14, 2022 for information only.
VPC Action: The Deer Valley Village Planning Committee heard this case on July 14, 2022 and recommended approval, per the staff recommendation, by a vote of 11-0.
PC Action: The Planning Commission heard this case on Aug. 4, 2022 and recommended approval, per the Deer Valley Village Planning Committee recommendation with an additional stipulation, by a vote of 7-1-1.

Location
Northwest corner of 19th Avenue and Happy Valley Road
Council District: 1
Parcel Address: 25322 N. 21st Ave., 26300 N. Norterra Parkway, et al.

This item was adopted.

52 Amend City Code - Ordinance Adoption - Rezoning Application Z-63-21-3- Approximately 220 Feet West of the Northwest Corner of 19th Avenue and Greenway Road (Ordinance G-7022)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-63-21-3 and rezone the site from R-O (Residential Office) to C-2 (Intermediate Commercial District) to allow a pool company with outdoor display.

Summary
Current Zoning: R-O

Proposed Zoning: C-2
Acreage: 1.37 acres
Proposal: Pool company with outdoor display

Owner: Brian W. Morris
Applicant: Dennis Newcombe, Gammage & Burnham, PLC
Representative: Lindsay C. Schube, Gammage & Burnham, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Deer Valley Village Planning Committee heard this case on June 9, 2022, and recommended approval, per the staff recommendation, by a vote of 8-0.
PC Action: The Planning Commission heard this case on Aug. 4, 2022, and recommended approval, per the Deer Valley Village Planning Committee recommendation, by a vote of 9-0.

Location
Approximately 220 feet west of the northwest corner of 19th Avenue and Greenway Road
Council District: 3
Parcel Address: 1924 W. Greenway Road.

This item was adopted.

53 Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-2-22-3 - Approximately 175 Feet East of the Northeast Corner of 17th Avenue and Hatcher Road (Ordinance G-7025)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-2-22-3 and rezone the site from C-2 (Intermediate Commercial District) to C-2 SP (Intermediate Commercial District, Special Permit) to allow self-service storage and all underlying C-2 uses.

Summary
Current Zoning: C-2
Proposed Zoning: C-2 SP
Acreage: 0.94 acres
Proposed Use: Self-service storage and all underlying C-2 uses

Owner: North Central Garage Club, LLC
Applicant: Benjamin Graff, Quarles & Brady, LLP
Representative: Holdsworth Construction Inc.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The North Mountain Village Planning Committee heard this case on June 15, 2022 and recommended approval, per the staff recommendation, by a vote of 16-0-1.
PC Action: The Planning Commission heard this case on Aug. 4, 2022 and recommended approval, per the Addendum A Staff Report, by a vote of 9-0.

Location
Approximately 175 feet east of the northeast corner of 17th Avenue and Hatcher Road
Council District: 3
Parcel Address: 1635 W. Palmer Drive.

This item was adopted.

54 Amend City Code - Ordinance Adoption - Rezoning Application Z-36-22-4 - Southwest Corner of 31st Avenue and McDowell Road (Ordinance G-7018)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-36-22-4 and rezone the site from R-5 SP (Multifamily Residence District, Special Permit) and C-3 SP (General Commercial, Special Permit) to R-5 (Multifamily Residence District) and C-3 (General Commercial) for the removal of a Special Permit to allow underlying R-5 and C-3 uses.

Summary
Current Zoning: R-5 SP (3.28 acres) and C-3 SP (0.95 acres)
Proposed Zoning: R-5 (3.28 acres) and C-3 (0.95 acres)
Acreage: 4.23 acres
Proposed Use: Removal of a Special Permit to allow underlying R-5 and C-2 uses

Owner: Isaac Elementary School District No. 5
Applicant: City of Phoenix, Planning Commission
Representative: Benjamin Graff, Quarles & Brady, LLP

Staff Recommendation: Approval.
VPC Info: The Maryvale Village Planning Committee heard this case on June 8, 2022 for information only.
PC Action: The Planning Commission heard this case on Aug. 4, 2022 and recommended approval, per the staff recommendation, by a vote of 9-0.

Location
Southwest corner of 31st Avenue and McDowell Road
Council District: 4
Parcel Address: 3101 W. McDowell Road.

This item was adopted.

55 Amend City Code - Ordinance Adoption - Rezoning Application Z-19-22-7 - Northeast Corner of 39th Avenue and Vineyard Road (Ordinance G-7023)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-19-22-7 and rezone the site from R1-8 (Single-Family Residence District) to R-2 (Multifamily Residence District) to allow multifamily residential.

Summary
Current Zoning: R1-8
Proposed Zoning: R-2
Acreage: 11.08 acres
Proposed Use: Multifamily residential

Owner: Laveen Land, LLC
Applicant: Prestige BeckShar Development, LLC
Representative: Michael T. Maerowitz, Snell & Wilmer

Staff Recommendation: Approval, subject to stipulations.
VPC Info: The Laveen Village Planning Committee heard this case on June 13, 2022, for information only.
VPC Action: The Laveen Village Planning Committee heard this case on July 11, 2022, and recommended approval, per the staff recommendation (Addendum A) with a modification and additional stipulations, by a vote of 8-0.
PC Action: The Planning Commission heard this case on Aug. 4, 2022, and recommended approval, per the Laveen Village Planning Committee recommendation, by a vote of 8-1 vote.

Location
Northeast corner of 39th Avenue and Vineyard Road.
Council District: 7
Parcel Address: 3820, 3850, 3880 W. Vineyard Road; and 6605 S. 39th Ave.

This item was adopted.

56 Amend City Code - Ordinance Adoption - Rezoning Application Z-20-22-7 - Approximately 535 Feet North of the Northeast Corner of 47th Avenue and Polk Street (Ordinance G-7017)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-20-22-7 and rezone the site from CP/GCP (Commerce Park District, General Commerce Park Option) to A-1 (Light Industrial District) to allow industrial uses.

Summary
Current Zoning: CP/GCP
Proposed Zoning: A-1
Acreage: 18.58 acres
Proposed Use: Industrial uses

Owner: Jane Rittenberg and William A Goldring
Applicant: Clarion Partners
Representative: Alex Hayes, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Estrella Village Planning Committee heard this case on June 21, 2022 and recommended approval, per the staff recommendation, by a vote of 7-0.
PC Action: The Planning Commission heard this case on Aug. 4, 2022 and recommended approval, per the Estrella Village Planning Committee recommendation by a vote of 9-0.

Location

Approximately 535 feet north of the northeast corner of 47th Avenue and Polk Street.
Council District: 7
Parcel Addresses: 625, 685, 861 N. 47th Ave.

This item was adopted.

57 Amend City Code - Ordinance Adoption - Rezoning Application Z-22-22-8 - Approximately 220 Feet North of the Northeast Corner of 59th Avenue and Elliot Road (Ordinance G-7026)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-22-22-8 and rezone the site from C-1 (Neighborhood Retail) to C-2 (Intermediate Commercial) to allow commercial uses. This is a companion case to Z-SP-3-22-8, and should be heard first, followed by Z-SP-3-22-8.

Summary

Current Zoning: C-1
Proposed Zoning: C-2
Acreage: 4.90 acres
Proposed Use: Commercial uses

Owner: Miller 160, LLC
Applicant: Wentworth Property Company
Representative: George Pasquel III, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Laveen Village Planning Committee heard this case on

July 11, 2022, and recommended approval, per the staff recommendation, with modifications by a vote of 8-0.
PC Action: The Planning Commission heard this case on Aug. 4, 2022, and recommended approval per the Laveen Village Planning Committee recommendation, by a vote of 9-0.

Location
Approximately 220 feet north of the northwest corner of 59th Ave and Elliot Road
Council District: 8
Parcel Address: N/A

This item was adopted.

58 Amend City Code - Ordinance Adoption - Rezoning Application Z-23-22-8 - Northwest Corner of 35th Street and Culver Street (Ordinance G-7024)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-23-22-8 and rezone the site from R1-6 (Single-Family Residence District) to R-4 (Multifamily Residence District) to allow multifamily residential.

Summary
Current Zoning: R1-6
Proposed Zoning: R-4
Acreage: 0.36 acres
Proposed Use: Multifamily residential

Owner: First Mill LLC
Applicant: Artin Knadjian, AAK Architecture & Interiors, Inc.
Representative: Artin Knadjian, AAK Architecture & Interiors, Inc.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard this case on June 7, 2022, and recommended approval, per the staff recommendation, by a vote of 16-0.
PC Action: The Planning Commission heard this case on Aug. 4, 2022,

and recommended approval, per the Camelback East Village Planning Committee recommendation, by a vote of 9-0.

Location
Northwest corner of 35th Street and Culver Street
Council District: 8
Parcel Address: 1234 and 1390 N. 35th St.

This item was adopted.

59 Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-3-22-8 - Approximately 420 Feet North of the Northeast Corner of 59th Avenue and Elliot Road (Ordinance G-7027)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-3-22-8 and rezone the site from C-1 (Pending C-2) (Neighborhood Retail, Pending Intermediate Commercial) to C-2 SP (Intermediate Commercial, Special Permit) to allow self-service storage warehouse and underlying commercial uses. This is a companion case to Z-22-22-8, and should be heard immediately following it.

Summary
Current Zoning: C-1 (Pending C-2)
Proposed Zoning: C-2 SP
Acreage: 3.60 acres
Proposed Use: Self-service storage warehouse and underlying commercial uses

Owner: Miller 160, LLC
Applicant: Wentworth Property Company
Representative: George Pasquel III, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Laveen Village Planning Committee heard this case on July 11, 2022, and recommended approval, per the staff recommendation, with a modification by a vote of 8-0.
PC Action: The Planning Commission heard this case on Aug. 4, 2022, and recommended approval, per the Laveen Village Planning Committee

recommendation, by a vote of 9-0.

Location
Approximately 420 feet north of the northwest corner of 59th Ave and Elliot Road
Council District: 8
Parcel Address: N/A

This item was adopted.

60 Amend City Code - Ordinance Adoption - Rezoning Application Z-19-21-8 - Southwest Corner of 24th Street and the Loop 202 Freeway (Ordinance G-7019)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-19-21-8 and rezone the site from C-2 (Intermediate Commercial), C-2 (Approved C-2 SP) (Intermediate Commercial, Approved Intermediate Commercial, Special Permit), C-2 SP (Intermediate Commercial, Special Permit), R1-6 (Single-Family Residence District), and R1-6 (Approved PAD-13) (Single-Family Residence District, Approved Planned Area Development) to WU Code T4:3 GW (Walkable Urban Code, Transect 4:3 District, Transit Gateway Character Area).

