CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, June 14, 2023 at 2:37 p.m. in the Council Chambers.

Present: 8 - Councilwoman Betty Guardado, Councilwoman Kesha Hodge Washington, Councilwoman Ann O'Brien, Councilwoman Laura Pastor, Councilwoman Debra Stark, Councilman Jim Waring Vice Mayor Yassamin Ansari and Mayor Kate Gallego

Absent: 1 - Councilman Kevin Robinson

Councilwoman Guardado and Councilman Waring attended the meeting virtually. Councilman Waring joined the voting body after Item 41. Councilwoman Pastor temporarily left and rejoined the voting body during Citizen Comments.

Mayor Gallego acknowledged the presence of Carmen Cota and Elsie Duarte, Spanish interpreters. In Spanish, Ms. Duarte announced their availability to the audience.

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-7118 through G-7124; S-49790, S-49806, S-49808 through S-49903; and Resolutions 22130 through 22132 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

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

providing comments.

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:

Alhambra Village Planning Committee
Reappoint Tracey Adams, serving her second tem to expire Nov. 19, 2024.

Deer Valley Village Planning Committee
Appoint Sandra Hoffman, replacing Alexis Fergis, for a term to expire Nov. 19, 2024.

Laveen Village Planning Committee
Reappoint Linda Abegg, serving her fourth term to expire Nov. 19, 2024.

Plan Phoenix 2025 Leadership Committee
Appoint Billy Shields.

Discussion

Mayor Gallego mentioned there were long-time members and new volunteers being sworn-in, along with two Municipal Court judges, Chief Presiding Judge B. Don Taylor III and Judge Wilbur Hudson III, who were both innovators in the city's court system and helped the city gain national recognition for work being done.

Councilwoman O'Brien acknowledged the two judges being sworn-in for their innovation and hard work to ensure community members do their part to get better.

Councilwoman Pastor recalled sitting on the Public Safety and Justice Subcommittee when Chief Presiding Judge Taylor was chosen and

congratulated him on the swear-in. She expressed the city had excellent judges and courts in the system and congratulated everyone.

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

Yes:	7 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	2 -	Councilman Robinson and Councilman Waring

Mayor Gallego administered the oath of office to Sandra Hoffman - Deer Valley Village Planning Committee. Ms. Hoffman was invited to approach the dais so Council could extend their appreciation.

2 Swearing In of Chief Presiding Judge and Municipal Court Judge

Request to permit the swearing in of the Chief Presiding Judge and Municipal Court Judge.

Summary

Administer the oath of office for the Honorable B. Don Taylor III as Chief Presiding Judge of the Phoenix Municipal Court for an annual term to expire on June 30, 2024. Judge B. Don Taylor III is currently serving as a Judge of the Phoenix Municipal Court for a four-year term expiring on Feb. 9, 2025.

Administer the oath of office for the Honorable Wilbur Hudson III to a four-year term as Judge of the Phoenix Municipal Court expiring on May 24, 2027.

Concurrence/Previous Council Action

On May 5, 2023 the Judicial Selection Advisory Board recommended:

Reappointment of Judge Wilbur Hudson III as a Judge of the Phoenix Municipal Court for a four-year term expiring May 24, 2027.

Reappointment of Judge B. Don Taylor III as Chief Presiding Judge for an annual term expiring June 30, 2024.

On May 10, 2023, the Public Safety and Justice Subcommittee

recommended approval by the City Council to reappoint Judge B. Don Taylor III as Chief Presiding Judge and Judge Wilbur Hudson III as a Municipal Court Judge.

Mayor Gallego administered the oath of office for Chief Presiding Judge B. Don Taylor III and Judge Wilbur Hudson III of the Phoenix Municipal Court. The judges were invited to approach the dais so Council could extend their appreciation.

Municipal Court Chief Presiding Judge and Municipal Court Judge sworn in.

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 Ansari, seconded by Councilwoman Stark, that Items 3-22 be recommended for approval, noting that Item 22 was originally recommended for disapproval due to a Finance Department recommendation of disapproval and has since been revised. The motion carried by the following voice vote:

Yes:	7 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	2 -	Councilman Robinson and Councilman Waring

3 Liquor License - Copperhead Bistro

Request for a liquor license. Arizona State License Application 244013.

Summary

Applicant
Lauren Merrett, Agent

License Type
Series 12 - Restaurant

Location

4727 E. Bell Road, Ste. 59
Zoning Classification: PSC
Council District: 2

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

The 60-day limit for processing this application is June 30, 2023.

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 for this

businesses. Managers and staff will be trained in Title 4 and best practices for compliance with liquor laws and for the safety of the community."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “Applicants business is a neighborhood restaurant, featuring a variety of food and beverage options. Providing continued alcoholic beverages for individuals 21 and older will be a convenience for the customer to enhance their dining experience.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Copperhead Bistro
Liquor License Map - Copperhead Bistro

This item was recommended for approval.

4 Liquor License - Heart and Soul Cafe and Saloon

Request for a liquor license. Arizona State License Application 244489.

Summary

Applicant
Darcy Askegard, Agent

License Type
Series 12 - Restaurant

Location
4705 E. Carefree Highway #117
Zoning Classification: C-2
Council District: 2

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

dancing.

The 60-day limit for processing this application is June 19, 2023.

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:
"My husband and I have owned and operated a variety of severial different businesses throughout a 23 year span. We take our responsibility for the clients, employees, customers, and staff very seriously. Safety and compliance are always number one on our list. The cafe and saloon do not intend to ever stay open past 12:00pm. Nothing good happens after midnight. We are at this time only open till 10:00pm and very often close at 9:00pm."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “Heart and Soul Cafe has been a local stapel restaurant in Cave Creek for many years now. We would like to keep the same atmosphere and ameities that this wonderful town is used to. We support and hold alot of local events (auctions, local real estate gatherings, recreational award ceremonies, and sponsor local schools). The cafe and Saloon also provide a stage for local artist to share there talent with there friend and family. We are excited to be apart of all of this and more with your support."

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 - Heart and Soul Cafe and Saloon
Liquor License Map - Heart and Soul Cafe and Saloon

This item was recommended for approval.

5 Liquor License - Mamma Lucy LLC

Request for a liquor license. Arizona State License Application 239083.

Summary

Applicant
Fabio Berdicchia, Agent

License Type
Series 12 - Restaurant

Location
6245 E. Bell Road, Ste. 111-112
Zoning Classification: C-1
Council District: 2

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit. This business has plans to open in September 2023.

The 60-day limit for processing this application is June 24, 2023.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am a capable person, with ability to take on such serious responsibility. I have years of experience managing the restaurant industry with a liquor license in my home country, Italy."

The public convenience requires and the best interest of the community

will be substantially served by the issuance of the liquor license because: "We will keep everyone safe in a controlled environment that will be known to not over serve people or let anyone leave into the community in a position to endanger themselves or anyone else."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Mamma Lucy LLC
Liquor License Map - Mamma Lucy LLC

This item was recommended for approval.

6 Liquor License - Manuel's Mexican Food Restaurant

Request for a liquor license. Arizona State License Application 244554.

Summary

Applicant
John Salazar, Agent

License Type
Series 12 - Restaurant

Location
3131 E. Shea Blvd.
Zoning Classification: C-2
Council District: 3

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in August 2023.

The 60-day limit for processing this application is June 23, 2023.

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: information about any 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.

Manuel's Mexican Food Restaurant (Series 12)
12801 N. Cave Creek Road, Phoenix
Calls for police service: 13
Liquor license violations: None

Manuel's Mexican Food Restaurant (Series 12)
2820 E. Indian School Road, Phoenix
Calls for police service: 5
Liquor license violations: None

Manuel's Mexican Food Restaurant (Series 12)
8809 E. Mountain View Road, Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Manuel's Mexican Food Restaurant (Series 12)
13319 W. Mcdowell Road, Goodyear
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 currently hold 4 active restaurant liquor licenses in good standing with the State of Arizona. We have been in business in the State of Arizona for 60 years. I have never had a license suspension and I always maintained the highest standards and have followed all laws to the best of my ability."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Manuel's will be a good neighbor in the community we serve. We will provide Products and services to the neighborhood, add to the employment base, and we will pay our fair share of property and other taxes and fees for schools and police and Fire protection as well as other essential government services."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Manuel's Mexican Food Restaurant
Liquor License Map - Manuel's Mexican Food Restaurant

This item was recommended for approval.

7 Liquor License - Special Event - Phoenix Pride Incorporated

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

Summary

Applicant
Aimee Meredith

Location
300 E. Indian School Road
Council District: 4

Function
Phoenix Pride Festival

Date(s) - Time(s) / Expected Attendance
Oct. 21, 2023 - 11:30 a.m. to 9 p.m. / 15,000 attendees
Oct. 22, 2023 - 11:30 a.m. to 9 p.m. / 10,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

8 Liquor License - Bassh, Inc.

Request for a liquor license. Arizona State License Application 06070170.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 6 - Bar

Location
5030 W. McDowell Road, Ste. 29-30
Zoning Classification: C-2
Council District: 4

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 June 25, 2023.

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

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

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This location was previously licensed, this is simply a change in ownership. We like to continue serving the surrounding community, of

legal age, with a place to gather."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Bassh Inc.
Liquor License Map - Bassh Inc.

This item was recommended for approval.

9 Liquor License - Carniceria Los Reyes #3

Request for a liquor license. Arizona State License Application 244827.

Summary

Applicant
Edel Alcaraz, Agent

License Type
Series 10 - Beer and Wine Store

Location
1925 W. Camelback Road
Zoning Classification: C-2 TOD-1
Council District: 4

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

The 60-day limit for processing this application is June 25, 2023.

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: information about any 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.

Carniceria Los Reyes (Series 10)
1609 N. 16th St., Phoenix
Calls for police service: 12
Liquor license violations: None

Carniceria Los Reyes #2 (Series 10)
2647 W. Glendale Ave., Ste. 8, Phoenix
Calls for police service: 157
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 taken all the training classes required to properly follow all the liquor laws of Arizona. I am willing and planing on hiring trained, skilled

and knowledgeable staff to help me with my new business."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "We are offering the puublic a family friendly business that offers a grocery store that offers fresh vegetables and meat market in one convenient location. Offering variety of alcoholic and non-alcoholic beverages that will make it convenient for our clients to do their shopping in one family friendly location."

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 - Carniceria Los Reyes #3
Liquor License Map - Carniceria Los Reyes #3

This item was recommended for approval.

10 Liquor License - The Green Woodpecker

Request for a liquor license. Arizona State License Application 244994.

Summary

Applicant
Ryan Anderson, Agent

License Type
Series 7 - Beer and Wine Bar

Location
3110 N. Central Ave., Ste. 185
Zoning Classification: WU T6:HWR MT
Council District: 4

This request is for a new liquor license for a beer and wine bar. This location is currently licensed for liquor sales with a Series 7 - Beer and Wine Bar, liquor license.

The 60-day limit for processing this application is June 25, 2023.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Each of the management team of The Green Woodpecker have or do operate liquor licensed establishment. They are familiar with the industry and are knowledgeable in liquor laws. The employees are trained in liquor laws 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:
"This application is to place a lottery draw license at an existing licensed

location under the same ownership. The owners are proven good neighbors and have the support of the Midtown Neighborhood Association."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - The Green Woodpecker
Liquor License Map - The Green Woodpecker

This item was recommended for approval.

11 Liquor License - Yumbar

Request for a liquor license. Arizona State License Application 241543.

Summary

Applicant
Mark Howard, Agent

License Type
Series 12 - Restaurant

Location
635 W. Glenrosa Ave., Ste. 101
Zoning Classification: C-2 SAUMSO
Council District: 4

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in July 2023.

The 60-day limit for processing this application is July 1, 2023.

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: information about any 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.

Fez (Series 12)
105 W. Portland St., Phoenix
Calls for police service: 6
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 held several liquor licenses (#12 & #6) with the City of Phoenix for the past two decades including a current active license with FEZ Restaurant & Bar - license #10071365. I also hold basic and manager certifications."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "The immediate surrounding neighborhoods have been incredibly supportive of the project we are completing at 635 W. Glenrosa Ave. Known as The Royale, this redevelopment project will create a space that has a full service dining and drinking experience that serves daily use as well as events. The community has been requesting these services for quite some time as the previous use of the property was for auto body shops."

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 - Yumbar
Liquor License Map - Yumbar

This item was recommended for approval.

12 Liquor License - Special Event - Puppy Love Foundation

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

Summary

Applicant
Jeffrey Stotler

Location
2209 N. 99th Ave.
Council District: 5

Function
Concert

Date(s) - Time(s) / Expected Attendance
June 17, 2023 - 6 p.m. to 10 p.m. / 2,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

13 Liquor License - Special Event - Puppy Love Foundation

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

Summary

Applicant
Jeffrey Stotler

Location
2209 N. 99th Ave.
Council District: 5

Function
Concert

Date(s) - Time(s) / Expected Attendance
June 24, 2023 - 6 p.m. to 10 p.m. / 2,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

14 Liquor License - Little O's On Central

Request for a liquor license. Arizona State License Application 007070022990.

Summary

Applicant
Jeffrey Miller, Agent

License Type

Series 7 - Beer and Wine Bar

Location
8525 N. Central Ave.
Zoning Classification: R1-6 HCRO
Council District: 6

This request is for an ownership and location transfer of a liquor license for a beer and wine bar. This location was previously licensed for liquor sales and does not have an interim permit. This business is currently under construction with plans to open in September 2023.

The 60-day limit for processing this application is June 27, 2023.

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: information about any liquor license violations on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Little O's (Series 12)
521 W. McDowell Road, Phoenix
Calls for police service: 11
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:
"Currently own another successful location in Phoenix. Will continue to enusre our employees are Title 4 liquor law trained."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Little O's is a laid back casual restaurant with flavorful food. This is a place to bring the neighborhood together."

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 - Little O's On Central
Liquor License Map - Little O's On Central

This item was recommended for approval.

15 Liquor License - Nu Towne Saloon

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

Summary

Applicant
Amy Nations, Agent

License Type
Series 6 - Bar

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

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 June 30, 2023.

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:
“The ownership of Nu Towne Saloon has owned many different types of businesses in Arizona and other states. They have also held many important jobs in different business areas. They have proven to themselves to be capable, qualified, and reliable. They will be sending their employees through state certified liquor training to ensure compliance with all liquor laws.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“This bar has been open since 1971 and has earned landmark status in Phoenix. The bar is comfortable and easy going with a mixed crowd. They have many regular customers from in and outside Phoenix. Nu Towne Saloon remains a friendly, happy, neighborhood bar.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Nu Towne Saloon
Liquor License Map - Nu Towne Saloon

This item was recommended for approval.

16 Liquor License - Trevor's

Request for a liquor license. Arizona State License Application 238929.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 7 - Beer and Wine Bar

Location

3601 E. Indian School Road, #A
Zoning Classification: C-2
Council District: 6

This request is for a new liquor license for a beer and wine bar. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow a beer and wine bar. This business is currently being remodeled with plans to open in December 2023.

The 60-day limit for processing this application is June 19, 2023.

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

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

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

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

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

because:
“Applicant is an experienced licensee committed to upholding the highest standards to maintain compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“Trevor's will open its third valley location, and would like to offer guests the opportunity to consume beer and wine at the licensed premises.”

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 - Trevor's
Liquor License Map - Trevor's

This item was recommended for approval.

17 Liquor License - Trevor's

Request for a liquor license. Arizona State License Application 239627.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 9 - Liquor Store

Location
3601 E. Indian School Road, #A
Zoning Classification: C-2
Council District: 6

This request is for a new liquor license for a liquor store. This location

was not previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in December 2023.

The 60-day limit for processing this application is June 19, 2023.

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

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

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: “Trevor's will open its third valley retail store, and would like to offer a wide-range of beer, wine and spirits. Applicant was awarded two series 9 lottery licenses; only one series 9 will be active.”