Summary
Current Zoning: C-2 (7.40 acres), C-2 (Approved C-2 SP) (2.08 acres), C-2 SP (0.27 acres), R1-6 (1.06 acres), R1-6 (Approved PAD-13) (0.65 acres)
Proposed Zoning: WU Code T4:3 GW
Acreage: 11.46
Proposal: Multifamily residential

Owner: Waheguru Properties, LLC
Applicant: LLC Central PHX, LLC
Representative: Wendy Riddell, Berry Riddell, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Central City Village Planning Committee heard this case on July 11, 2022, and recommended approval, per the staff

recommendation, by a vote of 9-6.
PC Action: The Planning Commission heard this case on Aug. 4, 2022, and recommended approval, per the Central City Village Planning Committee recommendation with an additional stipulation, by a vote of 9-0.

Location
Southwest corner of 24th Street and the Loop 202 Freeway
Council District: 8
Parcel Address: 1107 N. 22nd St.; 1101, 1102, 1107, 1108, 1111, 1112 N. 23rd St.; 1042, 1052, 1100, 1114 N. 24th St.; 2231, 2241, 2245, 2251, 2253, 2305, 2313, 2315, 2321, 2323, 2327, 2331 E. Moreland St.; and 2250 E. Portland St.

This item was adopted.

61 PCD Major Amendment - Rezoning Application Z-138-F-83-5 (Aldea Centre PUD) - Northwest Corner of 99th Avenue and Missouri Avenue

Request to approve Rezoning Application Z-138-F-83-5 and rezone the site from PUD PCD (Planned Unit Development, Planned Community District) to PUD PCD for a major amendment to the DC Ranch PCD to allow a major amendment to the Aldea Centre PUD to allow multifamily residential.

Summary
Current Zoning: PUD PCD
Proposed Zoning: PUD PCD
Acreage: 125.30
Proposed Use: Major Amendment to the DC Ranch PCD to allow a major amendment to the Aldea Centre PUD to allow multifamily residential.

Owner: John F. Long Family Revocable Living Trust
Applicant: Brian Greathouse, Burch and Cracchiolo, PA
Representative: Brian Greathouse, Burch and Cracchiolo, PA

Staff Recommendation: Approval, subject to stipulations.
VPC Info: The Maryvale Village Planning Committee heard the case on

April 13, 2022 for information only.
VPC Action: The Maryvale Village Planning Committee heard this case on May 11, 2022 and recommended denial, by a vote of 6-1. However, after the meeting, it was discovered that the applicant failed to meet the notification requirements outlined in the rezoning process packet. The applicant returned to the Village Planning Committee for a recommendation at the next available meeting date.
VPC Action: The Maryvale Village Planning Committee heard this case on July 13, 2022 and recommended approval, per the staff recommendation by a vote of 6-4.
PC Action: The Planning Commission heard this case on Aug. 4, 2022 and recommended approval, per the Addendum A staff report, by a vote of 8-1.

Location
Northwest corner of 99th Avenue and Missouri Avenue
Council District: 5
Parcel Addresses: 5627, 5628, 5700, 5750, 5800, and 5850 N. 101st Ave.; 9927, 9928, 9975, 10,100, 10,150, 10,200, and 10,250 W. Montebello Ave.; and 10,000 W. Missouri Ave.

This item was approved.

62 Amend City Code - Ordinance Adoption - Rezoning Application Z-18-22-1 - Northeast Corner of 19th Avenue and Yearling Road (Ordinance G-7020)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-18-22-1 and rezone the site from S-1 (Ranch or Farm Residence District) to R-2 (Multifamily Residence District) to allow single-family residential.

Summary
Current Zoning: S-1
Proposed Zoning: R-2
Acreage: 2.55
Proposal: Single-family residential

Owner: CMI Construction, LLC
Applicant: Red Hawk Development Corporation
Representative: Charles Eckert Jr.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Deer Valley Village Planning Committee heard this case on June 9, 2022, and recommended denial, by a vote of 5-3.
PC Action: The Planning Commission heard this case on Aug. 4, 2022, and recommended approval, per the Addendum A Staff Report, by a vote of 7-2.

Location
Northeast corner of 19th Avenue and Yearling Road
Council District: 1
Parcel Address: N/A

This item was adopted.

63 (CONTINUED FROM MARCH 2, APRIL 6 AND JUNE 1, 2022) - Public Hearing and Ordinance Adoption - Rezoning Application Z-20-21-4 - Approximately 1,300 Feet North of the Northeast Corner of Central Avenue and Indian School Road (Ordinance G-6964)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-20-21-4 and rezone the site from UR TOD-1 (Urban Residential, Interim Transit-Oriented Zoning Overlay District One) to PUD (Planned Unit Development) to allow multifamily and single-family attached residential.

Summary
Current Zoning: UR TOD-1
Proposed Zoning: PUD
Acreage: 4.34 acres
Proposed Use: Multifamily and single-family attached residential

Owner: Midtown Central Hotel Corporation
Applicant: Cresleigh Homes Arizona, LLC
Representative: Alan Beaudoin, Norris Design

Staff Recommendation: Approval, subject to stipulations.
VPC Info: The Encanto Village Planning Committee heard this case on June 7, 2021, for information only.
VPC Action: The Encanto Village Planning Committee heard this case on Sept. 13, 2021, and recommended approval, per the staff recommendation, by a vote 11-3.
PC Action: The Planning Commission heard this case and continued the item on Oct. 7, Nov. 4, Dec. 2, 2021; and Jan. 6, 2022. The Planning Commission heard this case on Feb. 3, 2022, and recommended approval, per the Addendum A Staff Report, with an additional and modified stipulation by a vote of 6-2.
CC Action: The City Council continued the request on March 2, 2022 to April 6, 2022 to allow the item to be posted for a Public Hearing.

Location
Approximately 1,300 feet north of the northeast corner of Central Avenue and Indian School Road
Council District: 4
Parcel Address: 4325 N. Central Ave.

This item was continued to the Dec. 7, 2022 City Council Formal Meeting.

21 Ak-Chin Indian Community Gaming Grants (Ordinance S-48986)

Request to authorize the City Manager, or his designee, to apply, accept, and if awarded, enter into related agreements for up to $130,000 in new funding from the Ak-Chin Indian Community under the 2022 funding cycle. Further request authorization for the City Treasurer to accept and the City Controller to disburse funds as directed by the Ak-Chin Indian Community in connection with these grants.

Summary
If awarded, these monies would be applied, as directed by the Ak-Chin Indian Community, towards the following:

Non-Profit Applications
Arizona Burn Foundation: $25,000 for the Milo and Moxie: Wildfire

Prevention program, which will introduce children to the importance of wildfire preparation, while giving real-life strategies on how to help prevent wildfire disasters. The goal is to reach and educate approximately 25,000 K-5 Arizona children, in order to reduce the number of human-caused wildfire disasters in Arizona.

Arizona Foundation for Women: $10,000 for the SHE Leads!, a women-focused leadership development program, designed by women, for women, with the mission of advancing more women into leadership positions. It is a nine-month commitment, including program orientation and networking sessions (beginning in October), a fundraising workshop (December) and six months of scheduled curriculum (January to June) that develops women personally, professionally, and philanthropically.

Chicanos Por La Causa, Inc.: $35,000 for the CPLC Workforce Solutions Youth Refugee Program, which will defray driver's education costs for youth/young adult refugees served by CPLC Workforce Solutions, Youth Refugee Program during 2023.

Heard Museum: $10,000 for the Youth Art Show and Sale, which will support the Heard Museum's Youth Art Show and Sale, serving 7th through 12th grade students and teachers across Arizona, held in conjunction with the Heard Museum Guild Indian Fair and Market. The grant funding will directly benefit young American Indian artists as they develop important skills, their family, and broader community while celebrating Indigenous traditions with a diverse audience.

Native American Connections: $50,000 for the Homeless Youth Services program, which will support delivery of Homeless Youth Services to address the needs of homeless transition-age youth (ages 18-26) in the Greater Phoenix region.

The gaming compact entered into by the State of Arizona and various tribes calls for 12 percent of gaming revenue to be contributed to cities, towns, and counties for government services that benefit the general public including public safety, mitigation of impacts of gaming, and promotion of commerce and economic development. The Ak-Chin Indian Community will notify the City, by resolution of the Tribal Council, if it desires to convey to the City a portion of its annual 12 percent local revenue-sharing contribution.

Financial Impact

There is no budgetary impact to the City and no general purpose funds are required. Entities that receive gaming grants are responsible for the management of those funds.

Discussion

A motion was made and seconded to approve this item.

Councilmember Garcia expressed his gratitude for the action in the community. He stated the City's relationships with tribal communities in the region continue to strengthen. He said Native American Connections will receive a $50,000 grant to deliver homeless services to youth ages 18 to 24, which is underserved.

Prior to his vote, Councilman DiCiccio stated this was another great example of the relationship the City has with tribal communities in Arizona as they have proven to be fantastic partners.

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

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

26 Gated Alley Program Implementation (Ordinance S-48990)

Request City Council approval to implement the Gated Alley Program and authorize the City Manager or designee to enter into all necessary agreements associated with the installation of gates in an aggregate amount not to exceed $500,000. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

As a result of the overwhelming demand and success of the Gated Alley Program Pilot, funding was approved in the FY 2022-23 program budget for an ongoing Gated Alley Program (GAP). This action included creating

a new project manager position in the Neighborhood Services Department and allocating $500,000 in general funds to install gates for approximately 45 alley segments.

With the implementation of this new program, the gate installations will become a City function rather than a neighborhood grant program. Interested residents will be able to request gating their alleys by meeting eligibility requirements and completing the process noted below. Due to limited funding, neighborhoods may choose to gate their alleys, if eligible, at their own expense or submit a Request Form for the City to install gates.

Eligibility Criteria (Regardless of neighborhood or City installation)
Submit a completed Request Form;
Contiguous fencing exists along sides of alley (minimum 5 feet);
Limited current vehicle access and use;
Limited conflicts with existing obstacles (irrigation lines/power poles, utilities, etc.);
Signed petition from 50 percent plus one property owners along alley segment;
Public Works Department must be able to provide refuse service via the street and not alley; and
Must be alley right of way (not private property or just public utility easement).

Additional Eligibility Requirements for City Installations
Must be part of a Neighborhood Association; and
A minimum of 50 percent of the adjacent properties must be single family.

Process for City Installations
Neighborhood Services staff will work with neighborhoods to educate residents about the program, the request form, how to determine property ownership, how to connect with an existing neighborhood association, or create a new one, and provide language interpreters for multilingual neighborhoods as necessary.

The general process will be as follows:

Resident submits completed Request Form;
Staff reviews Request Form and verifies alley requirements met;
Staff verifies signatures;
Staff notifies applicant (approval/does not meet);
Staff meets with residents to confirm location;
Staff obtains licensed contractor bids;
Staff relocates trash collection from alley to curbside;
Staff will complete a one-time clean-up of the alley (alley maintenance remains a responsibility of adjacent property owners in accordance with City Code); and
Licensed contractor obtains necessary permits and installs gates.