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 - Trevor's
Liquor License Map - Trevor's

This item was recommended for approval.

18 Liquor License - Trevor's

Request for a liquor license. Arizona State License Application 239630.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 9 - Liquor Store

Location
3601 E. Indian School Road, #A
Zoning Classification: C-2
Council District: 6

This request is for a new liquor license for a liquor store. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in December 2023.

The 60-day limit for processing this application is June 19, 2023.

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

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

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Trevor's will open its third valley retail store, and would like to offer a wide-range of beer, wine and spirits. Applicant was awarded two series 9 lottery licenses; only one series 9 will be active."

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 - Trevor's
Liquor License Map - Trevor's

This item was recommended for approval.

19 Liquor License - Latitude Wines

Request for a liquor license. Arizona State License Application 004070021459.

Summary

Applicant
Camila Alarcon, Agent

License Type
Series 4 - Wholesaler

Location
625 S. 27th Ave., Ste. 130B
Zoning Classification: A-2
Council District: 7

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

The 60-day limit for processing this application is June 30, 2023.

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

Other Active Liquor License Interest in Arizona
The ownership of this business has an interest in other active liquor

license(s) in the State of Arizona. This information is listed below and includes: information about any 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.

Latitude Wines Inc (Series 2)
551 Hartz Ave., Ste. B, Danville
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Applicant's members have interests in importer and wholesaler licenses throughout the United States. Latitude Wines has held a wholesaler license in Phoenix since 2016, and an out-of-state producer license in Arizona since 2005. The applicant will continue its commitment to adhering to all applicable liquor laws."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

20 Liquor License - Sr. Ozzy's Tacos Y Mariscos

Request for a liquor license. Arizona State License Application 244015.

Summary

Applicant

Karel Sangster, Agent

License Type
Series 12 - Restaurant

Location
1717 W. Southern Ave., Ste. 100
Zoning Classification: C-2
Council District: 7

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

The 60-day limit for processing this application is June 25, 2023.

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:
“Because I worked in the restaurant industry, have military experience and worked for fortune 500 companies.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“Sr. Ozzy's has been serving the community with good food and great customer service, it also brings jobs to the community.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Sr. Ozzy's Tacos Y Mariscos
Liquor License Map - Sr. Ozzy's Tacos Y Mariscos

This item was recommended for approval.

21 Liquor License - Special Event - Million Dollar Teacher Project

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

Summary

Applicant
Lloyd Edward Hopkins II

Location
215 N. 7th St.
Council District: 8

Function
Annual Celebration

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

July 14, 2023 - 6 p.m. to 9 p.m. / 200 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

22 Liquor License - Biryani N Bytes

Request for a liquor license. Arizona State License Application 244896.

Summary

Applicant
Roopesh Kantala, Agent

License Type
Series 12 - Restaurant

Location
3130 E. Union Hills Dr., Ste.101
Zoning Classification: C-2
Council District: 2

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 June 24, 2023.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have established and successfully run the business. I have successfully completed Arizona Title 4 Basic training online alcohol certification course. We will maintain quality and high standards serving."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"It will complement food we serve and as long as consumed responsibly will keep best interest of the community. Will be serving after reviewing every coustomer and will be having protocol on serving in place at the location."

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

Attachments
Liquor License Data - Biryani N Bytes
Liquor License Map - Biryani N Bytes

This item was recommended for approval.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

Electronic comments were submitted for the record on the following items:
- Item 43: 1 in support
- Item 138: 7 in opposition

A motion was made by Vice Mayor Ansari, seconded by Councilwoman Stark, that Items 23-150 be approved or adopted, except Items 34, 36-41, 50, 53, 63, 79, 81, 86, 98, 110 and 149-150; and noting that Items 68 and 95 are withdrawn, Item 35 is as revised and Item 150 has additional information. The motion carried by the following vote:

Yes:	7 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	2 -	Councilman Robinson and Councilman Waring

Items 23-33, Ordinance S-49808 was a request to authorize the City Controller to disburse funds, up to amounts indicated, for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

23 SunPower Corporation dba Solar Star Arizona II, LLC

For $754,880 in payment authority for solar power services for Phoenix Sky Harbor International Airport paid to SunPower Corporation Systems, doing business as Solar Star Arizona II, LLC, from July 1, 2022, through June 30, 2023, as provided in the Aviation Department Facilities and Services annual operating budget. The power produced is purchased by the City at a fixed, reduced rate and used to offset energy expenses from Arizona Public Services (APS).

This item was adopted.

24 **American Association of Airport Executives**

For $290,000 in payment authority for the Aviation Department's Fiscal Year 2023-24 American Association of Airport Executives (AAAE) enterprise membership. AAAE membership provides industry-specific professional development training and certification programs for employees to ensure Aviation staff are proficient on issues impacting the industry. AAAE provides important information, alerts, updates and insight on legislation and proposed regulations, security policy, and congressional hearing reports that position the Aviation Department to proactively represent issues important to the City of Phoenix and our region.

This item was adopted.

25 **Graffiti Protective Coatings, Inc.**

For $65,000 in payment authority for a new contract, entered on or about July 14, 2023, for a term of five years to provide routine maintenance to 25 trashcan locations throughout downtown Phoenix for the Community and Economic Development Department. Each location has one 65-gallon bin that requires basic cleaning and maintenance once a month. In addition, the Contractor will report any damage to the bin or artwork wraps that will be installed.

This item was adopted.

26 **United States Postal Service - Annual Payment Authority**

For $4,116,117 in payment authority to the United States Postal Service for metered and non-metered mail charges of City departments for the period July 1, 2023, through June 30, 2024, as provided in the proposed annual operating budget.

This item was adopted.

27 **Blue Ridge Fire District**

For $80,000 for annual payment authority for Blue Ridge Fire District for five years to provide fire protection and/or EMS services to City-owned property in Coconino County for the Fire Department. The City-owned property, known as Camp Colley, is identified by Coconino County Assessor Parcel Number 40312001.

This item was adopted.

28 The Diocesan of St. Vincent De Paul

For $22,160 in payment authority for the Human Services Department to pay for one-time services provided by St. Vincent De Paul. Security Services were provided for the Office of Homeless Solutions Heat Respite program around the Human Services Campus.

This item was adopted.

29 QCM Technologiesm, Inc.

For $15,000 in payment authority to renew hardware maintenance and support for essential hardware used by the case management system (CMS) for the Municipal Court. This system is the primary business application for the Court and is essential for reducing operational risk.

This item was adopted.

30 Arizona Parks and Recreation Association (APRA)

For $250,000 in payment authority to reimburse the Arizona Parks and Recreation Association (APRA) for providing financial coordination services over a three-year period for the Phoenix Summit Challenge and National Trail Trek for the Parks and Recreation Department. The City's non-profit partner, APRA, is responsible as the lead financial coordinator for the event for the facilitation of all financial transactions. The source of funding for this event is from revenue generated through participant entry fee, which are collected through the event registration process. No General Funds are used for this event.

This item was adopted.

31 Arizona Public Service Company Doing Business as APS

For $11,940 in payment authority to APS for first quarter (January through April 2023) trip charges to disconnect or reconnect service to the street lighting system for maintenance or non-maintenance purposes for the Street Transportation Department.

This item was adopted.

32 Various Vendors - Annual Utility Charges

For $86,822,589 in payment authority for Arizona Public Service, Salt River Project and Southwest Gas for electricity and gas charges of City departments for the period of July 1, 2023, through June 30, 2024, as provided in the proposed annual operating budget.

This item was adopted.

33 City Treasurer - Annual Payment Authority

For $19,783,553 in payment authority on behalf of the Water Services Department for water charges of City departments for the period of July 1, 2023, through June 30, 2024, as provided in the proposed annual operating budget.

This item was adopted.

35 (CONTINUED FROM MAY 31, 2023) - Form of the Ballot for Nov. 7, 2023 Special Bond Election (Ordinance S-49806)

This report requests City Council approval of an ordinance establishing the form of the ballot for the City of Phoenix Special Bond Election to be held on Tuesday, Nov. 7, 2023.

Summary

This ordinance establishes the language that will be printed on the ballot. In this election registered voters who reside in the City of Phoenix will vote to approve or reject certain questions related to the selling and issuance of general obligation bonds. Four bond questions, if approved, would establish the authorization to sell up to $214,000,000 general obligation bonds for fire, police, roadway and pedestrian infrastructure projects; up to $108,615,000 general obligation bonds for library, parks and historic preservation projects; up to $114,385,000 general obligation bonds for workforce and job creation, education, economic development, environment, sustainability, arts, and culture projects; and up to $63,000,000 general obligation bonds for affordable housing and senior center projects.

At the May 3, 2023 Formal Council Meeting, the City Council ordered the Special Bond Election and approved the election to be a ballot by mail election conducted by Maricopa County. The form of the ballot for this election is consistent with the requirements of applicable State law, as Maricopa County will be conducting the election.

Public Outreach

All eligible registered voters in Phoenix will receive notification of the election and will automatically be sent a ballot by mail. Households with one or more registered voters will receive an Informational Pamphlet,

which contains general information about the election, including key dates related to when ballots will be mailed and when ballot replacement sites will be open. Arguments supporting or opposing any of the bond questions must be filed with the City Clerk no later than ninety days prior to the election, at 5 p.m. on Aug. 9, 2023. Arguments are limited to 300 words and are printed in the Informational Pamphlet. Several publications and news releases will be provided throughout the election process and shared on a variety of platforms, including print and social media. All election information will be provided in English and Spanish and will be available on phoenix.gov/elections.

This item was adopted as revised.

42 Proposed 67th Avenue and Broadway Road Right of Way De-Annexation (Ordinance S-49903)

Request City Council authorization to de-annex and decrease the corporate limits of the City of Phoenix, Maricopa County, State of Arizona, pursuant to the provisions of Arizona Revised Statutes, Title 9, Chapter 4, Article 7 (Section 9-471.03), by de-annexing a certain tract of land within the present corporate limits of the City of Phoenix, contingent upon that same tract of land being received by Maricopa County and declaring as County right-of-way, and the approval by the Maricopa County Board of Supervisors.

Summary

Maricopa County Department of Transportation is requiring dedication of right-of-way and roadway improvements for development along 67th Avenue. The City of Phoenix Street Transportation Department has requested the City of Phoenix de-annex a certain portion of right-of-way currently located within the limits of the City of Phoenix in connection with the Maricopa County Department of Transportation's requirement.

Location

The proposed de-annexation area includes 22 feet along the western side of 67th Avenue and Broadway Road adjacent to the proposed development along the west side of 67th Avenue. Also the intersection of 67th Avenue and Broadway Road to include the signal maintained by Maricopa County Department of Transportation. (**Attachment A**). The de-annexation area is approximately 0.287 acres (0.0004 sq. mi.), decreasing the area of the City of Phoenix by approximately 0.287 acres.

Council District: 7

This item was adopted.

43 Authorization to Sell a Strip of City-Owned Land along South 43rd Avenue to Maricopa County Department of Transportation for the Widening of Southern Avenue between 51st to 37th Avenue (Ordinance S-49810)

Request to authorize the City Manager, or his designee, to sell a strip of City-owned land, along South 43rd Avenue, to the Maricopa County Department of Transportation for the widening of Southern Avenue from 51st to 37th Avenue. Further request to authorize the City Treasurer to accept all funds related to this item.

Summary

Maricopa County Department of Transportation (MCDOT) is seeking to acquire an approximate 15-foot strip of City-owned land along South 43rd Avenue for right-of-way purposes for the widening of Southern Avenue from 51st to 37th Avenue. The County project will include additional travel lanes and several improvements with safety features for the public.

The 15-foot strip of land, located along east side of the 43rd Avenue roadway, is approximately 5,882 square feet and is part of an 18.7-acre site used for retention purposes by the Street Transportation Department. The property was originally conveyed to the City by the Flood Control District of Maricopa County for the 43rd Avenue Basin through Intergovernmental Agreement FCD2000A021B. The disposition to MCDOT for their roadway project has no negative impact on the City-owned property and retention.

Financial Impact

Revenue will be reflective of the market value of the property rights sold to Maricopa County.

Location

Along 43rd Avenue, south of Southern Avenue, within Maricopa County Assessor parcel number 105-89-939.
Council District: 7

This item was adopted.

44 Purchase of Property and Casualty Insurance Policies for the City of Phoenix (Ordinance S-49825)

Request to authorize the City Manager, or his designee, to purchase various property and casualty insurance policies on behalf of the City from July 2023 through June 2024. Further request authorization for the City Controller to disburse funds, not to exceed $23,708,000.

Summary

Competitive quotes are sought from all viable commercial insurance markets to assure the best coverage and cost available. The total estimated cost for all insurance is approximately $23,708,000 for Fiscal Year 2023-24, up from $18,667,867 in the current year. The increase of $5,040,133 is due to: (1) high demand for property and excess liability insurance coverages and a reduced supply of capacity in the commercial insurance market throughout the country; (2) the City experienced a large property loss over the last 10 years that exceeded $10 million; (3) the City experienced its first loss that pierced the excess liability insurance; (4) claims are increasing in frequency and severity throughout the country; (5) insurers are hesitant to underwrite public entity insurance programs; and (6) ransomware and other cyber attacks globally are driving unprecedented increases in the cyber liability market.

Citywide insurance policies are purchased from the Risk Management Self-Insurance Fund or the Workers' Compensation Self-Insurance Fund and are then allocated to each department's budget. Funds for special policies purchased are available from those departments' budgets. The insurance quote process is ongoing, and staff will continue to gather bids through mid-June. The amount requested is based on estimated rate increases as advised by the City's contracted insurance broker, Marsh USA, Inc. Depending on final quotes, staff may need to return to Council for a retroactive increase in spending authority.

Insurance Policy Overview

Blanket Property and Boiler and Machinery Insurance
Department: Citywide
Estimated Cost: $9,726,000

Excess Liability Insurance (Multiple Layers)

Department: Citywide
Estimated Cost: $9,448,000

Excess Workers' Compensation
Department: Citywide
Estimated Cost: $406,000

Network Security and Cyber
Department: Citywide
Estimated Cost: $2,630,000

Police Aircraft Liability and Hull Insurance
Department: Police
Estimated Cost: $205,000

Aviation Airport Liability Insurance
Department: Aviation
Estimated Cost: $804,000

Miscellaneous Property and Casualty Insurance
Department: Citywide
Estimated Cost: $489,000

Financial Impact

The amount will not exceed $23,708,000, comprised of funds from the Risk Management Self-Insurance Fund, and are included in the Fiscal Year 2023-24 budget.

This item was adopted.

45 Acquisition of Real Property for Roadway Improvements Along Van Buren Street from 7th to 24th Streets (Ordinance S-49816)

Request to authorize the City Manager, or his designee, to acquire all real property and related property interests required by donation, purchase within the City's appraised value, or by the power of eminent domain for roadway improvements along East Van Buren Street from 7th to 24th streets. Further request to authorize dedication of land with roadway and/or public improvements to public use for right-of-way purposes via a separate recording instrument. Additionally, request to authorize the City

Controller to disburse all funds related to this item.

Summary

Acquisition of real property is required to accommodate roadway improvements along East Van Buren Street from 7th to 24th streets. Improvements will include traffic signal upgrades, medians, landscape, and Americans with Disabilities Act compliant sidewalks and ramps.

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

Financial Impact

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

Location

Along East Van Buren Street from 7th to 24th streets
Council District: 8

This item was adopted.

46 Acquisition of a Sign Easement for Roadway Safety on Glenrosa Avenue between 25th and 26th Streets (Ordinance S-49817)

Request to authorize the City Manager, or his designee, to acquire a sign easement by donation, purchase within the City's appraised value, or by the power of eminent domain for roadway safety on Glenrosa Avenue between 25th and 26th streets. Additionally, request to authorize the City Controller to disburse all funds related to this item.