Equitable Access for City Installations

To ensure neighborhoods with barriers have access to the program, additional options will be provided. For example, in high rental areas where it may be difficult to locate property owners or obtain signatures, staff and volunteers will provide additional support. Additionally, if the residents along the alley segment find that participating in a neighborhood association creates a barrier, the requirement may be waived on a case-by-case basis after all other alternatives are explored. Finally, 20 percent of the funds available, or $100,000, will be set aside to ensure low-and moderate-income neighborhoods have access to the program. These funds will be released in the third quarter of the fiscal year to all available applicants if no eligible Request Forms remain unfunded at that time.

Process for Neighborhood Installations

Community members who fund their own alley gate installation will take greater ownership of the installation process. This includes responsibility for paying all costs and fees totaling an estimated $11,000 for one alley segment with two gates. This includes permits from the Planning and Development Department ($300 each gate) and Street Transportation Department ($100). Residents will also need to purchase a fire access Knox Rapid Entry System (lock box) for emergency access ($80). Neighborhood installed gates must meet city design standards.

The general process will be as follows:
Resident submits completed Request Form;

Staff reviews Request Form and verifies alley requirements met;
Staff verifies signatures;
Staff notifies applicant (approval/does not meet);
Resident is responsible for meeting with residents and the licensed contractor along the alley segment to confirm location;
Resident is responsible for obtaining licensed contractor bids;
Staff relocates trash collection from alley to curbside (verified at time of eligibility determination);
Resident is responsible for cleaning the alley; and
Resident or residents' licensed contractor is responsible for obtaining necessary permits and installation of the gates.

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

Mayor Gallego thanked council members for their great leadership and work on this program as it is very important for the community.

Councilwoman Stark recollected the gated alley pilot project started with Districts 3 and 5 and now the program was expanding Citywide. She relayed residents in her district were very happy with the program. She thanked all the staff involved in making this program a reality as this has been a great undertaking.

Councilwoman Ansari thanked Councilwomen Guardado and Stark for their leadership in this program. She expressed residents in District 7 as well as the entire city will benefit from this expanded and now permanent program. Councilwoman Ansari asked what kind of support will be available for residents interested in the program.

Spencer Self, Neighborhood Services Director, provided details on how the City will provide additional staff support to residents and their communities, including conducting community outreach, and providing interpreter services when needed.

Councilwoman Ansari asked if interested parties do not have a formal neighborhood association, what options do they have.

Mr. Self stated the Neighborhood Services Department (NSD) always encourages communities to create a formal neighborhood association if they do not have one. He said that if a particular community is interested in applying for the gated alley program and they do not have a formal neighborhood association, NSD will work with residents to eliminate barriers. He affirmed the lack of a formal neighborhood association will not be a barrier to participate in the program.

Councilwoman Ansari stated low and moderate income neighborhoods were the focus of the program. She asked Mr. Self to provide a breakdown of funding dedicated to those neighborhoods.

Mr. Self replied NSD has reserved $100,000, which represents 20 percent of the total funding available, to ensure low and moderate income neighborhoods receive resources to access the program.

Councilwoman Ansari opined the new pieces of the program are phenomenal and thanked Mr. Self and his team on their work to develop this permanent program.

Councilmember Garcia stated that 20 percent goes to low or moderate income neighborhoods and asked how the other 80 percent get distributed.

Mr. Self stated the remaining 80 percent of the total funding available are going to be used as a first come first served. He said that during the pilot program several communities expressed interest in participating in the program and have already started the pre-application process. He affirmed NSD will evaluate applications as equitable as possible to ascertain those who are submitting first will have the opportunity to have their alleys gated.

Councilmember Garcia stated one of the requirements of the program is that all properties within a community need to be fenced. He relayed that a community south of the Human Services campus was selected to have their alleys gated. However, several properties are empty lots that are not fenced in. Councilmember Garcia asked if there could potentially be support for the residents who own those lots to fence the back of their lots or if

there were any other funding that could make these alley ways eligible.

Mr. Self stated due to the Arizona Constitution's gift clause, NSD has not been able to overcome and work with private owners on improvements of their private properties. He said that currently, there is no City funding available to provide assistance. He added that NSD has had success working with communities on fundraising, securing business partners, as well as working with Council Offices whose teams have done a fantastic job working with communities to raise funding to fence some of those areas where otherwise NSD would not be able to gate.

Councilmember Garcia asked if the only way to get some of these alleyways done would be for they, themselves, fundraise to fill in those gaps.

Mr. Self confirmed that, at this time, community fundraising is the only way a community would be able to close fencing gaps in order to have gated alleys.

Councilmember Garcia opined that there are other issues within communities in addition to fencing alleys. He stated the need to look into other options for different communities. Councilmember Garcia said for clarity of interpretation and what would be provided, he asked if a person not a part of an association, would be eligible for the services and would the rotation be open to anyone who wanted to do this.

Mr. Self stated NSD will work with any neighborhood wishing to make improvements to their community, whether it be gated alleys or otherwise.

Councilwoman O'Brien expressed excitement that this program was becoming permanent. In addition to thanking Councilwoman Stark and Guardado for their efforts in starting the pilot program. Councilwoman O'Brien thanked staff for the work as well as all the constituents across the city who called in during the budget process requesting this program become permanent. She stated the program is a shining example of what can be accomplished when constituents advocate for their council members to spend their tax dollars wisely and for purposes that improve their quality of life. She relayed that her own constituents had been

requesting gates through the pilot program. She said that one whole neighborhood along the canal has been able to have their alleys gated and community leaders from other neighborhoods have reached out to request information on how to participate in the program. She stated her support for this program and looks forward to its continued success.

Councilwoman Guardado stated countless constituents have brought issues within alleys to her attention. She said that historically, numerous alleys have been abandoned, targeted as a dumping ground, used for vandalism, and left in a state of disrepair. She opined that this item creates a process for neighborhoods to get organized and work with the Council Offices and the City staff to address these problems. She expressed she is very proud of not only her office staff but also City staff for their work to help neighborhoods organized themselves and apply for the program. She said that this program is more than just placing gates on the alleys. It is about neighborhoods taking control of their communities to ensure children are safe to walk to school and play in their backyards. Councilwoman Guardado thanked Deputy City Manager Alan Stephenson as well as staff from the Planning and Development and Neighborhood Services departments for their work on this program becoming permanent. She conveyed her support for the program and asked for clarification on what the City is doing to mitigate issues with neighborhood signature gathering efforts, specially when properties are rented out and landlords reside in a different state.

Deputy City Manager, Alan Stephenson stated the success of the pilot program is due to the significant amount of work the Council Offices and the neighborhoods have done. He said that during the pilot program, one of the challenges identified was obtaining property owners signatures. He said that currently, the Law Department is researching what can be done to overcome this issue. He relayed that if a property owner signature is not obtained, the new dedicated staff in NSD will keep detailed records and documentation of the outreached that was done before a gate was installed.

Mr. Self explained NSD will have trained neighborhood specialists staff and volunteers who will be working with neighborhoods in this effort. NSD will also be utilizing code enforcement violation notification process to

reach out to property owners to give them the option of the gated alley.

Councilwoman Guardado requested staff put together a checklist of the different steps neighborhoods need to followed in order to obtain a gated alley. She stated this checklist would be very helpful to Council offices staff as well to fully understand the process and be able to assist residents.

Councilman Waring expressed his understanding that in new zoning cases the City does not allow the creation of new alleys. He asked if this was correct.

Mr. Stephenson confirmed that in aggregate, the City does not allow gated alleys in new zoning cases. He relayed there are cases where developers would benefit from having an alley adjacent to the property. He said that in other cases, developers seek to abandon an alley, in which case the request is reviewed by different City departments and has to undergo a public hearing process.

Councilman Waring opined there should be a finite number of alleys that need to be gated at some point. He illustrated the diverse types of property boundaries, walls and fencing that exist in this District and stated unlike other districts, with more traditional neighborhoods, there are not very many alleys in his district, at least not in the traditional way. He believes this to be a good program to have and a good use of public funding. Councilman Waring asked if there was a way to address the issue of having a wall on one side with tall plants as a barrier, but not having something on the other side to attach a gate to.

Mr. Stephenson stated due to the gift clause, the City does not have a way to address the types of informal visual barriers described by Councilman Waring. Mr. Stephenson underscored the City cannot use public funds to improve someone's private property and build a fence where there was no fence requirement when the property was built. He emphasized the only way to install a gate in this scenario was for the community to fundraise and install the gate privately.

Councilman Waring clarified he was not suggesting the creation of an

alley, but was curious if there were other barriers to entry.

Councilman Waring questioned if staff tracked the number of incidents within the alleys that required police calls and response. He stated he expected a decrease in those kinds of incidents with the implementation of the permanent gated alley program.

Mr. Self stated a strategic goal within the pilot program was to gate the alleys and then measure the effects over time. He said that because of the wide support from the community and the Council offices, the City is proposing the permanent program. He relayed that City staff from Fire, Police, Public Works, Neighborhood Services, Streets Transportation, and Planning and Development departments have formed a work group with the intent to perform studies to measure that effect. He said that at this point there is no data available.

Councilman Waring stated there are tunnels under roads as well as drainage ditches within his district. He reported there were some people staying in these areas which caused health concerns and cleanliness of these areas. He acknowledged these areas are treated differently from the alleys but pose the same kind of problems and issues. He questioned if these areas would be able to be considered and included in a program.

Mr. Stephenson stated the biggest challenge is to keep the water flowing in those areas. He relayed he will reach out to the Floodplain Management group in the Street Transportation Department and discuss ways to address some of the residents' concerns and what can be done.

Councilman Waring stated he was not suggesting solid barriers be placed, but would like to see what can be done to cleanup those areas from graffiti and loitering. He questioned if some kind of program reconfiguration could be identified since his district does not really have alleys and residents pay taxes and are seeing gates going up in other areas.

Mr. Stephenson stated staff would research these issues with the Street Transportation Department and would contact Councilman Waring

regarding his request.

Mayor Gallego opined the Neighborhood Services and the Planning departments have good guides for neighborhoods on how to maintain storm infrastructure that could be helpful as the city moves forward with this issue as well.

Councilman DiCiccio stated these might seam like small issues but in reality they are big and impactful issues for neighborhoods and communities. He relayed that the conversation about closing alleys was already happening when he took office but it did not move forward. He thanked councilwomen Stark and Guardado for their work on this program. He opined that one of the benefits of this program is the fiscal and financial savings to the city. He questioned if a change in policy would be feasible in order to count the percentage of the responses received in a high rent area, so that those individuals who have refused to respond will not be counted. He said that this would be no different than voting in an election.

Mr. Self stated the point raised by Councilman DiCiccio as well as an opt out versus an opt in was posed to the Law Department.

Councilman DiCiccio stated alleys are considered City of Phoenix property and asked if the city could gate them as the city would have the legal right to do so,

Mr. Stephenson stated the alleys are classified as public right of way. He said the city does not own the alley properties and that right of way has a different legal analysis. He said there is jurisprudence that if a property owner loses access to something, the City has to pay for that. He conveyed that it would not be prudent to use taxpayer dollars to put in a gate and later have to remove it.

Councilman DiCiccio stated the city could overcome the property owner issue, specially on the high rental areas such as Councilwoman Guardado's district. He opined there were many ways of doing that. He liked the idea of possibly doing an opt in. Councilman DiCiccio stated all neighborhoods are different and illustrated the differences in his own

district. He expressed his willingness to work with other councilmembers as well as staff to develop standards and a checklist for the neighborhoods that could not afford it or cannot come up with the funds necessary to install alley gates.

Councilwoman Stark conveyed the City of Mesa underwent the process of closing the alleys. She suggested contacting the City of Mesa to inquire the details of their process. She stated some of the issues illustrated by Councilman Waring is not isolated to his district. She conveyed that other districts also have issues with washes being full of trash, furniture, and blankets that have impeded the flow of water when a major rain event happens. She opined this is a problematic issue and requested staff to look into it and research for a solution.

Vice Mayor Pastor spoke about the need for the program to be equitable and not just first come, first served. She opined there needed to be separate funding allocated for lower income neighborhoods. She stated the dynamics in these neighborhoods were different and they should not be penalized for not being organized and having a high percentage of renters. She opined there needed to be a holistic dialogue to attain innovative solutions for many different issues in the communities. She hoped to see the closed alleys activated, neighbors maintaining their alleys, and illustrated what Coronado neighborhood has done. She expressed her pleasure the program was now permanent.

Mayor Gallego thanked councilwomen Stark and Guardado as well as staff and all who worked on this program. She stated City Council as well as the Mayor's Office have discretionary budget funds to help residents. She relayed her Neighborhood Advisory Council has advised her on how funds should be allocated and gated alleys have been one of the popular choices. She opined these funds were another tool council members had to address one of the financial issues discussed today. She relayed conversations she has had with neighbors and hear of reduced calls for service to the Police Department, less unwanted activity in the alleys, and a great opportunity for them to work together with their neighbors. She expressed she was voting in favor of this item.

A motion was made by Vice Mayor Pastor, seconded by Councilwoman Stark, that this item be adopted. The motion carried by

the following vote:

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

No: 0

35 Vision Zero Road Safety Action Plan and Community Advisory Committee

Request City Council approval of the Vision Zero Road Safety Action Plan and formation of the Vision Zero Community Advisory Committee. Further request City Council approval of the allocation of $10 million annually for the implementation of the Plan.

Summary

The Street Transportation Department (Streets) is requesting Council approval of the Road Safety Action Plan - Moving to Vision Zero (**Attachment A**). The Road Safety Action Plan (RSAP) is a comprehensive road safety plan applying a data-driven, decision-making process to identify and prioritize transportation safety improvements with a “Five E's” approach (Evaluation, Education, Engineering, Enforcement, and Equity). Phoenix's efforts on the RSAP align with the framework of a Vision Zero Action Plan, with its emphasis on meaningful community engagement, equity, and data-driven, systems-based strategies to improve road safety for all Phoenicians. The RSAP vision is clear: to ultimately reduce the number of traffic fatalities and serious injuries to zero by 2050.

Streets is also requesting Council approval to form the Vision Zero Community Advisory Committee, which will provide feedback and recommendations regarding implementation of the RSAP. Additionally, Streets is requesting Council approval to allocate $10 million per year in funding for implementation of the RSAP, with $3 million allocated from the City’s general fund, $2 million from Transportation 2050 (T2050) funds, and $5 million from the Highway User Revenue Fund (HURF).

Background

Traffic fatalities within the City of Phoenix have been increasing over many years. The unofficial data indicates that 231 people died on Phoenix streets in 2021, which is an increase of 25 percent from 2020. In reviewing the fatal crash information over the last two decades, 2021 is the year with the highest number of fatalities on Phoenix roads. According to unofficial information from the Vehicular Crimes Unit within the Phoenix Police Department, as of July 31, 2022, there have been 137 fatalities this year. If this trend continues for the remainder of the year, the number of fatalities in 2022 will surpass those in 2021.

On March 2, 2021, City Council approved the development of a RSAP to reduce injuries and fatalities on Phoenix roadways, and on Feb. 16, 2022, City Council approved a resolution for Phoenix to adopt the Vision Zero strategy and incorporate Vision Zero goals into the RSAP.

RSAP Development

The RSAP is the culmination of a comprehensive planning effort that includes a detailed five-year crash analysis, results from a two-phase public engagement process, and 42 actionable strategies that are prioritized for implementation. The planning effort included a two-tiered internal City of Phoenix working group endeavor that established guidance and partnerships at the beginning of the planning effort, and then worked to develop the RSAP objectives and strategies together. This working group included both technical staff and executive leadership to ensure that the strategies, implementation plan, and performance measurements are both realistic and highly beneficial to reduce the amount of people killed or seriously injured on Phoenix streets. Supporting this cross-departmental effort, the consultant project team built a user-friendly crash analysis tool for City staff to access and analyze crashes in development of capital projects and implementation of RSAP strategies.

The RSAP established six pillars to provide guidance in the planning process and development of the plan: use data to drive decisions, establish a culture of safety, establish performance measures for evaluation, engage the public through an inclusive engagement process, develop and implement strategies and counter measures, and embrace the five E’s of traffic safety. The RSAP identifies an implementation plan

for foundational process improvements and establishes continuous road safety evaluation, education, and enforcement countermeasures. The RSAP also identifies a series of 31 performance measures linked to the implementation of strategies to meet the goal of zero traffic deaths by 2050. Benchmarks include a 25 percent reduction in traffic deaths by 2027 and a 65 percent reduction by 2035. To ensure accountability of meeting the RSAP goals, an annual Vision Zero status report including updated crash statistics and status of performance measure targets is recommended.

Community Engagement

The RSAP implemented a comprehensive two-phase public involvement process that included an interactive online tool that allowed users to take a survey, prioritize goals, and provide comments specific to locations throughout the City (phase I) and an online survey that presented the RSAP strategies for input (phase II). The project team also hosted 21 community touch points throughout the City at in-person events, online/virtual meetings, Vision Zero pledge tables at 10 Phoenix libraries, backpack giveaways, and neighborhood meetings. This effort resulted in over 5,000 comments related to residents' opinions and perspectives about roadway safety.

Vision Zero Task Force

The Vision Zero Network (VZN) is a collaborative, nonprofit campaign helping communities set and reach the goal of eliminating serious injuries and fatalities on roadways. The VZN emphasizes the importance of creating a task force and describes it as being one of the first crucial steps in building and implementing a city's Vision Zero action plan. Although the structures of Vision Zero task forces vary across the United States, each has the core function of helping create or advise on the implementation of the action plan and provide progress updates. After assessing the structure of other VZN cities' task forces and common practices, Streets recommends a three-tiered Vision Zero task force framework for the City of Phoenix. This recommendation aligns well with how other Vision Zero cities are operating yet remains unique to Phoenix and will help create a strong foundation for the action plan to grow. The three tiers are identified and described below.

RSAP Implementation Team
The *RSAP Implementation Team* would meet monthly and work with the *Executive Task Force* to provide quarterly Vision Zero updates to the *Community Advisory Committee* related to the status of the City's Vision Zero goal and incorporate recommendations from the *Executive Task Force* and *Community Advisory Committee* into the RSAP.

Executive Task Force
The *Executive Task Force* would guide the *RSAP Implementation Team* through the implementation of the RSAP, including any updates to the RSAP. The *Executive Task Force* would meet once each quarter and would be comprised of a Deputy City Manager and multiple sponsors from relevant City departments. The final role of the *Executive Task Force* is to ensure department liaisons remain engaged and are assisting with *RSAP Implementation Team* objectives.

Vision Zero Community Advisory Committee
The *Vision Zero Community Advisory Committee* would hear quarterly updates from the *RSAP Implementation Team*, provide feedback and recommendations regarding the RSAP to both the *RSAP Implementation Team* and *Executive Task Force*, request future agenda items, and coordinate with related City Council offices. The *Vision Zero Community Advisory Committee* would meet each quarter and will include 11 members of the public. Each of the eight City Council members will appoint one community member representative, and the Mayor will appoint the other three members from key stakeholder groups as well as the initial committee chair. The formation of this committee requires Council approval.

Financial Impact
$10 million per year is proposed for implementation of the RSAP, with $3 million allocated from the City’s General Fund (including an additional $1.2 million from the General Fund), $2 million from T2050 funds, and $5 million from HURF. The City Council approved a total of $1.8 million in General Fund per year for the Roadway Safety Action Plan through the 2022-23 budget adoption process; this item would result in mid-year General Fund addition of $1.2 million, bringing the annual General Fund

total to $3 million.

Concurrence/Previous Council Action

The Citizens Transportation Commission:

Recommended City Council approval of the development of the RSAP on Jan. 28, 2021, by a vote of 15-0;

Received an update on the RSAP on Oct. 28, 2021; and

Received an update on the RSAP and recommended Council approval to allocate up to $2 million per year of T2050 funds for the implementation of the RSAP on Aug. 25, 2022, by a vote of 9-1.

The Transportation, Infrastructure and Planning Subcommittee:

Recommended City Council approval for the development of the RSAP on Feb. 3, 2021, by a vote of 4-0; and

Received updates on the RSAP on Oct. 20, 2021, and June 15, 2022.

The City Council:

Approved development of the RSAP, completion of near-term projects, and additional staffing resources on March 2, 2021;

Received an update on the development of the RSAP and approved moving forward with the Vision Zero strategy and incorporation of Vision Zero goals into the RSAP on Jan. 25, 2022, by a vote of 7-2; and

Approved the Vision Zero Strategy Resolution (Resolution 21995) to incorporate Vision Zero goals into the RSAP on Feb. 16, 2022, by a vote of 7-2.

Discussion

Mayor Gallego stated this item would begin with a brief staff report. She welcomed Deputy City Manager Mario Paniagua.

Mayor Gallego thanked everyone who has worked on this project. She stated safe roadways that are welcoming to all is a very important issue to the city. She relay that this item is being presented today because the city is eligible for important federal funds and having a roadway safety action plan will make Phoenix even more competitive for this funding.