Summary

Acquisition of a sign easement is required for the installation of a dip warning sign to enhance roadway safety on Glenrosa Avenue between 25th and 26th streets. The parcel affected by this easement and included in this request is identified by Maricopa County Assessor's parcel number 163-06-005 located at 2523 E. Glenrosa Ave.

Financial Impact

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

Location

Glenrosa Avenue between 25th and 26th streets

Council District: 6

This item was adopted.

47 Acquisition of Real Property for Roadway Improvements Along South 28th Avenue between Mohave and Pima Streets (Ordinance S-49832)

Request to authorize the City Manager, or his designee, to acquire real property and related property interests required by donation, purchase within the City's appraised value, or by the power of eminent domain for roadway improvements along South 28th Avenue between Mohave and Pima streets. Further request authorization to dedicate land with roadway and/or public improvements to public use for right-of-way purposes via separate recording instrument. Additionally request to authorize the City Controller to disburse all funds related to this item.

Summary

Acquisition of real property is required for the construction of roadway improvements along South 28th Avenue between Mohave and Pima streets to enhance roadway and sidewalk conditions for pedestrians, bicyclists, and vehicular traffic. Improvements include Americans with Disabilities Act compliant sidewalks, street lighting, curbs and gutters.

The parcel affected by this project and included in this request is identified by Maricopa County Assessor's parcel number 105-20-049, located at 1701 S. 28th Ave.

Financial Impact

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

Location

Along South 28th Avenue between Mohave and Pima streets.
Council District: 7

This item was adopted.

48 Acceptance of Easements for Water Purposes (Ordinance S-49836)

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

Summary

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

Easement (a)

Applicant: PHX Buckeye Partners, LLC; HP Buckeye, LLC, its successor and assigns
Purpose: Water
Location: 3836 W. Buckeye Road
File: FN 230063
Council District: 7

Easement (b)

Applicant: CH DOF I-JLB MF Phoenix Runway, L.L.C., its successor and assigns
Purpose: Water
Location: 1000 N. 44th St.
File: FN 230020
Council District: 8

This item was adopted.

49 Acceptance and Dedication of Easements for Public Utility Purposes (Ordinance S-49841)

Request for the City Council to accept and dedicate easements 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: Mitchell and Kayla Wolfe Family Trust, its successor and assigns
Purpose: Public Utility
Location: 1609 E. Palo Verde Drive and 5811 S. 16th St.
File: FN 230030
Council District: 6

Easement (b)
Applicant: Yun Jin Kim, its successor and assigns
Purpose: Public Utility
Location: 2542 N. 28th Place
File: FN 230034
Council District: 8

This item was adopted.

51 Document Scanning Services Contract RFP 22-068 - Request for Award (Ordinance S-49839)

Request to authorize the City Manager, or his designee, to enter into contracts with ICM Document Solutions and Spectrum Document Scanning, LLC to provide document scanning services to various departments throughout the City. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $157,500.

Summary
These contracts will provide qualified contractors who will provide document scanning services on an as-needed basis. The City of Phoenix has imaging needs that include imaging services for a large variety of source documents and records in a variety of conditions, sizes and formats. The services provided will include imaging project consultation including development of a job plan, secure transportation of source materials, preparation and imaging of source materials, and indexing of imaged data. These contracts will increase operational efficiency through constant innovation that positively impact customer service delivery.

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.

Four vendors submitted proposals deemed responsive and responsible. An evaluation committee of City staff evaluated those offers based on the following criteria with a maximum possible point total of 1,000:

Company History, Experience, and Qualifications (0-200 points)
Method of Approach (0-350 points)
Capacity (0-300 points)
Pricing (0-150 points)

After reaching consensus, the evaluation committee recommends award to the following vendors:
ICM Document Solutions (653.59 points)
Spectrum Document Scanning, LLC (787.50 points)

Contract Term
The contracts will begin on or about July 1, 2023, for a five-year term with no options to extend.

Financial Impact
The aggregate contracts value will not exceed $157,500. Funding is available in the various departments' budgets.

This item was adopted.

52 Furniture, Products and Services - ADSO18-00008152 - Amendment (Ordinance S-49893)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contracts 149806 with Elontec, LLC; 149807 with Tucson Business Interiors, Inc.; 149809 with Tab Office Resources, LLC; 149810 with Vari Sales Corporation; 149811 with Hertz Furniture Systems, LLC; 149812 with Goodmans Interior Structures; 149815 with Educational Furnishings of Arizona, LLC, dba Arizona Furnishings; 149816 with Office Depot, Inc.; 149817 with Lakeshore Learning Materials, LLC; 149818 with The Manning Group, LLC; 149819 with Arconas Corporation; 149820 with Workrite Ergonomics, LLC; 149821 with Kaplan Early Learning Company; 149822 with Interior Solutions of Arizona, LLC; 149823 with Corporate Interior Systems, Inc.; 149824 with Staples Contract & Commercial, LLC; 149825 with Wist Supply & Equipment Co.; and 149826 with Atmosphere Commercial Interiors, LLC, for the purchase of furniture products and services Citywide. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $8,285,000.

Summary

These contracts will provide Citywide departments the ability to replace furniture that has surpassed its end of life or is beyond repair and broken or damaged furniture used by the public and employees. Departments also purchase ergonomic furniture to create a safer employee workplace and to comply with the Americans with Disabilities Act.

The services offered on the furniture contracts are used to reconfigure and optimize existing workspaces to promote collaboration, improve customer service, accommodate staff augmentation and increase productivity. Furniture products are reused to replace existing furniture inventory when possible.

A portion of the additional funds will be used to furnish the recently acquired 100 West Washington building which will house the future Police headquarters.

Funds will also be used for the Convention Center pre-function furniture replacement project, a capital outlay initiative aimed at replacing the current pre-function soft seating, benches, tables, and lounge-style chairs. This furniture is predominantly located in the West Atrium, North Lobby, and adjoining pre-function areas across the campus, serving as comfortable seating options for convention center guests.

Contract Term

The contract term remains unchanged, ending on April 30, 2024.

Financial Impact

Upon approval of $8,285,000 in additional funds, the revised aggregate value of the contracts will not exceed $20,085,000. Funds are available in various department budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
• Furniture, Products and Services Contracts 149806, 149807, 149809, 149810, 149811, 149812, 149815, 149816, 149817, 149818, 149819, 149820, 149821, 149822, 149823, 149824, 149825, 149826 (Ordinance S-45589) on May 1, 2019;

• Furniture, Products and Services Contracts 149806, 149807, 149809, 149810, 149811, 149812, 149815, 149816, 149817, 149818, 149819, 149820, 149821, 149822, 149823, 149824, 149825, 149826 (Ordinance S-47265) on Feb. 3, 2021.

This item was adopted.

54 Background Screening and In-Processing/Onboarding Services Contract (Ordinance S-49865)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 146656 with Sterling Infosystems, Inc., dba Sterling to extend the contract term through calendar year 2023. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $60,000.

Summary

This contract provides background screening and in-processing/onboarding services for employees and volunteers. The costs for employee and volunteer background services are paid by the departments utilizing these services. This extension is necessary to provide time for a new solicitation to be completed.

Contract Term

Upon approval, the contract will be extended through Dec. 31, 2023.

Financial Impact

Upon approval of $60,000 in additional funds, the revised aggregate value of the contract will not exceed $614,000. Funds are available in various departments' budgets.

Concurrence/Previous Council Action

The City Council previously approved this request:

Background Screening and In-Processing/Onboarding Services (Ordinance S-43751) on June 28, 2017.

Additional payment authority: Sterling Infosystems, Inc. dba Sterling Contract 146656 (Ordinance S-48392-0018) on March 23, 2022.

Background Screening and In-Processing/Onboarding Services contract extension (Ordinance S-49219) on Dec. 7, 2022.

Background Screening and In-Processing/Onboarding Services contract extension (Ordinance S-49523) on March 22, 2023.

This item was adopted.

55 Bloodborne Pathogen, Cardiopulmonary Resuscitation, Automated External Defibrillation, and Basic First Aid Training Services (Ordinance S-49854)

Request to authorize the City Manager, or his designee, to enter into contracts with Arizona Emergency Response Training, Arizona Chapter National Safety Council, and ETC Compliance Solutions for Bloodborne Pathogen, Cardiopulmonary Resuscitation, Automated External Defibrillation, and Basic First Aid Training Services for all City of Phoenix employees. Further request authorization for the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $60,000.

Summary

The Human Resources Department Safety and Workers Compensation Division's mission is to ensure all City of Phoenix employees receive quality training required to ensure successful completion of their daily duties and reduce workplace injuries. The three vendors will be placed on a Qualified Vendors List to provide Bloodborne Pathogen, Cardiopulmonary Resuscitation, Automated External Defibrillation and Basic First Aid Training Services on an as-needed basis.

Procurement Information

A Request for Qualifications (RFQu) procurement, RFQu HR 22-014, was processed in accordance with Administrative Regulation 3.10 to establish a Qualified Vendors List.

Three offerors submitted qualifications, which were deemed to be responsive and responsible. Procurement and Safety and Workers Compensation Division staff evaluated those offers based on the following minimum qualifications:

Offeror must have been in operation a minimum of five years.

Instructors must have a minimum of five years of documented Bloodborne Pathogen, Cardiopulmonary Resuscitation, Automated External Defibrillation and Basic First Aid Training.

Offeror must have a minimum of two years of experience providing the training services to government agencies.

Offeror must have a minimum of two years of experience providing the

training services to an organization with over 15,000 employees.

Procurement recommends award to the following offerors:
American Emergency Response Training
ETC Compliance Solutions
National Safety Council Arizona Chapter

Contract Term
The contracts will begin on or about July 1, 2023, for a five-year term with no options to extend.

Financial Impact
The aggregate contracts value will not exceed $60,000.

This item was adopted.

56 Learning Management System (Ordinance S-49823)

Request to authorize the City Manager, or his designee, to execute amendments to Contract 152831 with eSkillz Corp. to provide the Human Resources Department with Cornerstone Content Anytime (CCA) libraries and extend the duration of professional services for the City's Learning Management System (LMS), which is also known as PHXYou. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $1,559,895.

Summary
PHXYou was implemented during the COVID-19 pandemic to provide remote learning and other critical employee training and development services virtually. It now serves as the administration, scheduling, enrollment, and record-keeping system for City training in both traditional and virtual formats. The CCA libraries will provide thousands of on-demand training courses for City employees in the areas of professional skills, leadership development, and compliance. The subscription to CCA libraries will integrate seamlessly into PHXYou, which is built on the Cornerstone LMS platform. Extending professional services will support implementation, migration, and integration efforts which will reduce the number of other learning tools used throughout the City by various departments.

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

Contract Term

The contract terms remain unchained, ending on Aug. 25, 2025.

Financial Impact

Upon approval of $1,559,895 in additional funds, the revised aggregate value of the contract will not exceed $4,413,830. Funds are available in the Human Resources Department's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
Learning Management System - RFP HR 20-122 (Ordinance S-46893) on Aug. 26, 2020.

This item was adopted.

57 Fujitsu Maintenance and Service Level Agreement - RFA 17-125 - Amendment (Ordinance S-49877)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 145958 with Fujitsu Networks Communications, Inc. to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $250,000.

Summary

This contract will provide maintenance for 52 Fujitsu Multiplexers throughout the radio communications network, which serves the Regional Wireless Cooperative public safety radio communications partners. The equipment provides fiber optic platform proven to perform for the wireless microwave network, integrating services for public safety agencies in the Phoenix region to ensure the delivery in the form of voice and data traffic. Fujitsu Networks Communications, Inc. is the manufacturer of this hardware and is the only provider for maintenance and support.

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

Contract Term
Upon approval, the contract will be extended through Aug. 31, 2028.

Financial Impact
Upon approval of $250,000 in additional funds, the revised aggregate value of the contract will not exceed $457,000. Funds are available in the Information Technology Services Department's budget.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
• Fujitsu Maintenance and Service Level Agreement Contract 145958 (Ordinance S-43828) on Aug. 30, 2017.
• Fujitsu Maintenance and Service Level Agreement Contract 145958 (Ordinance S-49040) on Oct. 10, 2022.

This item was adopted.

58 Telecommunication Supplies and Accessories - MA-IS-1540125 - Amendment (Ordinance S-49840)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 143116 with Graybar Electric Company, Inc. to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using Ordinance S-42688.

Summary
This contract will provide voice and data materials to maintain the City's public safety communications networks. These supplies and accessories are used regularly to support and repair radios and equipment for the Regional Wireless Cooperative network, Fire VHF system, and the microwave network. Extension of this contract will ensure continued access to these supplies.

Contract Term
Upon approval the contract will be extended through June 30, 2024.

Financial Impact
The aggregate value of the contract will not exceed $375,000 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

• Telecommunication Supplies and Accessories - Contract 143116 (Ordinance S-42688) on June 22, 2016.

This item was adopted.

59 Oracle Software, Hardware, Support and Maintenance Contract (Ordinance S-49815)

Request to authorize the City Manager, or his designee, to authorize additional expenditures under the Master Services Agreement 142562AR 2021 with Oracle America, Inc. for the purchase of citywide products, services, software licensing, support and maintenance for the Information Technology Services (ITS) Department and in support of multiple departments' applications, databases, computing hardware, maintenance agreements and technologies. The additional expenditures will be for one year and will not exceed $6.8 million including taxes. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

The City uses Oracle applications and technologies in multiple departments for various technology systems that are an integral part of the daily operations of the City. Oracle applications and technologies are used in several citywide critical systems, such as the Police Department's Records Management System, the Water Services Department’s Customer Care and Billing system used for water and solid waste billing, the Human Capital Management system used for human resources and payroll functions, and the citywide Business Intelligence infrastructure. ITS has consolidated the management of agreements under the Master Services Agreement and works closely with departments on payments and to evaluate licensing, support, and maintenance for Oracle software in use by the City. ITS requests funding for continued utilization of Oracle products, services, software licensing, support and maintenance on behalf of all City departments.

Contract Term

The Master Services Agreement is valid for a five-year term, which will end on or about April 21, 2026. This funding is for multiple license and support agreements under the Master Services Agreement and is

projected to cover one year of various renewals. Due to various end dates of agreements, and potential savings from license consolidations, this funding would be valid through the term of the Master Services Agreement.

Financial Impact

Upon approval of $6.8 million in additional funds, the revised aggregate value of the contract will not exceed $23,304,000. Funds are available in various departments' budgets.

Concurrence/Previous Council Action

The Master Services Agreement was originally approved by City Council on Feb. 17, 2021, through Ordinance S-47326.

This item was adopted.

60 PeopleSoft Data Encryption Services Contract - ITS RFP 23-006 - Request for Award (Ordinance S-49890)

Request to authorize the City Manager, or his designee, to enter into a contract with CherryRoad Technologies, Inc. to provide PeopleSoft Data Encryption Services for the Information Technology Services Department and in support of the Human Resources and Finance departments. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $100,000.

Summary

This contract will provide PeopleSoft Data Encryption consulting services pertaining to the City's on-premises PeopleSoft Human Resources Information System (eChris). The consultant will review the various database encryption techniques and ensure we maintain security standards due to the sensitive nature of the data housed in eChris. The consultant will perform an as-is assessment of the current state of the eChris architecture from a data security and encryption standpoint; will develop a set of prioritized actionable recommendations to ensure that the eChris system exceeds the security recommendations that will follow National Institute of Standards and Technology 800-53 moderate controls; assist City staff as needed to implement the security and encryption recommendations; review and validate that all security and encryption recommendations have been successfully implemented.

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

One vendor submitted a proposal 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 1,000:

Qualifications and Experience 0-300 points
Scope of Work Objectives and Deliverables 0-250 points
Biographies 0-175 points
Previous Engagements 0-125 points
References 0-100 points
Pricing 0-50 points

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

CherryRoad Technologies, Inc. - 655 points

Contract Term
The contract will begin on or about June 14, 2023, for a one-year term.