Mr. Paniagua stated Phoenix continues to experience a great number of

serious injuries and fatalities in its streets and roadways practically daily. He relayed his appreciation for the Mayor's and Council's leadership and direction. Mr. Paniagua said the actions presented today include adoption of the Road Safety Action Plan (RSAP), the formation of a Citizen's Advisory Committee, an 11-member Vision Zero Advisory Committee, and the allocation of $10 million towards the plan's implementation. He noted this allocation is a combination of multiple fund sources. Mr. Paniagua introduced Street Transportation Director Kini Knudsen.

Mr. Knudsen spoke about the steps taken to prepare and develop the RSAP. He stated the RSAP is a comprehensive road safety plan and incorporates strategies and goals included in the Vision Zero resolution adopted by Council in February. He said a team comprised of both technical staff and executive leadership ensured the strategies, implementation plan, and performance measures were realistic and highly beneficial in reducing the number of fatalities or serious injuries on the streets of Phoenix. He said the RSAP was data-driven that was at the forefront in identifying projects and investments and based on data and community input, the RSAP outlined five focus areas that have 15 objectives. He added that the plan had 41 strategies that outlined measures the City can take to help achieve the goal of Vision Zero. In addition, he stated the RSAP established three goals: short-term, mid-term, and long-term. He explained the short-term goal was a 25 percent reduction on traffic deaths by 2027, the mid-term goal was a 65 percent reduction by 2035, and the long-term goal was to meet the goal of zero traffic deaths by 2050.

Mr. Knudsen reported that during the budget hearings held in the spring, numerous community members spoke in favor of funding for the RSAP. He stated staff is proposing a $10 million in funding yearly to implement the RSAP and provided the breakdown of the different funding sources. He added that staff is prepared to apply for the Federal Infrastructure Law grants and identify additional opportunities for the City to leverage local investment and take advantage of federal dollars.

Mr. Knudsen stated there needs to be an organized and a comprehensive effort across the City to be able to focus on making the Vision Zero a reality by 2050. He outlined a three-tier approach to ensure

transparency and accountability to make this a reality. He explained the first was having a staff implementation team that was cross-functional and inter-departmental. He said the second was having an executive task force within the City to be able to report back to and gain guidance in the plan implementation process and the third was having a Vision Zero Community Advisory Committee. He stated this Advisory Committee would be an 11-member body that would be selected by each council member and three selected by the Mayor. Mr. Knudsen reported the three tier approach is also used not only by peer cities who have approached Vision Zero, but also in how cities across the country have addressed road safety action plans.

Mr. Paniagua communicated the RSAP included in the City Council packet contained 42 strategies within the RSAP. He said a memo from the Streets Transportation Director, issued earlier today, removed one of the items related to automated enforcement and red-light running cameras and these would no longer be included in the RSAP. Mr. Paniagua reiterated Mr. Knudsen's comments related to the funding from the bipartisan infrastructure law and this funding would allow the City to heavily leverage when applying for grant funding. He stated another item in today's agenda will allow staff to submit application for the Safe Streets for All Grant to the U.S. Department of Transportation. He added that if awarded, the grant would provide the City with up to $37.5 million in total funding.

Mayor Gallego expressed her excitement about the $10 million commitment today and the potential to continue to invest, including a partnership with the federal government. She stated the Community Advisory Committee was also a very important piece to her and the successful implementation of the plan.

Mayor Gallego asked if the plan could continue to evolve.

Mr. Knudsen stated the plan was not static and would continue to evolve and staff would periodically evaluate the plan to ensure it was relevant to the current strategies and technologies to be able to improve safety on roadways and respond accordingly. He said by using performance metrics it would allow staff to evaluate how effective investments were. In addition,

he stated there was opportunity to continue to work with the Vision Zero Task Force, the community, and elected officials on ways to continue to improve the plan.

Mayor Gallego stated the City will continue to be data driven and try to figure out the most efficient and valuable ways to invest funds. She said she received outreach from the University of Arizona Applied Health Policy Institute sharing ideas about how the City might invest to help pedestrians, create more shade, as well as bicyclists, and asked if he would he be willing to meet with them.

Mr. Knudsen stated staff would be happy to meet with them to discuss ideas that might be able to be incorporated within strategies in the plan. He spoke about other efforts outside of the RSAP that could also address the ideas presented by the Institute.

Cindy Gaughan, Senior Director of Phoenix Community Alliance, speaking on behalf of its members and the Board of Directors, advocated for the Vision Zero RSAP and urged the Council to approve this item.

Hayley Ritter, an avid bicyclist, advocated for the RSAP and offered to be involved with the implementation of the plan.

Ryan Boyd, Urban Phoenix Project, advocated for the RSAP and the formation of the Advisory Committee and its roll in road safety.

Jay Beeber, a transportation safety researcher, advocated for setting realistic speed limits based on the nature of roadways.

Nicole Rodriguez advocated for reducing or eliminating traffic violence and fatalities and encouraged the Council to be bold in the pursue of more effective solutions that provide a more equitable and affordable access for everyone.

Fifteen electronic comments were submitted for the record in support of this item.

A motion was made and seconded to approve this item.

Councilwoman Ansari stated she was very supportive of this plan and thanked staff for all their work for putting this plan forward. She said with Phoenix being ranked the third for traffic fatalities nationwide, she was encouraged that funding was included and allocated to support the actions in this plan which will ultimately save lives on the roads, for bicyclists, and pedestrians. She conveyed she has heard from numerous residents in her district relaying their experiences with aggressive and speeding drivers, dangerous intersections and lack of safe crossing intersections for pedestrians, and almost daily crashes. She opined this plan is a living documents and will continue to improve and it was her hope actions that reduce injuries and fatalities, as well as increase safety and ease for pedestrian and bicyclists, will be prioritized. She encouraged communities to continue to organize around this issue and keep bringing concerns and needs to her office. She looked forward to future metrics and increased road safety.

Councilwoman Stark reported that seems like a message from the Council Police Liaison informing of a fatality, often involving a pedestrian, is received daily. She opined the adoption if the RSAP is a great step in making the roads safer for all pedestrians, bikers, bicyclists, and motorists. She expressed her excitement in looking at this plan and being creative in how to address issues with roadways, including shaded lanes. She said the adoption of the plan laid the foundation for funding from the Infrastructure Bill. She thanked staff for the work put into developing the plan and stated she will be supporting this item.

Councilmember Garcia said the RSAP has been prepared with a lot of community input and was glad it was being presented today to enable the city to apply for federal funds and thanked staff for the work in developing the plan. He relayed there are 13 highly impacted intersections within District 8. He questioned what it meant to have a project listed in the plan in terms of implementation.

Mr. Knudsen explained the list of projects included in the plan allows for staff to be able to start looking at how to utilize the $10 million allocation as well as those leveraging opportunities with not only federal funds but also regional funds that might became available. He provided detailed

information on how a project is identified, is included in the list, along with information on how projects are prioritized. Mr. Knudsen stated the focus is to look at the data to be able to identify which locations can be prioritized in addition to where the available funds will have the greatest benefit to reduce or eliminate serious injuries and fatalities at that location. He stated staff would be able to utilize these performance measures to evaluate how investments were being successful in achieving the goals of the plan.

Councilmember Garcia stated the importance of having diversity of projects and the need to be innovative and look at different solutions for different situations. He wanted to see focus on efforts in the engineering evaluation and the equity portion of the plan, rather than just relying on enforcement measures and placing additional staff on projects where enforcement was the only measure. Councilmember Garcia asked what could be done to ensure the evaluation and engineering portions of the plan had adequate staffing. In addition, he asked how the decision to have additional staff for the enforcement portion was made.

Mr. Knudsen stated the resources would be allocated towards the first efforts which are going to be evaluation, engineering, and an education component. He said additional conversations with Council and staff from other departments would need to take place before any implementation of the enforcement strategies. He said staff would work with the Vision Zero Task Force to look at opportunities to increase efforts across all the first five years of traffic safety.

Councilmember Garcia asked how the Task Force would be envisioned in the plan.

Mr. Knudsen stated staff would seek feedback from the Task Force on whether the investments made at a particular location had the intended benefit of reducing or eliminating serious injuries, fatalities, or other focus areas staff was trying to address. He added staff would like to continue the dialogue with the community as well as to receive their recommendations and advice and would be a collaborative, comprehensive effort to work across the three bodies of the Vision Zero Task Force throughout the process.

Mr. Paniagua added the Citizen's Advisory Committee would be an avenue for the Council to receive input, advice, and recommendations on policy and actions related to this plan from a group of experts that are involved in this field as well as being a part of the community.

Councilman DiCiccio thanked everyone who was involved in the development of the plan. He opined the implementation of the plan will take time and effort. He said certain parts of the city seemed to have more accidents, more pedestrian injuries and deaths and he would like to see these areas prioritized whether the community was organized or not. He said priority needed to be given to areas where the highest impact could be made whereas it be lighting, mid-block crossing, and timing of yellow traffic lights. He said these were health and safety issues that were non-political to him. He stated his children were issued their driver's license recently and relayed their experience with speeding drivers, how fast traffic lights change, and measuring time and distance in relation to traffic lights. He expressed the components of this plan will have long term benefits for the city.

Vice Mayor Pastor thanked the community for their involvement and work not only on the plan presented today but also other plans throughout the years. She questioned how the previous plans would be incorporated in this most recent plan.

Mr. Knudsen stated the RSAP is a focus action for the City and staff evaluates previous plans to ensure they are compatible and if not, work through them to find a solution.

Vice Mayor Pastor recalled former Councilwoman Williams had made a directive to have staff stack all the different plans (e.g., bicycle plan, pedestrian plan, a downtown plan, a city plan) and combine them into one plan to identify common projects as well as outliers. She questioned the status of this directive and how it will be integrated with Vision Zero.

Mr. Paniagua stated the broader plan is an ongoing effort for the City and when adopting new plans, staff made certain it was coordinated with previous adopted plans. He provided examples of how these

coordinated efforts are put in place.

Vice Mayor Pastor relayed District 4 has the greatest frequency of pedestrian injuries, mid-block crossing and others traffic accidents. She said she received various inquiries from the public on these issues and how previous plans were incorporated in the one presented today. Vice Mayor Pastor asked where the source of the $10 million fund allocation originated.

Mr. Paniagua provided a breakdown of the sources of $10 million fund allocation. He added they derived from cost saving measures as well as additional revenue in those areas.

Vice Mayor Pastor hoped the City would not use funds allocated to the implementation of this plan to fund possible shortfalls in other projects. She questioned how the Advisory Committee would keep the City accountable.

Mr. Knudsen explained how the City works with other advisory committees and the Vision Zero Advisory Committee will have the same functions.

Vice Mayor Pastor requested to be briefed in advance of the agendas becoming available to provide time to have dialogue and conversation ahead of meetings days.

Councilman Waring stated based on the map included in the meeting materials, Districts 1 and 2 show the least amount of traffic issues, there were still traffic related issues and extreme behavior. He requested these issues be evaluated and addressed. He pointed out the needs of different areas within the city are not necessary the same and that he was not asking for diversion of funds to his district. In addition, he reported seeing major pedestrian and motorist behaviors within the roads of his district and requested if these issues could also be explored. Councilman Waring asked how much would it cost to have an intersection rebuilt.

Mr. Knudsen stated staff typically budgets around $1 million to have an

intersection rebuilt as there are multiple aspects of issues that need to be addressed to make the intersection safer. In addition, he stated the high injury network is a snapshot in time and data analysis would reflect data collected between now and 2050, which may change due to modification in road dynamics.

Councilman Waring expressed his concerns about not having enough funds being allocated to District 2 because of the higher cost of other, more pressing projects in other areas of the city will use up the available funds. He stated it was his hope the City addresses roadway improvements in his district apart from this plan. In addition he provided examples of dangerous intersections and driving behavior in his district and thanked the Mr. Knudson and his staff for quickly addressing vegetation issues he called in.

Councilman Waring questioned if this program included red light cameras.

Mr. Knudsen responded this program does not include red light cameras. He stated the plan's comprehensive approach allows the flexibility to address not only seemingly small issues, e.g. vegetation, but also complex ones. He said the collected data would be used to identify what is actually happening in a specific location and apply counter measures to address those issues and make them safer.

Councilman Waring opined barriers might be helpful and effective.

Councilwoman Guardado thanked staff for their work on the plan. She also thanked Councilman DiCiccio for his support of the plan and always urging Council to make decisions based on data. She replayed District 5 has various dangerous intersections and she is confident the implementation of the plan will identify and address roadway issues around the city.

Mayor Gallego stated the city is on the roadway to improvement to ensure Phoenix is a great city for pedestrians, bicyclists, and cars.

A motion was made by Vice Mayor Pastor, seconded by

Councilwoman Stark, that this item be approved as revised per the Sept. 7, 2022 memo from the Street Transportation Director. The motion carried by the following vote:

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

No: 0

36 **Text Amendments to Phoenix City Code Chapter 5A - Industrial Gas Pipeline License (Ordinance G-7028)**

Request for City Council to adopt text amendments to Phoenix City Code Chapter 5A for Industrial Gas Pipeline Licenses to include a definition for public right-of-way, insert a new subsection in section 5A-17 (License Fees), update insurance and bonding requirements, clarify terms related to notices, and adopt other conforming changes.

Summary

Ordinance G-2199 was adopted by City Council on May 19, 1981, to create a new City Code Chapter 5A for the City to issue Industrial Gas Pipeline License to licensees for the construction, operation, maintenance, and reconstruction of an industrial gas pipeline. Certain terms and conditions in this chapter were amended in Ordinance G-3961 that was adopted by City Council on Oct. 9, 1996.

The Ordinance related to this item amends Chapter 5A of the City Code to define public right-of-way, provide a different license fee structure under section 5A-17 provided certain requirements are satisfied, update the standards for insurance coverage and bonding, clarify terms related to notices, and adopt other conforming changes.

Section 5A-17, License Fees, shall be amended to add subsection B. The amendment shall provide a framework for annual license fees that fairly compensate the City when the industrial gas pipelines are crossing only one right-of-way area to provide gas products to an industrial gas user.

Financial Impact

There is no financial impact to the budget. The annual compensation for gas pipelines to cross one right-of-way area will be up to $125,000. If the licensee's industrial gas pipelines cross more than one right-of-way, the licensee shall remit annual license fees of two percent of gross revenues for the additional crossings.

Discussion

City Clerk Denise Archibald read the title of Ordinance G-7028.

A motion was made, as appears below.

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

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

37 Intergovernmental Agreement with Maricopa County Department of Transportation to Improve Southern Avenue from 51st Avenue to 37th Lane (Ordinance S-48973)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Maricopa County Department of Transportation (MCDOT) to improve Southern Avenue from 51st Avenue to 37th Lane. Further request the City Council to grant an exception pursuant to Phoenix City Code section 42-20 to authorize indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code section 42-18. Additionally request to authorize the City Controller to disburse all funds related to this item. The total estimated financial impact to the City is $9,360,440.

Summary

Southern Avenue from 51st Avenue to 37th Lane is a scalloped east-west arterial roadway with various pavement sections, including discontinuous curb, gutter and sidewalks. The County currently maintains

and operates Southern Avenue between 49th Lane to 46th Drive and 46th Avenue to 44th Lane. The remainder of the road segment is maintained and operated by the City. The project improvements will include asphalt, concrete paving with a raised median, bike lanes, curb and gutter, sidewalks, a bus bay, Information Technology Services conduit, traffic signals, streetlighting, and new storm drains consistent with the City of Phoenix design standards.

MCDOT will be the project lead and is scheduled to begin construction in July 2025. Upon completion and final acceptance of the project, the City will accept responsibility for all permitting, operation, maintenance and traffic control until the City's annexation process is complete. The City shall be responsible to own, operate and maintain the project area.

Contract Term
The agreement will be effective on the date it is executed by all the governing organizations and shall remain in effect until all stipulations previously indicated have been satisfied.

Financial Impact
The total estimated City contribution is $9,360,440 or about 50 percent of the total, which is estimated at $18,720,882. The City will begin a five-year repayment plan for its cost share beginning on July 1, 2025, in the amount of $1,872,088 each fiscal year through July 1, 2030. Funding is available in the Street Transportation Department's Capital Improvement Program.

Location
Southern Avenue from 51st Avenue to 37th Lane
Council District: 7

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

Councilwoman Ansari reported that during a town hall meeting in the Estrella region of District 7, numerous residents conveyed the dangerous and stressful environment scalloped roads create for drivers and pedestrians. She explained a scalloped road is when a road switches

from greater to fewer lanes multiple times and sidewalks may start and stop because ownership of the road belongs to different government entities. She expressed the need to accelerate improvements like this one. She asked if staff could provide a list of scalloped roads and a timeline in order to make similar agreements in the future, as this is not the only scalloped road in Phoenix.

Mayor Gallego expressed her excitement to see this agreement move forward as this is an area where residents often provide comments to the City.

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

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

No: 0

38 **Apply for U.S. Department of Transportation Safe Streets and Roads for All Grant Opportunity for Federal Fiscal Year 2021-22 - Bipartisan Infrastructure Law Funding (Ordinance S-48976)**

Request to authorize the City Manager, or his designee, to apply for, accept and, if awarded, enter into an agreement for disbursement of federal funding from the U.S. Department of Transportation through the Federal Fiscal Year 2021-22 Safe Streets and Roads for All grant opportunity. If awarded, the funding will be used for implementation of projects and strategies in the City’s Road Safety Action Plan. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. Funding for this grant opportunity is available through the Federal Bipartisan Infrastructure Law. The total grant funds applied for will not exceed $30 million and the City's local match would not exceed $7.5 million.

Summary

The Safe Streets and Roads for All (SS4A) is a new funding program under the Bipartisan Infrastructure Law, which was signed into law on

Nov. 15, 2021. The U.S. Department of Transportation issued a Notice of Funding Opportunity for the SS4A program for $1 billion in Federal Fiscal Year (FFY) 2021-22 on May 24, 2022. The intent of the new program is to offer a competitive discretionary grant opportunity to support planning, infrastructure, and behavioral and operational initiatives to prevent death and serious injuries involving all roadway users, including pedestrians, bicyclists, public transportation users, personal conveyance, micromobility users, motorists and commercial vehicle operators.

At the same time, the Street Transportation Department is working to complete the Road Safety Action Plan (RSAP), and Council approval is being requested on Sept. 7, 2022. One of the key SS4A grant requirements to apply for funding designated under Implementation Grants, which has $600 million available (of the total $1 billion) is to have an approved RSAP. Applying under year one of a five-year grant program puts the City in a competitive advantage, since most local and national jurisdictions have not initiated their road safety action plans yet. If awarded, funds under this first year of funding would enable the City to deliver on the much-anticipated and needed projects and strategies defined and prioritized in Phoenix's RSAP.

The City intends to submit a grant application with a total project cost up to $37.5 million, which includes final design, environmental, and construction costs related to the implementation of projects that will deliver countermeasure solutions to improve roadway safety Citywide.

The SS4A grant submittal deadline is Sept. 15, 2022.

Financial Impact

The estimated total cost for the project is approximately $37.5 million. The maximum federal participation rate is 80 percent with a minimum local match of 20 percent of the total project cost. If awarded, the federal match would not exceed $30 million (80 percent) and the City’s costs would be approximately $7.5 million (20 percent) for the local match.

Funding for the local match is available in the Street Transportation Department's Capital Improvement Program budget. Potential grant funding received is available through the Federal Bipartisan Infrastructure

Law, from the U.S. Department of Transportation through the FFY 2021-22 SS4A grant opportunity.

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

Cindy Gaughan urged the Council to approve this item as it would maximize funding.

Mayor Gallego stated this item would allow the City to apply for bipartisan infrastructure law funding.

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

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

No: 0

64 Public Hearing and Resolution Adoption - General Plan Amendment GPA-DV-1-22-1 - Approximately 330 Feet South of the Southwest Corner of the I-17 Freeway and Pinnacle Peak Road (Resolution 22063)

Request to hold a public hearing on a General Plan Amendment for the following item to consider the Planning Commission's recommendation and the related resolution if approved. Request to amend the General Plan Land Use Map designation on 24.19 acres from Commerce/Business Park and Parks/Open Space - Publicly Owned to Residential 15+ dwelling units per acre. This is a companion case to Z-30-22-1 and must be heard first, followed by Z-30-22-1.

Summary
Application: GPA-DV-1-22-1
Current Designation: Commerce/Business Park (16.32 acres) and Parks/Open Space - Publicly Owned (7.87 acres)
Proposed Designation: Residential 15+ dwelling units per acre

Acreage: 24.19 acres
Proposed Use: Multifamily residential

Owner: Laurel, et al. LLC/The Greystone Group
Applicant: Brennan Ray, Burch & Cracchiolo PA
Representative: Brennan Ray, Burch & Cracchiolo PA

Staff Recommendation: Approval.
VPC Action: The Deer Valley Village Planning Committee heard this case on July 14, 2022, and recommended approval, per the staff recommendation, by a vote of 7-4.
PC Action: The Planning Commission heard this case on Aug. 4, 2022, and recommended approval, per the Deer View Village Planning Committee recommendation, by a vote of 9-0.