Financial Impact
The aggregate contract value will not exceed $100,000.

Funding is available in the Information Technology Services Department's budget.

This item was adopted.

61 Authorization to Enter Into an Intergovernmental Agreement with Arizona State University to Conduct a Study of Prosecutorial Diversion Programs (Ordinance S-49828)

Request to authorize the City Manager, or his designee, to enter an Intergovernmental Agreement (IGA) with Arizona State University (ASU) to conduct a study of the Prosecutor’s Office Diversion Programs. Further request authorization for the City Controller to disburse all funds

related to the IGA.

Summary

The City Prosecutor's Office seeks to pursue a study of the Prostitution and Prostitution Solicitation Diversion programs. The Diversion Unit of the Prosecutor's Office sought proposals from qualified institutions of higher education across the nation for a comprehensive study of all current Diversion programs. Based on responses, ASU's School of Criminology was selected as the consultant for the Diversion Programs Study project.

The results of the study will be used to identify best practices, identify necessary changes or improvements, and address the impact of the program on participants. It will further assist the City in the solicitation of private and non-profit partnerships to solicit for Request for Proposals and address the impact of the diversion programs.

Financial Impact

The total cost for all studies is $700,000. The funds will be used to pay the salary, expenses, and supplies for the ASU consultants. The upfront costs of $175,000 are designated for the Prostitution and Prostitution Solicitation programs for Fiscal Year (FY) 2023-24. The remaining $525,000 are to be allocated to the remaining five diversion programs that will be studied. These programs include Domestic Violence, Positive Alternatives (Anger Management), Underage Drinking, Shoplifting and Cognitive Skills over the course of the next six and a half years. Each study period is estimated to take approximately 18 months.

Funding for these services is available in the Law Department's General Fund budget. Contract payments may be made up to the contract limits for all rendered contract services, which may extend past the contract termination.

This item was adopted.

62 Amendment to the Intergovernmental Agreement with Maricopa County Sheriff's Office (Ordinance S-49855)

Request to authorize the City Manager, or his designee, to extend the Intergovernmental Agreement (IGA) with the Maricopa County Sheriff's Office (MCSO) to conduct an investigation for the Phoenix Police Department (PPD) due to a conflict of interest for the PPD that prevents

PPD from conducting the investigation. The amount of the agreement is not to exceed $250,000. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse all funds related to this item.

Summary

On July 1, 2022, Phoenix City Council approved Ordinance S-48887 and entered into Contract 156906 for contracted investigative services on July 27, 2022. The parties want to extend the term and funding period of this agreement concerning independent investigator service to assist with conflict cases for the City of Phoenix for which an external prosecuting agency has also been designated through June 30, 2024.

MCSO agreed to act as an investigative body on the City's behalf in a case where PPD has a conflict. MCSO needed to hire an outside investigator to assist with the investigation. The City agreed to pay the invoices for the outside investigator hired by MCSO, after MCSO reviews and approves the charges for the investigation. MCSO will hire and supervise the investigator to maintain the separation from Phoenix, as required for the assignment of the conflict.

Contract Term

The agreement term is extended an additional year through June 30, 2024.

Financial Impact

Funds are available in the Law Department budget for legal services; no additional funds are added.

This item was adopted.

64 Administration of City Prosecutor's Office Prostitution Diversion Program (Ordinance S-49883)

Request to authorize the City Manager, or his designee, to enter a contract with Catholic Charities to operate and administer the City's Prostitution Diversion Program (PDP), with funding not to exceed $286,141.19 per year over the life of the contract. Further request authorization for the City Controller to disburse funds related to this item.

Summary

The Prosecutor's Office Prostitution Diversion Program provides and

monitors rehabilitation services that focus on support, education, and treatment for participants. This program was established to provide support to offender and benefit the community. The Diversion Program provides cost savings to the City by avoiding costs associated with prosecuting and incarcerating offenders. From July 2022 to March 2023, the City saved $257,309 in jail costs alone. Under the new contract, these savings will help fund offenders' rehabilitation. These savings do not include the costs that would have been incurred by the Prosecutor's Office, the Municipal Court, and the Police Department to prosecute these cases.

Procurement Information
In March 2023, the City issued a Request for Proposals (RFP) to seek offers from outside organizations to operate the City's PDP. Three proposals were received by the Law Department. One received by Journey Solutions was classified as non-responsive.

All proposals were reviewed by an evaluation committee. Catholic Charities was determined to satisfy all requirements and deemed highly qualified to provide the required program services.

Contract Term
The contract will be for a three-year term beginning July 1, 2023, through June 30, 2026, with two one-year renewal options.

Financial Impact
Funding is in the amount of $286,141.19 for each fiscal year of the contract. The funds have already been allocated in the Law Department budget. The contract would be contingent on the appropriation of funding each fiscal year.

This item was adopted.

65 Authorization to Enter into Agreements for Outside Counsel Legal Services (Ordinance S-49864)

Request to authorize the City Manager, or his designee, to enter into legal services agreements with various law firms and lawyers to provide outside counsel services to the City on an as-needed basis as determined by the City Attorney. Further request to authorize the City

Controller to disburse funds in an amount not to exceed $19,000,000 over the two-year period of Fiscal Year (FY) 2023-24 and FY 2024-25 for purposes of this ordinance and to continue using funds authorized under Ordinance S-47701 for ongoing matters started under the legal services agreements covering FY 2021-22 and FY 2022-23.

Summary

The existing list of qualified firms and attorneys that currently provide legal services to the City on an as-needed basis is set to expire on June 30, 2023. The Law Department issued a Request for Qualifications (RFQu) for law firms and lawyers to submit qualifications to be on the list of qualified legal counsel for the City in a variety of areas of legal practice over the next two years. The Law Department received 59 offer submittals to the RFQu and determined that 59 offerors met the requirements and have been approved to be placed on the attached list to be engaged to represent the City on a case-by-case basis (**Attachment A**). In addition, five law firms from the existing attorney list did not offer submittals to the most recent RFQu but will continue to provide legal services on the matters started under the prior legal services agreements. These five law firms are specially designated on **Attachment A**.

The City Code authorizes the City Attorney to enter into agreements to provide legal services for the City of Phoenix. Upon approval of this request by the City Council, the City Attorney will enter into agreements, as needed, with firms from the attached list of approved respondents to the RFQu. As needed, the City Attorney may also contract for other legal services, including services of attorneys, expert witnesses, and other legal advisors or consultants consistent with the authority granted in the Phoenix City Code. Should the City Attorney contract with additional law firms and lawyers over the two-year period for FY 2023-24 and FY 2024-25, funds will be disbursed under the authority of this ordinance, and such additional contracts are authorized by this approval.

Contract Term

The contract term will be from July 1, 2023, through June 30, 2025.

Financial Impact

The requested amount of $19,000,000 represents the same amount

requested during the current two-year period of FY 2021-22 and FY 2022-23.

The individual agreements with outside counsel set forth specific rates and fees for legal services in accordance with proposals submitted during the RFQu or otherwise agreed to between the City Attorney and applicable law firms and lawyers.

Funds are available in various department budgets, including the Law Department, and Self-Insured Retention Fund. Payments will be made from affected funding sources, primarily from the Self-Insured Retention Fund or the General Fund on an individual case or legal assignment basis.

This item was adopted.

66 Authorization for the Phoenix Municipal Court to Accept Grant Funds from the National Center for State Courts (Ordinance S-49899)

Request to authorize the Phoenix Municipal Court to accept up to $13,000 in grant funds from the National Center for State Courts. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The National Center for State Courts (NCSC) is awarding grants to state and local courts that were selected to participate in the Hybrid Hearings Improvement Initiative Pilot Program over the last year. The Phoenix Municipal Court was selected for this program and, as a result of this participation, the NCSC has provided some guidance on technical and operational solutions that may improve the hybrid hearing experience. Recommendations include, for example, the utilization of microphones with increased range and ability to pick up sound. The NCSC will award up to $13,000 in grant funds to reimburse the Court's costs to upgrade courtrooms with recommended equipment.

Financial Impact

The Court will need to purchase the technical equipment using general funds but will be reimbursed up to $13,000 by the NCSC.

Concurrence/Previous Council Action

The City Council authorized the Court's application, acceptance and agreement to participate in the Hybrid Hearings Improvement Initiative Pilot Program from the NCSC on October 12, 2022. (Ordinance S-49077)

This item was adopted.

67 Fiscal Year 2023-24 Legal Representation Services Contracts (Ordinance S-49894)

Request to authorize the City Manager, or his designee, to enter into agreements with legal services providers to provide representation services to indigent defendants in Phoenix Municipal Court for Fiscal Year 2023-24. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the agreements will not exceed $3,949,000.

Summary

The Public Defender's Office, through its contract holders, provides legal representation services to indigent individuals charged with criminal offenses in Phoenix Municipal Court. These services are provided in Phoenix Municipal Court courtrooms, and 365 days a year at Maricopa County's Intake, Transfer and Release (ITR) facility.

Procurement Information

On May 3, 2023 the City of Phoenix Public Defender Review Committee met to review resumes and applications of attorneys and legal support service providers for provision of legal defense services in Phoenix Municipal Court. The review process included applications from current contract holders as well as individuals seeking to obtain a contract for the first time. The Committee approved a list of those who meet the minimum qualification requirements and who would be eligible for consideration for a contract. The approved list in **Attachment A** contains more names than available contracts due to the necessity of having attorneys available should an unexpected opening occur during the course of the contract year. The procedure facilitates continuity in providing legal services and minimizes delay in processing and resolution of cases.

Contract Term

The contract will begin on or about July 1, 2023 for a one-year contract

term.

Financial Impact

These assignments will have a financial impact of up to $3,949,000. Funding is available in the Public Defender's Office operating budget.

This item was adopted.

68 (CONTINUED FROM MAY 31, 2023) - Annual Review and Updates to the Neighborhood Services Department's Code Enforcement Policy

Request City Council approval of changes to the Neighborhood Services Department's (NSD) Code Enforcement Policy (CEP), based on the annual review.

Summary

The CEP provides guidelines for enforcement of the Neighborhood Preservation Ordinance, Zoning Ordinance, and portions of other city codes/ordinances enforced by NSD. Each year, staff present a review of the policy with any recommended updates to the City Council, as stated in the policy, which was last updated June 15, 2022.

The CEP is comprised of five sections. Sections I through III of the CEP establish the purpose of standard code enforcement and the notification and enforcement options available to inspection staff; define recidivist person/properties and the possible consequences for repeat offenders; and describe the inspection and enforcement protocols for resident complaints, with exceptions for proactive code enforcement in the immediate area of a complaint and in strategic initiative areas. Section IV includes information encouraging the use of hardship assistance programs for low- and moderate-income households where funding is available. Section V provides guidance for NSD to work cooperatively with other departments and agencies to resolve complex and hazardous cases.

In March 2023, staff provided a presentation to the Community and Cultural Investment Subcommittee on the required annual review of the CEP. The presentation included the following possible updates identified by staff, City Council and the community to clarify and clean up current language and propose additional language to allow deviations from the

standard enforcement process to address specific violations:

Additional language addressing hardships related to homelessness and modification of the enforcement process to include increased communication about available resources to support compliance.
Clarification of exceptions regarding health, safety, episodic and egregious violations.
Additional language about enforcement limitations in private communities.
Simplification of the pre-notification requirement regarding confusing recidivist language more appropriately provided in the Notices of Ordinance Violation (NOV).
Revision of the definition of recidivist to 12 months to be consistent with NSD's strategic enforcement process.

During the presentation, a member of the subcommittee also recommended NSD include a statement of intent in the policy.

Public Outreach

Following the Subcommittee presentation, NSD held three community outreach meetings: two virtual and one in-person. Outreach included social media (FaceBook, Twitter, Next Door, NSD Internet website), Neighborhood Associations listed with the Department, Arizona Multihousing Association and Arizona Association of Realtors. Approximately 56 residents attended the meetings and provided feedback on the proposed changes. Overall, staff received positive feedback and support for the proposed changes, with one resident expressing concern about the proposed language addressing hardships related to homelessness. Additionally, the community provided input specific to short term rental properties and the length of time for NOVs. Based on the feedback, staff added the following recommended changes:

Statement of Intent.
Language to address Short Term Rentals as part of the episodic violations.
Standard timelines for NOV re-inspections, which are part of NSD's existing standard code enforcement practice.

All staff recommended updates to the CEP are highlighted in **Attachment B**, with the current CEP provided as **Attachment A** for reference.

Concurrence/Previous Council Action
On May 3, 2023, the Community and Cultural Investment Subcommittee unanimously recommended City Council approval of the CEP updates by a vote of 4-0.

This item was withdrawn.

69 American Rescue Plan Act Phoenix Resilient Food Systems Program - Phoenix Backyard Garden Program Agreements - Amendments (Ordinance S-49889)

Request to authorize the City Manager, or his designee, to execute amendments to Agreements 155310-002 with TigerMountain Foundation,155313-003 with NxT Horizon LLC, and 155314-002 with Lehr Innovations, LLC to increase grant funding. Further request to authorize City Controller to disburse all funds related to these items. Funding is available from the Gila River Indian Community grant. There is no impact to the General Fund.

Summary
In 2021, the Office of Environmental Programs (OEP) received a three-year, $289,356 grant from the Gila River Indian Community (GRIC). The Seeding Abundance and Growing Our Food project provides equipment and training for up to 36 residents experiencing food insecurity and living in food deserts to grow their own food. The three organizations that partnered with the City in the GRIC grant submittal have also been providing the same services with American Rescue Plan Act (ARPA) funds through the Phoenix Backyard Garden Program. OEP requests amending the existing ARPA agreement to include up to 36 additional gardens to be funded by the GRIC grant.

TigerMountain Foundation (TMF), NxT Horizon LLC (NxT), and Lehr Innovations, LLC (Lehr) will install the GRIC backyard gardens using aquaponics, growing produce and protein (fish and shrimp), and raised beds. The garden systems include all materials, supplies, equipment, labor, and 12 months of on-call training, maintenance and repair services.

Procurement Information
Services may be procured, as needed, in accordance with Administrative Regulation 3.10 to implement and administer programs intended to prevent, prepare for, and respond to the COVID-19 pandemic.

Contract Term
The contract terms for TMF, NxT and Lehr will be extended from May 31, 2024, to Dec. 31, 2024.

Financial Impact
There is no impact to the General Fund. Funding is available through the GRIC grant.

The funding breakdown is as follows:
TMF - The last authorization for Agreement 155310-002 was for a not-to-exceed agreement value of $498,300. This amendment will increase the authorization by $74,592 using GRIC funds for a new total cost not to exceed value of $572,892.
NxT - The last authorization for Agreement 155313-003 was for a not-to-exceed agreement value of $555,505. This amendment will increase the authorization by $99,246 using GRIC funds for a new total cost not to exceed value of $654,751.
Lehr - The last authorization for Agreement 155314-002 was for total not-to-exceed $351,150. This amendment will increase the authorization for the agreement by $27,000 using GRIC funds for a new total not-to-exceed agreement value of $378,150.

Concurrence/Previous Council Action
Council approved the GRIC Gaming Grants (Ordinance S-47639) on June 16, 2021, and on April 19, 2023, Council approved disbursement of GRIC funds via Ordinance S-49628. Council approved Phoenix Backyard Garden Program within the ARPA Phoenix Resilient Food Systems Programs Second Tranche Amendments for Continuing Programs (Ordinance S-48884) on July 1, 2022.

This item was adopted.