Location
Approximately 330 feet south of the southwest corner of the I-17 Freeway and Pinnacle Peak Road
Council District: 1
Parcel Addresses: 22641, 23000, 23300 N. Black Canyon Highway

Discussion
Note: Councilman Waring temporarily left the voting body.

Mayor Gallego stated Item 64 would begin with a brief staff report.

Assistant Planning and Development Director Joshua Bednarek gave a brief staff report on this item. He stated items 64 and 65 were public hearings for companion general amendment and rezoning cases and could be heard together but would require separate actions. He said the subject property for both requests was a 24.19 acres located near the southwest corner of I-17 and Pinnacle Peak Road in Council District 1. He stated item 64 was a GPA-DV-1-22-1, a request to amend the general plan land use map to residential 15 plus dwelling units per acre to allow for multi-family residential and item 65 was a request to rezone the same site from a variety of zoning districts within the Deer Valley Airport overlay. He said the Deer Valley Village Planning Committee recommended approval of both requests at their July 14, 2022 meeting by a 7-4 vote and the Planning Commission

recommended approval of both requests at their Aug. 4, 2022 meeting by a 9-0 vote. He relayed staff recommended approval of these items per the Planning Commission recommendations and adoption of the related ordinance and resolution.

Mayor Gallego declared the public hearing open. Noting there were no members of the public to testify she declared the public hearing closed.

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

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

65 Public Hearing and Ordinance Adoption - Rezoning Application Z-30-22-1 - Approximately 330 Feet South of the Southwest Corner of the I-17 Freeway and Pinnacle Peak Road (Ordinance G-7012)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-30-22-1 and rezone the site from RE-43 DVAO (One Family Residence, Deer Valley Airport Overlay District), C-1 DVAO (Neighborhood Retail, Deer Valley Airport Overlay District), CP/BP DVAO (Commerce Park District, Business Park Option, Deer Valley Airport Overlay District), CP/GCP SP DVAO (Commerce Park District, General Commerce Park Option, Special Permit, Deer Valley Airport Overlay District) to R-3A DVAO (Multifamily Residence District, Deer Valley Airport Overlay District) to allow multifamily residential. This is a companion case to GPA-DV-1-22-1 and must be heard following GPA-DV-1-22-1.

Summary

Current Zoning: RE-43 DVAO (6.24 acres), C-1 DVAO (11.10 acres), CP/BP DVAO (5.07 acres), CP/GCP SP DVAO (2.47 acres)
Proposed Zoning: R-3A DVAO

Acreage: 24.88 acres
Proposed Use: Multifamily residential

Owner: P.P. & L Investments, LLLP, et al.
Applicant: Brennan Ray, Burch & Cracchiolo P.A.
Representative: Brennan Ray, Burch & Cracchiolo P.A.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Deer Valley Village Planning Committee heard this case on July 14, 2022, and recommended approval, per the staff recommendation, by a 7-4 vote.
PC Action: The Planning Commission heard this case on Aug. 4, 2022, and recommended approval, per the Deer Valley Village Planning Committee recommendation, by a vote of 9-0.

Location
Approximately 330 feet south of the southwest corner of the I-17 Freeway and Pinnacle Peak Road.
Council District: 1
Parcel Address: 22641, 23000, 23300 N. Black Canyon Highway

Discussion
NOTE: Refer to Item 64 for comments on this item.

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

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

66 Public Hearing - Amend City Code - Ordinance Adoption - Text Amendment Case Z-TA-2-22-6 - (Ordinance G-7013)

Request for a public hearing a proposed text amendment to the zoning ordinance, Text Amendment Z-TA-2-22-6, amending Chapter 6, Sections

650.D (Permitted Accessory Uses) and 650.E (Prohibited Uses) to allow package liquor retail sales and general retail sales as accessory uses to a restaurant in the Historic Canal-Side Restaurant Overlay District at the northeast corner of Central Avenue and Butler Drive.

Summary
The intent of this text amendment request is to expand the permitted accessory uses to include package liquor retail sales and general retail sales as accessory uses to a restaurant.

Owner: HH-Skyline Pads, LLC, c/o Chris Hinkson
Applicant: Brian Greathouse, Burch & Cracchiolo, PA
Representative: Brian Greathouse, Burch & Cracchiolo, PA

Staff Recommendation: Approval, as recommended in Exhibit A (attached in the Staff Report).
VPC Info: The North Mountain Village Planning Committee heard this item on June 15, 2022 for information only.
VPC Action: The North Mountain Village Planning Committee heard this case on July 20, 2022, and recommended approval, per the staff recommendation, by a vote of 12-0.
PC Action: The Planning Commission heard this case on Aug. 4, 2022, and recommended approval, per the North Mountain Village Planning Committee recommendation, by a vote of 9-0.

Location
Northeast corner of Central Avenue and Butler Drive
Council District: 6
Parcel Addresses: 8525 N. Central Ave.

Discussion
Note: Councilman Waring returned to the voting body.

Mr. Bednarek stated this item is a Z-TA-2-22-6 a text amendment to the historic canal side overlay district located at the northeast corner of Central Avenue and Butler Drive in Council District 6 and the request was to amend the permitted accessory and prohibited use list of the overlay

district to allow packaged liquor retail and general retail sales as an accessory use to a restaurant. He said the North Mountain Village Planning Committee recommended approval at their July 20, 2022 meeting by a 12-0 vote and the Planning Commission recommended approval at their Aug. 4, 2022 meeting by a 9-0 vote. He stated staff recommended this item be approved per the Planning Commission recommendation and adoption of the related ordinance.

Mayor Gallego expressed her excitement to see more amenities being offered at the canals.

Mayor Gallego declared the public hearing open. Noting there were no members of the public to testify she declared the public hearing closed.

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

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

67 Public Hearing and Resolution Adoption - General Plan Amendment GPA-EST-1-22-7 - Northeast Corner of 67th Avenue and the Roeser Road Alignment (Resolution 22061)

Request to hold a public hearing on a General Plan Amendment for the following item to consider adopting the Planning Commission's recommendation and the related Resolution if approved. This item is a companion case to Z-31-22-7 and must be heard first, followed by Z-31-22-7.

Summary

Current Plan Designation: Residential 1-to-2 dwelling units per acre and Parks/Open Space-Publicly Owned
Proposed Plan Designation: Commercial
Acreage: 85.90 acres

Reason for Change: Minor General Plan amendment to allow commercial uses

Owner: City of Phoenix
Applicant: City of Phoenix, Planning Commission
Representative: City of Phoenix, Planning and Development Department

Staff Recommendation: Approval.
VPC Action: The Estrella Village Planning Committee heard the case on Jul. 19, 2022, and recommended a continuance, by a vote of 7-0.
PC Action: The Planning Commission heard the case on Aug. 4, 2022, and recommended approval, per the staff recommendation, by a vote of 9-0.

Location
Northeast corner of 67th Avenue and the Roeser Road alignment
Council District: 7
Parcel Address: 4815 S. 67th Ave.

Discussion
Mayor Gallego stated items 67 and 68 are public hearings for companion items.

Mr. Bednarek gave a brief staff report on these items. He stated the property for both requests is a 85.9 acres located in the northeast corner of 67th Avenue and the Roeser Road alignment in Council District 7 and the requests were seen as an implementation of the City's efforts to activate the Rio Salado frontage. Item 67 was a GPA-EST-1-22-7 and was a request to modify the general plan land use map to commercial. He said item 68 was a Z-31-22-7 and was a request to rezone the site to allow for a mix use from commercial office, retail and multifamily residential and the Planning Commission recommended approval of both requests at their Aug. 4, 2022 meeting by a 9-0 vote. He said staff recommended approval of Item 67 per the Planning Commission recommendation and adoption of the related resolution and staff recommended approval of Item 68 per the Planning Commission recommendation and adoption of the related ordinance.

Councilwoman Ansari expressed her understanding this rezoning request is due in part because of the Arizona Department of Transportation (ADOT) State Route 30 project. She stated many members of the community joint the Parks and Recreation Department (PRD) to create a case study for the ideal public benefit as part of the Rio Reimagined. She requested that any funds received by the City from future sale of this property be designated back to the community in the form of a public benefit as a recreation space.

Councilwoman Ansari asked Mr. Stephenson if it would be possible for staff to research where the funds from the original sale of this plot came from and if the profits of this sale could be earmarked for community benefits in this area.

Mr. Stephenson stated he would work with PRD and the Finance Department to ascertain where funds to purchase the land originated from and he would meet with her and other council members to advise exactly what those funds are eligible to be used for.

Mayor Gallego conveyed there were stipulations that anyone who purchased this property would have to conform with the Rio Reimagined. She asked what those stipulations were.

Mr. Bednarek stated as part of the Rio Reimagined, there are stipulations requiring general conformance to a concept plan that will provide for pedestrian connectivity to and from the Rio Salado, a trail on 67th Avenue, and a minimum amount of open space provided on site.

Mayor Gallego recalled that as part of the budget process, the Council created a dedicated planning position for the Rio Salado. She thanked staff for the very important work done on moving forward with the vision for the Rio Salado.

Vice Mayor Pastor conveyed her desire to make sure Rio Reimagined is protected and all stipulations and guidelines need to be adhered to.

Mr. Bednarek stated the stipulations require that any development has to go through the public hearing process before a final development plan is

approved.

Mayor Gallego declared the public hearing open. Noting there were no members of the public to testify she declared the public hearing closed.

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

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

No: 0

68 **Public Hearing and Ordinance Adoption - Rezoning Application Z-31-22-7 - Northeast Corner of 67th Avenue and the Roeser Road Alignment (Ordinance G-7011)**

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-31-22-7 and rezone the site from S-1 (Ranch or Farm Residence District) to C-2 (Intermediate Commercial District) to allow commercial uses. This file is a companion case and must be heard following GPA-EST-1-22-7.

Summary
Current Zoning: S-1
Proposed Zoning: C-2
Acreage: 85.90 acres
Proposed Use: Commercial uses

Owner: City of Phoenix
Applicant: City of Phoenix Planning Commission
Representative: City of Phoenix Planning and Development Department

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Estrella Village Planning Committee heard this case on Jul. 19, 2022, and recommended a continuance by a vote of 7-0.

PC Action: The Planning Commission heard this case on Aug. 4, 2022, and recommend approval, per the Addendum A Staff Report, by a vote of 9-0.

Location

Northeast corner of 67th Avenue and the Roeser Road alignment
Council District: 7
Parcel Addresses: 4815 S. 67th Ave.

Discussion

NOTE: Refer to Item 67 for comments on this item.

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

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

69 Public Hearing and Resolution Adoption - General Plan Amendment GPA-CE-2-21-8 - Southwest Corner of 48th Street and Washington Street (Resolution 22067)

Request to hold a public hearing on a General Plan Amendment for the following item to consider the Planning Commission's recommendation and the related resolution if approved. Request to amend the General Plan Land Use Map designation on 17.82 acres from Industrial and Commerce/Business Park to Mixed Use. This is a companion case to Z-64-21-8 and must be heard first, followed by Z-64-21-8.

Summary

Application: GPA-CE-2-21-8
Current Designation: Industrial and Commerce/Business Park
Proposed Designation: Mixed Use
Acreage: 17.82 acres
Proposed Use: Multifamily residential

Owner: Lincoln National Life Insurance Company
Applicant: Odyssey Group Holdings, LLC
Representative: Nick Wood, Esq., Snell & Wilmer, LLP

Staff Recommendation: Approval.
VPC Info: The Camelback East Village Planning Committee heard this case on Dec. 7, 2021, for information only.
VPC Action: The Camelback East Village Planning Committee heard this case on June 7, 2022, and recommended approval, per the staff recommendation, by a vote of 16-0.
PC Action: The Planning Commission heard this case on Aug. 4, 2022, and recommended approval, per the Camelback East Village Planning Committee recommendation, by a vote of 9-0.

Location
Southwest corner of 48th Street and Washington Street.
Council District: 8
Parcel Addresses: 225, 235, 333 S. 48th Street, 4775, 4701 E. Washington Street

Discussion
Mayor Gallego stated items 69 and 70 are related items, at the southwest corner of 48th Street and Washington Street, and would begin with a brief staff report.

Mr. Bednarek stated Item 69 was a GPA-CE-2-21-8 and was a request to amend the general land use map for the site to mixed used to allow for multi-family residential and item 70 was a Z-64-21-8 and was a request to rezone the site to a plan unit development to allow multi-family residential. He said the Camelback East Village Planning Committee recommended approval of both requests at their June 7, 2022 meeting by a 16-0 vote and the Planning Commission recommended approval of both requests at their Aug. 4, 2022 meeting by a 9-0 vote. He stated staff recommended approval of item 69 per the Planning Commission recommendation and adoption of the related resolution an staff recommended approval of Item 70 per the planning recommendation and adoption of the related ordinance.

Mayor Gallego stated given the attention to residential development around Sky Harbor, she asked Aviation Director, Mr. Chad Makovsky to explain the difference between this development and its companion case to other developments the Council had discussed.

Mr. Makovsky explained the difference between these two residential developments around Sky Harbor to others. He stated Sky Harbor is the eighth busiest airport in the world for takeoffs and landings and due to its small footprint and busy runways, it was very important to carefully analyze any changes to land use adjacent to the airport to ensure developments were compatible with the ongoing operation of the airport system. He said the applicant would need to apply with the Federal Aviation Administration (FAA) to obtain a notice of no hazard determination as well as their approval as part of the obstruction analysis review process. He concluded there was a stipulation that the developer shall grant and record an avigation easement to the City of Phoenix as it related to this parcel.

Mayor Gallego thanked Mr. Makovsky for the information. She stated the airport is the City's top economic engine and it needs to be protected.

Mayor Gallego declared the public hearing open. Noting Mr. Nick Wood was available to speak if necessary, she declared the public hearing closed.

A motion was made by Councilmember Garcia, seconded by Vice Mayor Pastor, that this item be approved per the Planning Commission recommendation, with adoption of the related resolution. The motion carried by the following vote:

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

70 Public Hearing and Ordinance Adoption - Rezoning Application Z-64-21-8 (Banyan Residential 48th & Washington PUD) - Southwest Corner of 48th Street and Washington Street

(Ordinance G-7014)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-64-21-8 and rezone the site from A-2 (Industrial District) to PUD (Planned Unit Development) to allow multifamily residential. This is a companion case to GPA-CE-2-21-8 and must be heard following GPA-CE-2-21-8.

Summary
Current Zoning: A-2
Proposed Zoning: PUD
Acreage: 17.82 acres
Proposal: Planned Unit Development to allow multifamily residential.

Owner: Lincoln National Life Insurance Company
Applicant: Odyssey Group Holdings, LLC
Representative: Nick Wood, Esq., Snell & Wilmer, LLP

Staff Recommendation: Approval, subject to stipulations.
VPC Info: The Camelback East Village Planning Committee heard this case on Dec. 7, 2021, for information only.
VPC Action: The Camelback East Village Planning Committee heard this case on June 7, 2022, and recommended approval, per the staff recommendation, by a vote of 16-0.
PC Action: The Planning Commission heard this case on Aug. 4, 2022, and recommended approval, per Addendum A Staff Report, by a vote of 9-0.

Location
Southwest corner of 48th Street and Washington Street.
Council District: 8
Parcel Address: 235, 255, 333 S. 48th Street. 4701, 4775 E. Washington Street

Discussion
NOTE: Refer to Item 69 for comments on this item.

A motion was made by Councilmember Garcia, seconded by Vice

Mayor Pastor, that this item be approved per the Planning Commission recommendation, with adoption of the related ordinance. The motion carried by the following vote:

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

No: 0

71 Public Hearing and Resolution Adoption - General Plan Amendment GPA-LV-1-22-8 - Southwest Corner of 43rd Avenue and Baseline Road (Resolution 22068)

Request to hold a public hearing on a General Plan Amendment for the following item to consider the Planning Commission's recommendation and the related resolution if approved. Request to amend the General Plan Land Use Map designation on 4.99 acres from Residential 2 to 3.5 dwelling units per acre to Commercial. This is a companion case to Z-25-22-8 and must be heard first, followed by Z-25-22-8.

Summary
Application: GPA-LV-1-22-8
Current Designation: Residential 2 to 3.5 dwelling units per acre
Proposed Designation: Commercial
Acreage: 4.99 acres
Proposed Use: Commercial development

Owner: John Silva Farms Limited Partnership
Applicant: Adam Baugh, Withey Morris, PLC
Representative: Adam Baugh, Withey Morris, PLC

Staff Recommendation: Approval.
VPC Info: The Laveen Village Planning Committee heard this case on June 13, 2022, for information only.
VPC Action: The Laveen Village Planning Committee heard this case on July 11, 2022, and recommended approval, per the staff recommendation, by a vote of 8-0.
PC Action: The Planning Commission heard this case on Aug. 4, 2022,

and recommended approval, per the Laveen Village Planning Committee recommendation, by a vote of 9-0.

Location
Southwest corner of 43rd Avenue and Baseline Road
Council District: 8
Parcel Addresses: 4305, 4307 W. Baseline Road, 7700 S. 43rd Ave.

Discussion
Mayor Gallego stated items 71 and 72 are related items, at the southwest corner of 43rd Avenue and Baseline Road in Council District 8, and would begin with a brief staff report.

Mr. Bednarek stated Item 71 was GPA-LV-1-22-8 and was a request to amend the general plan land use map to commercial and item 72 was Z-25-22-8 and was a request to rezone the site to a planed unit development to allow a veterinary hospital and commercial uses. He stated the Laveen Village Planning Committee recommended approval of both requests at their June 11, 2022 meeting by a 8-0 vote and the Planning Commission recommended approval of both requests at their Aug. 4, 2022 meeting by a 9-0 vote. He said staff recommended approval of Item 71 per the Planning Commission recommendation and adoption of the related resolution and staff recommended approval of Item 72 per the Planning Commission recommendation and adoption of the related ordinance.

Mayor Gallego declared the public meeting open.

Mark Rodriguez addressed the Mayor and Council and expressed his support of this item.

Mayor Gallego stated there were no other individuals wishing to speak and declared the public hearing closed.

A motion was made by Councilmember Garcia, seconded by Vice Mayor Pastor, that this item be approved per the Planning Commission recommendation, with adoption of the related resolution. The motion carried by the following vote:

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

No: 0

72 **Public Hearing and Ordinance Adoption - Rezoning Application Z-25-22-8 (Laveen Veterinary Hospital & Clinic PUD) - Southwest Corner of 43rd Avenue and Baseline Road (Ordinance G-7015)**

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-25-22-8 and rezone the site from S-1 (Ranch or Farm Residence) to PUD (Planned Unit Development) to allow veterinary hospital and commercial uses. This is a companion case to GPA-LV-1-22-8 and must be heard following GPA-LV-1-22-8.

Summary
Current Zoning: S-1
Proposed Zoning: PUD
Acreage: 4.99 acres
Proposal: Planned Unit Development to allow veterinary hospital and commercial uses.

Owner: John Silva Farms Limited Partnership
Applicant: Adam Baugh, Withey Morris, PLC
Representative: Adam Baugh, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Info: The Laveen Village Planning Committee heard this case on June 13, 2022, for information only.
VPC Action: The Laveen Village Planning Committee heard this case on July 11, 2022, and recommended approval, per the staff recommendation, by a vote of 8-0.
PC Action: The Planning Commission heard this case on Aug. 4, 2022, and recommended approval, per the Laveen Village Planning Committee recommendation, by a vote of 9-0.

Location
Southwest corner of 43rd Avenue and Baseline Road.
Council District: 8
Parcel Address: 4305, 4307 W. Baseline Road, 7700 S. 43rd Ave.

Discussion
NOTE: Refer to Item 71 for comments on this item.

A motion was made by Councilmember Garcia, seconded by Vice Mayor Pastor, that this item be approved per the Planning Commission recommendation, with adoption of the related ordinance. The motion carried by the following vote:

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

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

000 CITIZEN COMMENTS

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

Mark Rodriguez spoke about the new developments in the Laveen Area and advocated for the opening of Cesar Chavez Community Center.

Faith Kearns, with Fund for Empowerment, spoke regarding the death of one of their advisory council member. She advocated for additional resources and funding to assist the unsheltered during the heat.

Frank Urban spoke regarding the loss of Michael Felder due to the heat. He advocated for more resources to help not only the unsheltered but also the residents living on the streets.

Christine Locke, Fund for Empowerment Board president, advocated for heat relieve for the unsheltered. She spoke regarding the death of Michael Felder, one of their organizers, due to the heat.

Elizabeth Venable spoke about the lives lost due to the heat. She replayed the death of her friend, Michael Felder, due to the heat. She urged officials to be creative when developing the budget and consider its impact on human lives.

Milton Rogers, pastor with the National Ministries, spoke regarding Michael Felder's life and his death due to the heat. He advocated for more resources, in addition to heat relief and housing, for unsheltered individuals.

PJ Boone-Edgerton Longoni, with The Tadini House, spoke about Michael Felder. She advocated for the city to consider the vulnerable population and make an effort to provide additional resources and services.

Mayor Gallego thanked everyone for their testimony and stated the Council unanimously voted today to allocate $10 million towards homelessness services.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 5:06 p.m.

MAYOR

ATTEST:

CITY CLERK

MW

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 7th day of September, 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 26th day of August, 2024.

CITY CLERK