70 American Rescue Plan Act Phoenix Resilient Food System Programs - Enter into Agreements for Food System

Transformation Grant (Ordinance S-49902)

Request to authorize the City Manager, or his designee, to enter into individual agreements with the Arizona Fresh LLC, Cihuapactli Collective, Creighton Community Foundation, Food Forest Cooperative, Local First Arizona, Machokoto Family Farms, Phoenix Local Organizing Committee, Spaces of Opportunity, Sun Produce Cooperative, and The Orchard Community Learning Center to disburse funds for the Food System Transformation Grant program. Further request to authorize the City Controller to disburse all funds related to this item. Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) federal funding and is in the Phoenix Resilient Food System category of the strategic plan and through City of Phoenix General Funds. The additional aggregate expenditures included will not exceed $860,300.

Summary

In response to the COVID-19 pandemic, the Office of Environmental Programs (OEP) developed a food assistance plan to address the food needs of vulnerable populations and communities impacted by COVID-19. The plan provides: 1) access to healthy foods for impacted populations; 2) infrastructure assistance regarding transportation and delivery with a focus on home delivery; 3) support for food banks, food pantries and community agencies; 4) support for increased local food production; and 5) business and employment opportunities throughout the food system spectrum.

Economic Development and Innovation

Food System Transformation Grant Program

The Food System Transformation Grant program is designed to encourage small businesses across the food system to implement projects with the potential to transform the City's food system into a more resilient, sustainable, equitable, healthy and thriving system.

OEP had an open grant application process for 30 days and received 16 eligible applications for a total request of $1,288,953. The grant awards were selected following criteria identified in the grant application and were evaluated by a panel consisting of city staff and external stakeholders. OEP is recommending award of Food System Transformation grant funds to 10 food system businesses and

non-profits that were impacted by COVID and/or are providing food to COVID-impacted individuals/households. The projects also accelerate the transition and transformation of the local food system.

The following are recommended for funding:

Arizona Fresh LLC will use grant funds to establish an outdoor Farmer's Market in South Phoenix, serving food desert communities and benefiting underserved farmers. It will increase access to healthy food in COVID-impacted areas and boost sales for local food producers. The grant funds will be used for the costs to initiate the farmer's market.

Cihuapactli Collective will use the grant to build a Wellness Center and Food Forest on seven acres in South Phoenix. The project aims to enhance access to fresh local foods, culturally sensitive health services and products, and safe outdoor spaces for residents.

Creighton Community Foundation will use the grant to develop a food retail project at Fresca Zona, providing low-income Phoenix residents with access to affordable, fresh, and healthy SNAP-eligible produce. The grant funded project will improve food security, accessibility, affordability, and promote healthy eating in the community while enhancing local market options and strengthening the resilience of the local food system.

Food Forest Cooperative will use grant funds to establish security and food prep/storage infrastructure. The project includes storage containers, tools, shade structures, water tanks, solar pumps and plants. Additionally, fencing, a refrigerated trailer, water trailer, mobile outdoor kitchen and labor stipends will be provided.

Local First Arizona will use grant funds to scale up the Heart & Soil People's Garden's capacity by installing a portable restroom, creating new educational and training materials for children, installing a misting system and hiring staff to coordinate project execution.

Machokoto Family Farms will use grant funding to scale up food waste diversion and carbon farming efforts along with training for Black, Indigenous, and People of Color farmers in Phoenix.

Phoenix Local Organizing Committee will use grant funds to promote sustainable and resilient food production by reducing water use, mitigating extreme heat with shade structures, empowering the community through food production education, and training at three

community garden and urban farm sites within Phoenix.

Spaces of Opportunity will allocate grant funding to provide training to local farmers, implement water efficiencies saving 13 million gallons per year, and build shade structures to mitigate extreme heat on food production and farmers.

Sun Produce Cooperative Project will use grant funds to increase food distribution by 25-30 percent per year. Funding will support Sun Produce to expand sales and reduce distribution costs for farmers. Additionally, the project will enhance service to those in need, resulting in increased sales for local food producers and improved accessibility for consumers living in food deserts.

The Orchard Community Learning Center will utilize the grant to expand regenerative food production of fruit trees and native adapted edible foods and plants, install a gravity irrigation system to save five million gallons of water annually, enhance local market access, upgrade cold storage facilities, expand composting operations and create four positions. This will result in increased access to local markets, water and labor savings, reduced food loss and waste, and improved operations.

Procurement Information

Services may be procured, as needed, in accordance with Administrative Regulation 3.10 to implement and administer programs intended to prevent, prepare for and respond to the COVID-19 pandemic.

Contract Term

The term of the agreements will begin on or about July 1, 2023, through June 30, 2024. Agreements may be extended based on continuous need and available funding, which may be exercised by the City Manager, or his designee.

Financial Impact

Funds are available from a combination of ARPA and City of Phoenix General Funds. ARPA funds represent $750,000 and General Fund dollars from OEP’s Food Systems Program will cover the remaining amount.

The funding breakdown is as follows:

Arizona Fresh LLC - $99,000
Cihuapactli Collective - $99,000
Creighton Community Foundation - $94,571
Food Forest Cooperative - $95,000
Local First Arizona - $15,000
Machokoto Family Farms - $78,390
Phoenix Local Organizing Committee - $98,914
Spaces of Opportunity - $99,000
Sun Produce Cooperative - $99,000
The Orchard Community Learning Center - $82,425

Concurrence/Previous Council Action
The City Council approved the ARPA Strategic Plan on June 8, 2021, and the ARPA Phoenix Resilient Food System allocation for the second tranche on June 7, 2022.

This item was adopted.

71 Authorization to Apply, Accept, Disburse Funds and Enter into Agreements for the Walmart Local Community Grant (Ordinance S-49898)

Request approval for the City Manager, or his designee, for the City of Phoenix Office of Environmental Programs (OEP) to submit a grant application to the Walmart Local Community Grants program for a $5,000 grant for the Phoenix Food Day & Healthfest 2023 community event. If awarded, request approval to execute all contracts necessary to accept and disburse the grant funds. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, grant funds in accordance with the terms of the aforementioned grant.

Summary
The Walmart Local Community Grants program is available to nonprofit and local government organizations that provide benefits directly to those within the impacted service area. Areas of funding include community and economic development, diversity and inclusion, education, environmental sustainability, health and human services, hunger relief and healthy eating, public safety and quality of life. Grant funding is available from a minimum of $250 to a maximum of $5,000. Grant applications are accepted on a quarterly basis.

The requested grant funding is for the implementation of the annual Phoenix Food Day & Healthfest (Food Day) event to be held in October 2023 in the South Phoenix community. This event fits within the grant program's focus area of hunger relief and healthy eating, as well as education, environmental sustainability, and diversity and inclusion. Food Day is hosted by OEP with volunteer support from several city departments. Historically, OEP funds the event with financial support from a variety of business and nonprofit entities that provide sponsorship dollars. The community event is held in food desert areas that are also low income and communities of color, and the event offers food, health and wellness resources to residents impacted by food insecurity and hunger. The event includes exhibitors, a farmers' market, kids zone area, music and entertainment, education, cooking and gardening demos, food trucks, free baby shots and vaccine stations, the Apple Crunch and prize giveaways.

Funding from this grant would be used for the following activities: giveaways (tote bags and water bottles), prizes (children's bikes and grocery store gift cards), free produce from local farmers, advertising, entertainment, rental equipment (restrooms, water stations and canopies), and cooking and gardening demonstration supplies.

The grant will be managed by the OEP. The grant proposal deadline is July 15, 2023. Award announcements are made prior to Oct. 15, 2023.

Contract Term
The grant term is for one year.

Financial Impact
No match or general fund monies are required for this grant.

This item was adopted.

72 HOME Investment Partnerships American Rescue Plan Program Allocation Plan and Fiscal Year 2020-24 Consolidated Plan's Fiscal Year 2021-22 Annual Action Plan Amendment

Request City Council approval of an Amendment to the Fiscal Year (FY) 2020-24 Consolidated Plan's FY 2021-22 Annual Action Plan to modify the U.S. Department of Housing and Urban Development (HUD) HOME

Investment Partnerships Program (HOME) American Rescue Plan (ARP) Act of 2021 Allocation Plan authorized under Section 3205 of the American Rescue Plan Act of 2021, Public Law 117-2, enacted on March 11, 2021, for the purposes of providing homelessness assistance and supportive services due to the continued impact of the COVID-19 pandemic on the economy, public health, state and local governments, individuals and businesses.

Summary

The City of Phoenix Annual Action Plan details the funding strategy for the Community Development Block Grant, Emergency Solutions Grant, HOME, and Housing Opportunities for Persons with AIDS programs. Additionally, the Annual Action Plan describes how funds will be used to address the priorities and goals outlined in the FY 2020-24 Consolidated Plan.

On Nov. 16, 2022, the City approved a substantial amendment to the Annual Action Plan in the form of the HOME-ARP Allocation Plan. This amendment added HUD's allocation of $21,354,777 in HOME-ARP funds for the City and detailed the City's plan on programming this funding.

HOME-ARP funds are restricted to serving the following populations: homeless, at-risk of homelessness, fleeing/attempting to flee domestic violence, dating violence, sexual assault, stalking or human trafficking; or other populations where assistance would prevent the families from experiencing homelessness; or serve those with the greatest risk of housing instability.

The City of Phoenix plans on using HOME-ARP funds for the following activities: production or preservation of affordable housing, purchase and development of non-congregate shelter, supportive services, and operating costs for non-profit organizations undertaking HOME-ARP activities.

Given the critical need for these programs in the community, the City is proposing modifying the existing HOME-ARP Allocation Plan to prioritize projects which have a more immediate impact on the community. The proposed amendment would expand the procurement language in the

HOME-ARP Allocation Plan to allow more flexibility in administering programs and dedicating funding to projects.

Further City Council action will be required to enter into any new contracts, or to modify any existing contracts, with developers and/or service providers for services funded under these eligible activities.

Financial Impact
These programs are federally funded by HUD. There is no impact to the General Fund.

Public Outreach
The City of Phoenix published a 30-day comment period in the Arizona Republic on March 22, 2023. The public comment period was open from March 27, 2023, to April 25, 2023.

This item was approved.

73 Loan Federal HOME Funds for Garfield III Affordable Housing Development (Ordinance S-49818)

Request to authorize the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to $2 million in federal U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program (HOME) funds with Garfield Veterans Housing III MM, LLC, or a City-approved nominee, for the Garfield III affordable housing development project, and to take all actions and execute all documents to complete the loan. Further request to authorize the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

Summary
On Nov. 21, 2022, the Housing Department issued a Call for Interest (CFI) seeking proposals for the acquisition, new construction and/or rehabilitation of affordable rental housing based on the Affordable Housing Community Priorities approved by the City Council on Nov. 16, 2022. The Community Priorities are:

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

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

Garfield III, located at 1510 E. Portland St., consists of the new construction of a 60-unit permanent housing community. Pennrose, LLC, a for-profit developer, requested $2 million to assist with the development of this project. All units will serve households with incomes at or below 60 percent of the Area Median Income (AMI) with 22 HOME units serving households at or below 40 percent AMI who are frail elderly. Supportive services directed towards residents with disabilities will include financial planning, money management, budgeting and debt management tools. Other proposed funding for this project includes permanent debt financing, nine percent Low Income Housing Tax Credit Program (LIHTC) equity, and deferred developer fee. Total development cost is estimated at $26,909,738.

Project awards are contingent on full underwriting, environmental release of funds, commitments of other financing and availability of federal funds. The overall loan structure will be consistent with the Housing Department's Underwriting Guidelines for affordable rental housing projects.

Procurement Information

Five proposals were reviewed by an evaluation committee comprised of two City staff members and one community representative. The proposals were evaluated on a 1,000-point scale based on the following criteria: Developer Experience; Project Merits/Approach; Financial Feasibility; and Project Impact. All five projects were recommended for funding, as follows:

Garfield III (Pennrose, LLC/Garfield Veterans Housing III MM, LLC)
Glendale Apartments (The Richman Group/Richman Glendale Apartments, LLC)
Residences at Falcon Park (Palindrome Properties Group/Urban Housing Partners VII, LLC)
Acacia Heights III (Trinity Housing Development, LLC/Catholic Charities/Acacia Heights III, LLC)

Phoenix Scholar House (Affordable Rental Movement of Save the Family Foundation of Arizona/Brinshore Development)

Financial Impact

There is no impact to the General Fund. HOME is a federally funded program. Funding for this CFI is made available from FY 2022 HOME funds and a forward allocation of FY 2023 HOME funds. Funding commitments for projects with LIHTC equity are reliant upon receiving a LIHTC award from the Arizona Department of Housing. Funding is budgeted in the Housing Department's Capital Improvement Program. Loan execution is anticipated for FY 2023-24, and the loan will be paid to the developer over an estimated four-year period based on HUD's project completion deadline.

Location

1510 E. Portland St.
Council District: 8

This item was adopted.

74 Loan Federal HOME Funds for Glendale Apartments Affordable Housing Development (Ordinance S-49819)

Request to authorize the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to $1.9 million in federal U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program (HOME) funds with Richman Glendale Apartments, LLC, or a City-approved nominee, for the Glendale Apartments affordable housing development project, and to take all actions and execute all documents to complete the loan. Further request to authorize the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

Summary

On Nov. 21, 2022, the Housing Department issued a Call for Interest (CFI) seeking proposals for the acquisition, new construction and/or rehabilitation of affordable rental housing based on the Affordable Housing Community Priorities approved by the City Council on Nov. 16, 2022. The Community Priorities are:

1. Acquisition, rehabilitation and/or new construction of properties that

focus on homeless or special needs populations, and that provide appropriate services to assist and sustain these populations; and
2. Acquisition, rehabilitation and/or new construction of properties where the developer qualifies as a Community Housing Development Organization (CHDO) as defined by the HOME Program.

Glendale Apartments, located at 6819 N. 27th Ave., consists of the new construction of a 45-unit permanent housing community. Richman Glendale Apartments, LLC, and TRG Arizona Development, LLC, both for-profit developers, requested $1.9 million to assist with the development of this project. All units will serve households with incomes at or below 60 percent of the Area Median Income (AMI) with 11 units serving households at 50 percent AMI that are experiencing homelessness or at risk of homelessness. Supportive services will include a resident services coordinator who will serve in a case management capacity developing individualized service plans with residents, arranging on-site services, and referrals to additional service providers. Other proposed funding for this project includes permanent debt financing, nine percent Low Income Housing Tax Credit (LIHTC) equity and deferred developer fee. Total development cost is estimated at $19,849,394.

Project awards are contingent on full underwriting, environmental release of funds, commitments of other financing and availability of federal funds. The overall loan structure will be consistent with the Housing Department's Underwriting Guidelines for affordable rental housing projects.

Procurement Information
Five proposals were reviewed by an evaluation committee comprised of two City staff members and one community representative. The proposals were evaluated on a 1,000-point scale based on the following criteria: Developer Experience; Project Merits/Approach; Financial Feasibility; and Project Impact. All five projects were recommended for funding, as follows:

Garfield III (Pennrose Holding LLC/Garfield Veterans Housing III MM, LLC)

Glendale Apartments (The Richman Group/Richman Glendale Apartments, LLC)
Residences at Falcon Park (Palindrome Properties Group, Urban Housing Partners VII, LLC)
Acacia Heights III (Trinity Housing Development, LLC/Catholic Charities/Acacia Heights III, LLC)
Phoenix Scholar House (The Affordable Rental Movement of Save the Family Foundation of Arizona/Brinshore Development)

Financial Impact

There is no impact to the General Fund. HOME is a federally funded program. Funding for this CFI is made available from Fiscal Year (FY) 2022 HOME funds and a forward allocation of FY 2023 HOME funds. Funding commitments for projects with LIHTC equity are reliant upon receiving a LIHTC award from the Arizona Department of Housing. Funding is budgeted in the Housing Department's Capital Improvement Program. Loan execution is anticipated for FY 2023-24, and the loan will be paid to the developer over an estimated four-year period based on HUD's project completion deadline.

Location

6819 N. 27th Ave.
Council District: 5

This item was adopted.

75 Loan Federal HOME Funds for Residences at Falcon Park Affordable Housing Development (Ordinance S-49820)

Request to authorize the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to $1,034,346 in federal U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program (HOME) funds with Falcon Park, LLC, Palindrome Properties Group and Urban Housing Partners, or a City-approved nominee, for the Residences at Falcon Park affordable housing development project, and to take all actions and execute all documents to complete the loan. Further request to authorize the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

Summary

On Nov. 21, 2022, the Housing Department issued a Call for Interest (CFI) seeking proposals for the acquisition, new construction and/or rehabilitation of affordable rental housing based on the Affordable Housing Community Priorities approved by the City Council on Nov. 16, 2022. The Community Priorities are:

1. Acquisition, rehabilitation and/or new construction of properties that focus on homeless or special needs populations, and that provide appropriate services to assist and sustain these populations; and
2. Acquisition, rehabilitation and/or new construction of properties where the developer qualifies as a Community Housing Development Organization as defined by the HOME Program.

Residences at Falcon Park, located at 1220 N. 34th Ave., consists of the new construction of a 192-unit permanent housing community for low-income households at 30 percent, 50 percent and 60 percent Area Medium Income (AMI) with five HOME units serving Veterans. Palindrome Properties Group and Urban Housing Partners, for-profit developers, requested $1,034,346 to assist with the development of this project. Supportive services include, but are not limited to: financial literacy training, food services, physical and behavioral health referrals, job search assistance and reentry assistance. Other proposed funding for this project includes permanent debt financing, Low Income Housing Tax Credit (LIHTC) equity and deferred developer fee. Total development cost is estimated at $44,134,315.

Project awards are contingent on full underwriting, environmental release of funds, commitments of other financing and availability of federal funds. The overall loan structure will be consistent with the Housing Department's Underwriting Guidelines for affordable rental housing projects.

Procurement Information

Five proposals were reviewed by an evaluation committee comprised of two City staff members and one community representative. The proposals were evaluated on a 1,000-point scale based on the following criteria: Developer Experience; Project Merits/Approach; Financial Feasibility; and Project Impact. All five projects were recommended for

funding, as follows:

Garfield III (Pennrose Holding, LLC/Garfield Veterans Housing III MM, LLC)
Glendale Apartments (The Richman Group/Richman Glendale Apartments, LLC)
Residences at Falcon Park (Palindrome Properties Group/Urban Housing Partners, VII)
Acacia Heights III (Trinity Housing Development, LLC/Catholic Charities/Acacia Heights III, LLC)
Phoenix Scholar House (The Affordable Rental Movement of Save the Family Foundation of Arizona/Brinshore Development)

Financial Impact

There is no impact to the General Fund. HOME is a federally funded program. Funding for this CFI is made available from Fiscal Year (FY) 2022 HOME funds and a forward allocation of FY 2023 HOME funds. Funding commitments for projects with LIHTC equity are reliant upon receiving a LIHTC award from the Arizona Department of Housing. Funding is budgeted in the Housing Department's Capital Improvement Program. Loan execution is anticipated for FY 2023-24, and the loan will be paid to the developer over an estimated four-year period based on HUD's project completion deadline.

Location

1220 N. 34th Ave.
Council District: 4

This item was adopted.

76 Loan Federal HOME Funds for Acacia Heights III Affordable Housing Development (Ordinance S-49821)

Request to authorize the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to $2 million in federal U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program (HOME) funds with Acacia Heights III, LLC, Trinity Housing Development, LLC, Catholic Charities Community Services, or a City-approved nominee, for the Acacia Heights III affordable housing development project, and to take all actions and

execute all documents to complete the loan. Further request to authorize the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

Summary

On Nov. 21, 2022, the Housing Department issued a Call for Interest (CFI) seeking proposals for the acquisition, new construction, and/or rehabilitation of affordable rental housing based on the Affordable Housing Community Priorities approved by the City Council on Nov. 16, 2022. The Community Priorities are:

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

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

Acacia Heights III, proposed to be located at 4747 N. 7th Ave., consists of the new construction of a 68-unit permanent housing community. Trinity Housing Development, LLC and Catholic Charities Community Services, a for-profit and non-profit partnership, requested $2 million to assist with the development of this project. All units will serve households with incomes at or below 60 percent of the Area Median Income (AMI) with 11 HOME units serving households at or below 40 percent AMI. Supportive services will include resident services coordinators who will serve in a case management capacity developing service plans with residents, arranging on-site services, and referrals to additional service providers. Other proposed funding for this project includes permanent debt financing, Low Income Housing Tax Credit (LIHTC) equity and a deferred developer fee.

Project awards are contingent on full underwriting, environmental release of funds, commitments of other financing and availability of federal funds. The overall loan structure will be consistent with the Housing Department's Underwriting Guidelines for affordable rental housing projects.

Procurement Information

Five proposals were reviewed by an evaluation committee comprised of two City staff members and one community representative. The proposals were evaluated on a 1,000-point scale based on the following criteria: Developer Experience; Project Merits/Approach; Financial Feasibility; and Project Impact. All five projects were recommended for funding, as follows:

Garfield III (/Pennrose Holding, LLC/Garfield Veterans Housing III MM, LLC)
Glendale Apartments, LLC (The Richman Group/Richman Glendale Apartments, LLC)
Residences at Falcon Park (Palindrome Properties Group/Urban Housing Partners VII, LLC)
Acacia Heights III (Trinity Housing Development LLC/Catholic Charities/ Acacia Heights III, LLC)
Phoenix Scholar House (Affordable Rental Movement of Save the Family Foundation of Arizona/Brinshore Development)

Financial Impact

There is no impact to the General Fund. HOME is a federally funded program. Funding for this CFI is made available from Fiscal Year (FY) 2022 HOME funds, and a forward allocation of FY 2023 HOME funds. Funding commitments for projects with LIHTC equity are reliant upon receiving a LIHTC award from the Arizona Department of Housing. Funding is budgeted in the Housing Department's Capital Improvement Program. Loan execution is anticipated for FY 2023-24 and, the loan will be paid to the developer over an estimated four-year period based on HUD's project completion deadline.

Location

Proposed Address: 4747 N. 7th Ave.
Council District: 4

This item was adopted.

77 Loan Federal HOME Funds for Phoenix Scholar House Affordable Housing Development (Ordinance S-49822)

Request to authorize the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to $1.5 million in

federal U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program (HOME) and/or HOME-American Rescue Plan (ARP) Act of 2021 funding with The Affordable Rental Movement (ARM) of Save the Family Foundation of Arizona/Brinshore Development, Phoenix Scholar House I, LLC, or a City-approved nominee, for the Phoenix Scholar House affordable housing development project, and to take all actions and execute all documents to complete the loan. Further request to authorize the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

Summary

On Nov. 21, 2022, the Housing Department issued a Call for Interest (CFI) seeking proposals for the acquisition, new construction and/or rehabilitation of affordable rental housing based on the Affordable Housing Community Priorities approved by the City Council on Nov. 16, 2022. The Community Priorities are:

1. Acquisition, rehabilitation and/or new construction of properties that focus on homeless or special needs populations, and that provide appropriate services to assist and sustain these populations; and
2. Acquisition, rehabilitation and/or new construction of properties where the developer qualifies as a Community Housing Development Organization (CHDO) as defined by the HOME Program.

Phoenix Scholar House will be located at a confidential address and consists of the new construction of a 56-unit permanent housing community. The partnership between The A.R.M. of Save the Family Foundation of Arizona, a non-profit CHDO, and Brinshore Development, a for-profit developer, requested $1.5 million to assist with the development of this project. All units will serve households with incomes at or below 40 percent Area Median Income (AMI) with 9 HOME units serving victims of domestic violence. Services include comprehensive wrap around supportive services to assist residents in achieving educational, career, and family health and well-being goals. Other proposed funding for this project includes permanent debt financing, Low Income Housing Tax Credit (LIHTC) equity and a deferred developer fee. Total development cost is estimated at $24,510,380.

Project awards are contingent on full underwriting, environmental release of funds, commitments of other financing and availability of federal funds. The overall loan structure will be consistent with the Housing Department's Underwriting Guidelines for affordable rental housing projects.

Procurement Information

Five proposals were reviewed by an evaluation committee comprised of two City staff members and one community representative. The proposals were evaluated on a 1,000-point scale based on the following criteria: Developer Experience; Project Merits/Approach; Financial Feasibility; and Project Impact. All five projects were recommended for funding, as follows:

Garfield III (Pennrose Holding, LLC/Garfield Veterans Housing III MM, LLC)
Glendale Apartments (The Richman Group/Richman Glendale Apartments, LLC)
Residences at Falcon Park (Palindrome Properties Group/Urban Housing Partners VII, LLC)
Acacia Heights III (Trinity Housing Development, LLC/Catholic Charities Community Services/Acacia Heights III, LLC)
Phoenix Scholar House (The ARM of Save the Family Foundation of Arizona/Brinshore Development)

Financial Impact

There is no impact to the General Fund. HOME is a federally funded program. Funding for this CFI is made available from Fiscal Year (FY) 2022 HOME funds and a forward allocation of FY 2023 HOME funds. Funding commitments for projects with LIHTC equity are reliant upon receiving a LIHTC award from the Arizona Department of Housing. Funding is budgeted in the Housing Department's Capital Improvement Program. Loan execution is anticipated for FY 2023-24, and the loan will be paid to the developer over an estimated four-year period based on HUD's project completion deadline.

Location

Confidential Address

Council District: 4

This item was adopted.

78 Affordable Housing Pilot Off-Site Infrastructure Program Project Award (Ordinance S-49871)

Request to authorize the City Manager, or his designee, to enter into necessary loan agreements with Chicanos Por La Causa, Inc. (CPLC) and other agreements as necessary, for the completion of construction activities under the Affordable Housing Pilot Off-Site Infrastructure Program at 316 W. Broadway Road. Community Development Block Grant (CDBG) funds are available for this award. Further request to authorize the City Controller to disburse funds up to $300,000.

Summary

On June 16, 2020, the Phoenix City Council approved nine policy initiatives listed in the Housing Phoenix Plan with a goal of creating or preserving 50,000 homes by 2030. As outlined under the fifth initiative for building innovations and cost saving practices, the Housing Department, in partnership with the Neighborhood Services Department, developed the Pilot Off-Site Infrastructure Program to assist affordable housing developers with cost prohibitive and unanticipated off-site infrastructure costs.

Eligible projects include unanticipated off-site infrastructure improvements, undertaken on property in public ownership, that support the development of new affordable housing that will be rented or sold to low- and moderate-income households. Eligibility criteria for the program include the following:

The improvement is required by zoning stipulation(s) and/or permit review;
The improvement is off-site and within the public right-of-way or on publicly owned land;
The improvement supports the construction of new affordable housing units, in either new or existing developments;
The improvement meets a CDBG National Objective;
The improvement costs are not supported by current financial assistance, grants or loans;
The improvements can be completed within 18 months from Phoenix City

Council approval; and
The improvement was not anticipated as a result of typical zoning, site planning or initial site permit review requirements.

The program will provide up to $300,000 of CDBG funding as a deferred construction loan to an affordable housing developer to cover eligible costs. Applications for the program are provided on a referral basis, based upon recommendation from Housing, Neighborhood Services or Planning and Development department staff's review of proposed development projects meeting program criteria. Applications are accepted on a rolling basis and are evaluated based on the total percentage of new affordable housing units supported by the off-site improvement, description of the proposed unanticipated improvement scope, project feasibility and project cost.

After recommendation from the Neighborhood Services Department, application materials were provided to CPLC in July 2022 and submitted for evaluation in March 2023. CPLC’s project will provide 235 units for families earning below 80 percent Area Median Income. CDBG funds will be used to improve Pueblo Avenue to the north of the project site. The existing street is approximately 25 feet in width. Per a rezoning stipulation, the developer of the property is required to provide a total of 32 feet of paving with curb, gutter, a minimum five-foot wide sidewalk and street lighting along Pueblo Avenue and facilitate the pavement along the "intervening parcel" (APN 113-05-045). These improvements were not anticipated by the developer nor included in project development costs as the improvements are located within the public right-of-way.

An evaluation committee from the City’s Housing, Planning and Development, Community and Economic Development, and Neighborhood Services departments evaluated the CPLC application and gave it an average score of approximately 939 points out of the maximum 1,000 points. A minimum of 800 points is required to be considered for the funding opportunity.

Financial Impact

This program is funded by the CDBG. There is no impact to the General Fund.

Concurrence/Previous Council Action
On June 16, 2020, the Housing Phoenix Plan, and its nine policy initiatives, was adopted, including the fifth initiative which looked to create the Off-Site Infrastructure Program for affordable housing developers.

Location
316 W. Broadway Road
Council District: 7

This item was adopted.

80 Amend Funding for the Salvation Army to Expand Family Emergency Shelter Services (Ordinance S-49878)

Request to authorize the City Manager, or his designee, to amend Ordinance S-49186 in order to change the funding source for the Salvation Army to expand Family Emergency Shelter Services to HOME Investment Partnerships Program American Rescue Plan Act of 2021 (HOME-ARP) funds instead of the current funding sources of Community Development Block Grant (CDBG) entitlement and Community Development Block Grant Coronavirus Aid, Relief, and Economic Security Act (CDBG-CV). Further request authorization to enter into an agreement with the Salvation Army to expand family emergency shelter services utilizing HOME-ARP funds for the construction of non-congregate shelter and authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $6 million. There is no impact to the General Fund.

Summary
The Salvation Army currently operates an emergency family shelter which houses families experiencing homelessness for up to 120 days. The shelter provides housing, meals, case management, vocational counseling, crisis counseling, life skills classes and other activities for 24 families.

On Nov. 16, 2022, City Council approved entering into a contract with the Salvation Army for $6 million to add an additional residential building to the Salvation Army emergency family shelter campus. The new building will expand the capacity of the shelter by 12 rooms, with beds for as many as 60 individuals, increasing the total number of families served at

any one time to 36. It is expected that the additional rooms, over the course of a year, would serve approximately 173 families, including an estimated 267 children. Funding would cover the construction expenses associated with this project.

The initial funding source identified for this project was CDBG. This request to change the funding source to HOME-ARP is being made to better balance the City's resources in addressing homelessness. The change in funding for this project will have no impact on the project's schedule or budget.

Contract Term
The term of the contract will begin approximately November 2023 and run for a minimum of 15 years after completion of the expansion.

Financial Impact
The CDBG and HOME-ARP programs are federally funded by the U.S. Department of Housing and Urban Development. There is no impact to the General Fund.

Concurrence/Previous Council Action
On Nov. 16, 2022, City Council authorized action to enter into an agreement with the Salvation Army to expand family emergency shelter services (Ordinance S-49186). Also on Nov. 16, 2022, the City Council authorized a Substantial Amendment to the 2020-24 Consolidated Plan's Fiscal Year 2021-22 Annual Action Plan to include the HOME-ARP Allocation Plan.

Location
2707 E. Van Buren St.
Council District: 8

This item was adopted.

82 American Rescue Plan Act Affordable Housing Gap Financing Program - Request to Award Chicanos Por La Causa (Ordinance S-49892)

Request to authorize the City Manager, or his designee, to award up to $896,564 in American Rescue Plan Act (ARPA) funds for gap funding,

enter into ARPA Affordable Housing Loan Program agreement, and take all actions and execute all documents to complete the loan with Chicanos Por La Causa. Further request the City Controller to disburse all funds for the life of the contract.

Summary

The ARPA Affordable Housing Gap Financing program will provide the developer, Chicanos Por La Causa, a low-interest loan to subsidize the creation of affordable units serving households at or below 65 percent of the Area Median Income for a minimum period of 20 years. The ownership entity for this project is 25th & Bell LIHTC, LLC. The 25@Bell Apartments project is located at 16801 N. 25th St. and plans to provide 53 affordable units, 11 of which will be ARPA funded units.

Procurement Information

On Feb. 7, 2023, the Housing Department issued a Call for Interest (CFI) seeking proposals for developments in need of gap financing for the creation, rehabilitation or acquisition of affordable rental housing based on the Housing Phoenix Plan. Eight proposals were received and four were deemed unresponsive. An evaluation committee, comprised of two City staff members and one representative from a state agency, evaluated the proposals based on a 1,000-point scale on the following criteria: Project Feasibility; Project Readiness; Efficiency/Resiliency; Affordability; Cost Effectiveness; and Developer Experience. All four projects were recommended for funding, as follows:

Chicanos Por La Causa - 25th@Bell Apartments: $896,564

Morgan and Associates - Acacia Heights III: $2 million

Partners for Housing Solutions - Mesquite Terrace Apartments: $2 million

Ulysses Development - 12th Street Apartments: $1 million

Financial Impact

This program is funded by ARPA, and there is no impact to the General Fund.

Loan execution is anticipated for Fiscal Year 2023-24.

Concurrence/Previous Council Action
On June 16, 2020, the Phoenix City Council approved the Housing Phoenix Plan, which set the goal of creating or preserving 50,000 homes by 2030.

On June 7, 2022, the Phoenix City Council approved the City's ARPA Strategic Plan for the second tranche of funds and included an allocation of $12 million for the Affordable Housing Program, $6 million of which would be used towards gap financing.

Location
16801 N. 25th St.
Council District: 2

This item was adopted.

83 American Rescue Plan Act Affordable Housing Gap Financing Program - Request to Award Morgan and Associates (Ordinance S-49895)

Request to authorize the City Manager, or his designee, to award up to $2 million in American Rescue Plan Act (ARPA) funds for gap funding, enter into ARPA Affordable Housing Loan Program agreements, and take all actions and execute all documents to complete the loan with Morgan and Associates. Further request the City Controller to disburse all funds for the life of the contract.

Summary
The ARPA Affordable Housing Gap Financing program will provide the developer, Morgan and Associates, with a low-interest loan to subsidize the creation of affordable units serving households at or below 65 percent of the Area Median Income for a minimum period of 20 years. The ownership entity for this project is Acacia Heights III, LLC. The Acacia Heights III project is located at 615 W. Pierson St. and plans to provide a total of 68 affordable units, 41 of which will be ARPA funded units.

Procurement Information
On Feb. 7, 2023, the Housing Department issued a Call for Interest (CFI)

seeking proposals for developments in need of gap financing for the creation, rehabilitation or acquisition of affordable rental housing based on the Housing Phoenix Plan. Eight proposals were received, and four were deemed unresponsive. An evaluation committee, comprised of two City staff members and one representative from a state agency, evaluated the proposals based on a 1,000-point scale on the following criteria: Project Feasibility; Project Readiness; Efficiency/Resiliency; Affordability; Cost Effectiveness; and Developer Experience. All four projects were recommended for funding, as follows:

Chicanos Por La Causa - 25th@Bell Apartments: $896,564
Morgan and Associates - Acacia Heights III: $2 million
Partners for Housing Solutions - Mesquite Terrace Apartments: $2 million
Ulysses Development - 12th Street Apartments: $1 million

Financial Impact
This program is funded by ARPA, and there is no impact to the General Fund.

Loan execution is anticipated for Fiscal Year 2023-24.

Concurrence/Previous Council Action
On June 16, 2020, the Phoenix City Council approved the Housing Phoenix Plan which set the goal of creating or preserving 50,000 homes by 2030.

On June 7, 2022, the Phoenix City Council approved the City's ARPA Strategic Plan for the second tranche of funds, and included an allocation of $12 million for the Affordable Housing Program, $6 million of which would be used towards gap financing.

Location
615 W. Pierson St.
Council District: 4

This item was adopted.

84 American Rescue Plan Act Affordable Housing Gap Financing Program - Request to Award Partners for Housing Solutions (Ordinance S-49896)

Request to authorize the City Manager, or his designee, to award up to $2 million in American Rescue Plan Act (ARPA) funds for gap funding, enter into ARPA Affordable Housing Loan Program agreements, and take all actions and execute all documents to complete the loan with Partners for Housing Solutions. Further request the City Controller to disburse all funds for the life of the contract.

Summary

The ARPA Affordable Housing Gap Financing program will provide the developer, Partners for Housing Solutions, a low-interest loan to subsidize the creation of affordable units serving households at or below 65 percent of the Area Median Income for a minimum period of 20 years. The ownership entity for this project is Mesquite Terrace Apartments, LLC. The Mesquite Terrace Apartment project is located at 5055 N. 19th Ave. and plans to provide a total of 297 affordable units, 41 of which will be ARPA funded units.

Procurement Information

On Feb. 7, 2023, the Housing Department issued a Call for Interest (CFI) seeking proposals for developments in need of gap financing for the creation, rehabilitation or acquisition of affordable rental housing based on the Housing Phoenix Plan. Eight proposals were received and four were deemed unresponsive. An evaluation committee, comprised of two City staff members and one representative from a state agency, evaluated the proposals based on a 1,000-point scale on the following criteria: Project Feasibility; Project Readiness; Efficiency/Resiliency; Affordability; Cost Effectiveness; and Developer Experience. All four projects were recommended for funding, as follows:

Chicanos Por La Causa - 25th@Bell Apartments: $896,564

Morgan and Associates - Acacia Heights III: $2 million

Partners for Housing Solutions - Mesquite Terrace Apartments: $2

million
Ulysses Development - 12th Street Apartments: $1 million

Financial Impact
This program is funded by ARPA, and there is no impact to the General Fund.

Loan execution is anticipated for Fiscal Year 2023-24.

Concurrence/Previous Council Action
On June 16, 2020, the Phoenix City Council approved the Housing Phoenix Plan which set the goal of creating or preserving 50,000 homes by 2030.

On June 7, 2022, the Phoenix City Council approved the City's ARPA Strategic Plan for the second tranche of funds, and included an allocation of $12 million for the Affordable Housing Program, $6 million of which would be used towards gap financing.

Location
5055 N. 19th Ave.
Council District: 4

This item was adopted.

85 American Rescue Plan Act Affordable Housing Gap Financing Program - Request to Award Ulysses Development (Ordinance S-49897)

Request to authorize the City Manager, or his designee, to award up to $1 million in American Rescue Plan Act (ARPA) funds for gap funding, enter into ARPA Affordable Housing Loan Program agreements, and take all actions and execute all documents to complete the loan with Ulysses Development. Further request the City Controller to disburse all funds for the life of the contract.

Summary
The ARPA Affordable Housing Gap Financing program will provide the developer, Ulysses Development, a low-interest loan to subsidize the creation of affordable units serving households at or below 65 percent of

the Area Median Income for a minimum period of 20 years. The ownership entity for this project is South 12th Street Owner, LLC. The 12th Street Apartments project is located at 3616 and 3624 S. 12th St. and plans to provide a total of 126 affordable units, eight of which will be ARPA funded units.

Procurement Information

On Feb. 7, 2023, the Housing Department issued a Call for Interest (CFI) seeking proposals from developments in need of gap financing for the creation, rehabilitation or acquisition of affordable rental housing based on the Housing Phoenix Plan. Eight proposals were received, and four were deemed unresponsive. An evaluation committee, comprised of two City staff members and one representative from a state agency, evaluated the proposals based on a 1,000-point scale on the following criteria: Project Feasibility; Project Readiness; Efficiency/Resiliency; Affordability; Cost Effectiveness; and Developer Experience. All four projects were recommended for funding, as follows:

Chicanos Por La Causa - 25th@Bell Apartments: $896,564

Morgan and Associates - Acacia Heights III: $2 million

Partners for Housing Solutions - Mesquite Terrace Apartments: $2 million

Ulysses Development - 12th Street Apartments: $1 million

Financial Impact

This program is funded by ARPA, and there is no impact to the General Fund.

Loan execution is anticipated for Fiscal Year 2023-24.

Concurrence/Previous Council Action

On June 16, 2020, the Phoenix City Council approved the Housing Phoenix Plan which set the goal of creating or preserving 50,000 homes by 2030.

On June 7, 2022, the Phoenix City Council approved the City's ARPA Strategic Plan for the second tranche of funds, and included an allocation of $12 million for the Affordable Housing Program, $6 million of which would be used towards gap financing.

Location
3616 and 3624 S. 12th St.
Council District: 8

This item was adopted.

87 Authorization to Extend Contracts for Occupational Clothing and Accessories (Ordinance S-49863)

Request to authorize the City Manager, or his designee, to amend the following contracts to extend the terms for an additional six months and approve funding for these vendors to continue to provide contracted services through the extended terms: ACE Uniform (148095), Apparel Pro (148093), Dress for Success (148165) and Red Wings (148094). The aggregate value of the contracts will not exceed $100,000 during the six-month extension period. Further request authorization for the City Controller to disburse all funds related to this item for the life of the contracts. Funds are available from the Workforce Innovation and Opportunity Act (WIOA) funding.

Summary
The Human Services Department (HSD) is contracted with ACE Uniform, Apparel Pro, Dress for Success and Red Wings to provide occupational clothing and accessories to eligible WIOA participants, as needed, for training programs and/or employment opportunities. This service is required as a condition of WIOA grant funds. Existing contracts expire on June 30, 2023. IFB-23-0091 - Occupational Clothing and Accessories was issued on Feb. 21, 2023, and did not yield enough respondents to support programmatic needs. As such, HSD is requesting authorization to extend the contracts for six months and will re-procure for occupational clothing and accessories during the fall of 2023. This extension would provide HSD staff sufficient time to conduct another procurement process.

Contract Term
The extended contract terms will be July 1, 2023, through Dec. 31, 2023.

Financial Impact
Expenditures will not exceed $100,000 during the extension period of the contracts. Funds are available from the WIOA funding.

Concurrence/Previous Council Action
On Sept. 19, 2018, the City Council authorized staff to enter into contracts with the contractors outlined herein via Ordinance S-45004.

This item was adopted.

88 **Envisionware Software - RFA 16-178 - Amendment (Ordinance S-49848)**

Request to authorize the City Manager, or his designee, to execute amendment to Contract 143068 with Envisionware Inc. to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $100,000.

Summary
This contract will provide Phoenix Public Library with software that manages public computing and public printing for all 17 libraries, as well as an online e-commerce system that allows for library customers to pay their library fees online with a credit card. This includes PC Reservation public computer management software and public printing management software.

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

Contract Term
Upon approval the contract will be extended through June 21, 2024.

Financial Impact
Upon approval of $100,000 in additional funds, the revised total value of the contract will not exceed $276,800. Funds are available in the Library Department’s budget.

Concurrence/Previous Council Action
The City Council previously reviewed this request:

Envisionware Software, Contract 143068, Ordinance S-42695 on June 22, 2016.
Envisionware Software, Contract 143068, Ordinance S-47750 on June 23, 2021.
Envisionware Software, Contract 143068, Ordinance S-48691 on June 1, 2022.

This item was adopted.

89 Phoenix Public Library and Maricopa County Library District - Library Assistance Program Intergovernmental Agreement (Ordinance S-49869)

Request to authorize the City Manager, or his designee, to enter into an intergovernmental agreement with Maricopa County Library District for The Library Assistance Program. The Library Assistance Program allocation for Phoenix Public Library for Fiscal Year (FY) 2023-24 is estimated to be $800,000. Allocation for additional fiscal years of the agreement will be determined on a primary assessed valuation.

Summary

This Agreement allows participating libraries in Maricopa County to issue free library cards to residents of Maricopa County that do not live within the boundaries of their individual jurisdictions. The agreement allows Phoenix residents to receive free library cards at other participating libraries, including Tempe, Glendale, Scottsdale, and Mesa public libraries. By participating in the program Maricopa County Library District will purchase additional library material for Phoenix Public Library with an estimated value of $800,000 in FY 2023-24.

Contract Term

The agreement is from July 1, 2023 to June 30, 2025.

Financial Impact

The Library Assistance Program allocation for Phoenix Public Library for FY 2023-24 is estimated to be $800,000. Allocation for each additional fiscal years of the agreement will be determined based on a primary assessed valuation.

This item was adopted.

90 Authorization to Lease City-Owned Property Located at 1330 N.

29th Drive to Friends of the Library, Inc. (Ordinance S-49847)

Request to authorize the City Manager, or his designee, to enter into a full-service lease with Friends of the Phoenix Public Library, Inc., for warehouse space located at 1330 N. 29th Drive. Further request to authorize the City Treasurer to accept all necessary funds in accordance with the terms of the lease.

Summary

Friends of the Phoenix Public Library, Inc., (Tenant) will lease approximately 15,012 square feet of warehouse space for a three-year term, beginning on or around July 15, 2023, with two additional one-year options to extend. Each option period will be exercised upon mutual agreement of the City and Tenant.

Base rent during the initial term of the full-service lease will be $10 per square-foot per year, plus applicable taxes, or $150,120 per year, which is within the range of market rents as determined by the Real Estate Division. Base rent will increase three percent at the beginning of each one-year option period. As consideration for the lease, the Tenant will receive a rent credit equal to the yearly base rent of $150,120 for non-monetary contributions and services provided to the Phoenix Public Library. The Tenant will be assessed market rent plus applicable taxes for failure to provide documentation of non-monetary contributions and services, quantified in terms of dollars, 30 days prior to the anniversary of the commencement date of the lease. Tenant will forfeit any credit related to non-monetary contributions and services provided for any early termination of the lease.

The lease will include insurance and indemnification provisions acceptable to the City's Risk Management Division and the Law Department. The lease may be canceled pursuant to Arizona Revised Statutes 38-511 and may contain other terms and conditions deemed necessary by the City.

Contract Term

The initial term of the lease is a three-year term, beginning on or about July 15, 2023, with two additional one-year options to extend.

Financial Impact

There is no net revenue anticipated during the term of the lease.

Location

1330 N. 29th Drive
Council District: 4

This item was adopted.

91 Authorization to Amend License Agreement 130665 with Outfront Media, LLC, to Extend the Term (Ordinance S-49811)

Request to authorize the City Manager, or his designee, to amend a license agreement with Outfront Media, LLC, for a billboard site located at 4619 E. Washington St., to extend the term for up to five years. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary

The billboard site, located at 4619 E. Washington St., is within the S'edav Va'aki Museum property (formerly Pueblo Grande Museum). Outfront Media, LLC (Outfront), has occupied the billboard site as a holdover tenant since Aug. 31, 2021, under City Contract 130665. The Parks and Recreation Department would like to enter into a new month-to-month lease agreement with a 30-day termination provision, to begin July 1, 2023. Outfront is a long-term tenant in good standing.

Contract Term

The license term will begin July 1, 2023, and will continue on a month-to-month basis with a 30-day termination notification provision.

Financial Impact

Monthly base rent for the billboard site will be $1,500, plus applicable taxes, which is within the range of market rents as determined by the Finance Department Real Estate Division.

Location

4619 E. Washington St.
Council District: 8

This item was adopted.

92 Preserve Trail Maintenance - Contract 144999 - Amendment (Ordinance S-49901)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 144999 with Okanogan Trail Construction to extend the contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed; request to continue using Ordinance S-43331.

Summary

The City of Phoenix mountain preserves are beautiful open spaces for nature, recreation and fitness opportunities. Also, they are wild desert areas with rocky terrain and other natural hazards with more than 200 miles of mountain preserve trails that require regular maintenance and rerouting. Okanogan Trail Construction provides specialized services in order to maintain and rehabilitate the City's Mountain Preserve and Desert Parks trails system. These services include:

Assisting in the removal of non-designated trails by providing natural re-shaping methods and seeding to return the land back to a natural state.

Providing general trail maintenance, as necessary, to make trails safe, sustainable and maintainable.

Rerouting trails as approved in plans, where safety, maintenance, and/or sustainability issues arise.

Supplying and installing signage, trail posts and trail counters, as necessary.

This request is for an extension of the contract term to allow the Procurement team to conduct a competitive procurement process.

Contract Term

Upon approval the contracts will be extended through May 31, 2024.

Financial Impact

The aggregate value of the contract will not exceed $3.5 million; and no additional funds are requested.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
• Preserve Trail Maintenance 144999 (Ordinance S-43331) on March 22, 2017.

This item was adopted.

93 Athletic In-Field Products and Supplies for Baseball/Softball - RFQ 20-026 - Amendment (Ordinance S-49856)

Request to authorize the City Manager, or his designee, to extend Ordinance S-46647 through the five-year term of Contract 152667 with Varsity Brands Holding Company Inc, dba BSN Sports LLC. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are requested.

Summary
The contract with Varsity Brands Holding Company Inc, dba Sports LLC provides for products and supplies for the use in maintaining baseball and softball fields. The contractor provides commercial grade materials and supplies, such as bases and home plates, on an as needed basis for the Parks and Recreation Department.

The contract was awarded on June 1, 2020, for a five-year term; however, the pay ordinance approved on June 3, 2020, was only for three years. Therefore, this request is to extend the ordinance to align with the expiration of the contract on May 31, 2025.

Contract Term
The contract term is through May 31, 2025.

Financial Impact
The aggregate value of the contract will not exceed $95,000; and no additional funds are needed.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
• Payment Authority for a term of three years - Ordinance S-46647 on June 3, 2020.

This item was adopted.

94 Arts, Crafts, and Specialty Supplies - IFB 18-170 - Amendment

(Ordinance S-49900)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 147537 and Contract 147536 with S&S Worldwide, Inc & Nasco Education LLC to extend the contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed; request to continue using Ordinances (S-44538 and S-45650).

Summary

These contracts provide arts, crafts and specialty supplies to enhance the quality of summer, after-school and recreational programs that are provided to the residents of Phoenix. The arts, crafts and specialty supplies will be used in various programs provided by the Parks and Recreation Department. This request is for an extension of the contract term to allow the Procurement team to conduct a competitive procurement process.

Contract Term

Upon approval the contracts will be extended through May 31, 2024.

Financial Impact

The aggregate value of the contract will not exceed $475,000; and no additional funds are requested.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
• Arts, Crafts, and Specialty Supplies Contracts 147537 and 147536 (Ordinance S-44538, $375,000) on May 2, 2018.
• Arts, Crafts, and Specialty Supplies Contracts 147537 and 147536 (Ordinance S-45650, $100,000) on May 15, 2019.

This item was adopted.

95 Authorization to Amend the Intergovernmental Agreement with Arizona State University for the Development of Entrepreneurship and Innovation Programs in Downtown Phoenix (Ordinance S-49852)

Request to authorize the City Manager, or his designee, to amend the Intergovernmental Agreement (IGA) with Arizona State University (ASU),

to extend and modify certain business terms, for the development of entrepreneurship and innovation programs in downtown Phoenix. There is no impact to the General Fund as a result of this action.

Summary

On Oct. 18, 2017, City Council authorized an IGA with ASU (Contract 146961) for the development of programs designed to assist Phoenix community-based entrepreneurs with launching, growing and scaling their ventures, and commercializing technologies, in downtown Phoenix. The ASU programs will also provide the opportunity to enhance learning environments, offering students a location to learn the practical application of coursework while providing the entrepreneur, hobbyist, inventor, and small-business community with access to the tools, services and physical space needed for startup business development. Services available to assist startup businesses will include hands-on instruction, mentorship, and business services such as legal, marketing and operational services. The programs will increase opportunity for connectivity and collaboration, and will leverage existing resources and clusters of active entrepreneurs. Additionally, the programs will increase intensity and attention, by highlighting downtown Phoenix's assets, enhance the reputation and visibility of Arizona as a leading state to support startups as well as development of an entrepreneurial ecosystem.

Due to COVID-19, the program planning and implementation efforts were halted. At the end of 2022, ASU began to re-imagine what these programs may look like moving forward, considering the change in the downtown landscape and programmatic needs post-COVID. This amendment will replace existing timeline and site requirements as follows:

The term of the agreement shall be extended for three years.

ASU and the City shall work together to identify a mutually agreeable site(s) for program implementation.

Financial Impact

There is no impact to the General Fund as a result of this action.

Concurrence/Previous Council Action

The Downtown, Aviation, Economy and Innovation Subcommittee

recommended approval of this item on Oct. 4, 2017.
City Council approved IGA 146961 (Ordinance S-44006) on Oct. 18, 2017.

This item was withdrawn.

96 Authorization to Enter into a Construction Staging License Agreement with Clayco Corporation (Ordinance S-49857)

Request to authorize the City Manager, or his designee, to enter into a construction staging license agreement with Clayco Corporation for temporary construction staging needs. Further request authorization for the City Treasurer to accept all necessary funds related to this item. There is no impact to the General Fund as a result of this action.

Summary
The Community and Economic Development Department (CEDD) manages the property at the southwestern corner of First and McKinley streets. The property has been vacant for a number of years and was most recently used to support the parking needs of the Downtown Farmers Market. CEDD requests authorization to enter into a construction staging license agreement with Clayco Corporation for temporary construction staging for the development of a nearby downtown property. The licensee would be responsible for completing the City permitting process.

Contract Term
The term of the license is between July 1, 2023 through Aug. 31, 2023. The license may be extended beyond Aug. 31, 2023 on a month-to-month basis at the City's discretion.

Financial Impact
The license fee will be based on market rent and/or other valuable consideration, and any fees received will go into the City's Downtown Community Reinvestment Fund.

Location
Southwestern corner of 1st Street and McKinley Street
Council District: 7

This item was adopted.

97 Authorization to Enter into a Development Agreement with Republic Services, Inc. and CN Associates A, LLC and CN Associates K, LLC (Ordinance S-49884)

Request authorization for the City Manager, or his designee, to enter into a development agreement (Agreement), and to execute any other agreements, instruments or documents necessary with Republic Services, Inc., and its affiliates or subsidiaries (Republic) and CN Associates A, LLC and CN Associates K, LLC (Crown), or their City-approved designees, for the installation of public infrastructure improvements and a performance-based job creation reimbursement. Further request authorization for the City Controller to disburse funds under the terms of the agreement.

Summary

Republic Services, Inc. started trading on the New York Stock Exchange in 1998 and merged with Phoenix-based Allied Waste in 2008. Republic has approximately 40,000 employees across the country, with approximately 2,100 jobs in Arizona, and operates 71 recycling processing centers and 206 active landfills across the country. After a competitive search involving multiple states and regions, Republic expressed its desire to expand into a new U.S. corporate headquarters in Phoenix. Republic's offices are currently located at Loop 101 and Mayo Boulevard in Phoenix. Republic is currently working with Crown to potentially acquire approximately 7-10 acres in the Desert Ridge area of Phoenix near 56th Street and the Loop 101 to potentially construct a new state-of-the-art corporate headquarters.

This proposed expansion will result in up to more than 1,600 retained and created jobs located at, reporting to or taking oversite from it’s corporate headquarters that will be phased in over a 15-year period. A third-party economic analysis indicates a 10-year direct-revenue benefit to the City of more than $15.8 million. The City recognizes the resulting substantial economic impacts to the City and region from Republic’s expansion efforts. To remain competitive on a national level, and ensure these quality job positions are retained and created in Phoenix, staff is recommending to enter into one or more Agreements with Republic and Crown for the creation of a new U.S. corporate headquarters in Phoenix. The proposed terms of an Agreement are as follows:

- Republic will expand its corporate headquarters within the City of Phoenix, in a newly constructed office building of approximately 240,000 square feet, in the area known as Desert Ridge located along East City North Drive (Site).
- Republic intends to retain approximately 1,000 existing jobs and create an estimated up to 600 additional net new jobs for its corporate headquarters within 15 years of completion of the new office. The City realizes up to 600 new jobs is a program model estimate and this Agreement is not contingent upon the exact total job creation.
- The City will offer a performance-based job creation reimbursement through the Strategic Economic Development Fund (SEDF). The City will provide $2,500 to Republic, in arrears, for each net new job created and located at, reporting to or taking oversite from the Site. The average annual salary of the up to 600 new jobs is estimated at $97,000. Certain other terms and conditions will be outlined and captured in the Agreement. The total reimbursement amount will not exceed $1,500,000 over the term.
- Entering into the Agreement and participation in the job creation fund does not preclude Republic from working with the City's Workforce Innovation Opportunity Act (WIOA) Program or any other local and/or state program.

Crown or its affiliate or subsidiary is the land owner of "CityNorth", an approximately 100-acre mixed-use development, stretching from 56th Street to Desert Ridge Marketplace, along Loop 101, and with a master plan that includes more than 2 million square feet of office space, as well as multi-family, retail and dining options, and other commercial uses. Crown broke ground on some of the infrastructure improvements at CityNorth in 2020 and has been marketing the site for these mixed-uses. Upon completion of their agreements, Republic will cause the construction of a 240,000 square foot Class A office building. To accommodate for this growth, and Republic's new headquarters, additional public infrastructure improvements are required. Through the Agreement, Crown will construct the additional public infrastructure improvements and the City will reimburse Crown a maximum of $2.4 million (Reimbursement Cap). The reimbursement will take place upon

completion of construction, the City's acceptance of the public infrastructure improvements, and the dedication of a public easement and improvements to the City. The public infrastructure improvements include a traffic signal, streetlights, pedestrian amenities, landscaping and sidewalks.

Crown will privately finance and construct the Public Improvements.
Crown must comply with Title 34 of the Arizona Revised Statutes in constructing the improvements to qualify for reimbursement, and the specifics and cost of the improvements must be pre-approved by the City in order to qualify for reimbursement.
Reimbursement will be paid on an annual basis, in arrears, from the following sources during the term: 100 percent of the City's eligible General Fund portion of the Transaction Privilege Taxes (TPT).
The maximum reimbursement amount for the public infrastructure improvements, as they relate to the Project, will not exceed $2.4 million.
Reimbursement shall not exceed actual verifiable costs for the approved Improvements.
The term shall begin upon commencement of the first phase of the improvements, as made evident by the issuance of required permits (Construction Commencement Date) and continue for a period of not to exceed 10 years or upon the date Developer has received reimbursements totaling the Reimbursement Cap, whichever is less.
The development agreement and any other agreements as necessary will include other terms and conditions as deemed necessary by the City.

Contract Term
The term of the Agreement will be approximately 15 years from completion of the building, with performance requirements of 15 years for employee job creation and 15 years for the public improvements.

Financial Impact
The City's financial impact will be the reimbursement of the eligible General Fund share of the TPT generated from the Site over 15 years with a maximum of $2.4 million in payments. Financial terms of the

Agreement will be provided to the Budget and Research and Finance departments for review prior to execution of the agreements. An additional sum of up to $1.5 million for job creation will be provided from funding programmed in the Strategic Economic Development Fund.

Location
Desert Ridge, Phoenix Ariz.
Council District: 2

This item was adopted.

99 Class A Uniforms for the Fire Department - RFA 17-160 - Amendment (Ordinance S-49875)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 144899 with United Fire Equipment Company to extend the contract term and allow additional expenditures. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $200,000.

Summary
This contract will provide Class A dress uniforms for the Fire Department in accordance with the terms set forth in the 2016-2019 Memorandum of Understanding (MOU) between the City of Phoenix and the Phoenix Fire Fighters Association Local 493. This MOU requires that Class A dress uniforms be provided for all new hires and promotions up to the level of Captain as a one-time benefit effective July 1, 2017.

Contract Term
Upon approval, the contract will be extended through June 30, 2024, with an option to extend through June 30, 2025.

Financial Impact
Upon approval of $200,000 in additional funds, the revised aggregate value of the contract will not exceed $940,000. Funds are available in the Fire Department’s budget.

Concurrence/Previous Council Action
The City Council previously approved this request:
• Class A Uniforms for the Fire Department Contract 144899 (Ordinance S-43415) on April 19, 2017.

This item was adopted.

100 Extend Contract with Banner Occupational Health of Arizona and Allow Additional Expenditures for the Medical/Occupational Health Staffing for the Fire Department Agreement (Ordinance S-49829)

Request authorization for the City Manager, or his designee, to extend Contract 148117, and extend the Payment Ordinances S-44605 and S-46082 with Banner Occupational Health of Arizona for the Medical/Occupational Health Staffing for the Fire Department Agreement. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The City Council authorized Agreement 148117 with Banner Occupational Health of Arizona in 2018 to provide medical staffing for the Fire Department Health Center, which provides health assessments, wellness and industry injury recovery for multiple fire departments throughout the Phoenix region. The Fire Department will be reimbursed for all associated costs by participating jurisdictions for services provided to that jurisdiction.

The current contract term is set to expire on July 4, 2023. Staff is seeking authorization to continue utilizing the services of Banner Occupational Health of Arizona on a month-to-month basis while a new solicitation is in process. Authorization of month-to-month service will provide continuity until a vendor is selected and awarded a new contract through the City's solicitation process.

Contract Term

Contract term will be month-to-month for up to 12 months with no additional extensions. All other terms and conditions of the Agreement will remain in effect.

Financial Impact

This is a request to extend the agreement for an additional one-year period and extended associated ordinances for the previous authorization amount of up to $16,200,000. No additional funding is required.

Concurrence/Previous Council Action

The City Council previously reviewed and approved this request:

Enter into Contract 148117 with Banner Occupational Health Clinics (Ordinance S-44605) for a five-year contract not to exceed $15,000,000 during the City Council Formal Meeting on May 16, 2018.

Add $1,200,000 in additional funding to Contract 148117 with Banner Occupational Health Clinics (Ordinance S-46082) not to exceed a total of $16,200,000 during the City Council Formal Meeting on Oct. 2, 2019.

This item was adopted.

101 Intergovernmental Agreement with Maricopa County for Regional Emergency Operations Management and Disaster Services (Ordinance S-49866)

Request approval from the City Council to enter into a Regional Disaster and Emergency Management Services Agreement with Maricopa County Department of Emergency Management, with an annual assessment of $60,000. Maricopa County will provide assistance and additional resources to ensure the coordinated preparation and execution of emergency management programs and planning between the City of Phoenix, Maricopa County and surrounding communities for the preservation of life and property when disasters occur. These efforts will be in accordance with the guidance set forth in the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

Summary

There is an ongoing possibility for the occurrence of disasters of unprecedented size and destructiveness resulting from natural, technological, national security or other causes. Coordinated preparation and use of common processes and procedures allow agencies on the local, county, and state levels to provide for consistent, coordinated responses.

Maricopa County will develop, maintain, and provide access to WebEOC, a cross-jurisdictional disaster information management system, and provide customized, technical support and training needed for emergency operations and planned events.

This agreement also allows Maricopa County to provide additional tools

and assistance for Emergency Operations and Continuity of Operations Planning, Emergency Public Alert Systems, Hazard Mitigation Planning, exercise planning and facilitation, staff training, public outreach activities and other disaster and emergency management services.

Contract Term

The Intergovernmental Agreement shall commence on July 1, 2023 and remain in effect until June 30, 2033.

Financial Impact

The City shall pay Maricopa County an annual assessment of $60,000. Funds are available in the Office of Homeland Security and Emergency Management budget.

This item was adopted.

102 Agreement with the State of Arizona Department of Administration for the 9-1-1 Program (Ordinance S-49885)

Request authorization for the City Manager, or his designee, to authorize the Phoenix Fire Department to apply for, accept, and enter into an agreement with the State of Arizona Department of Administration Office of Grants and Federal Resources to receive a 9-1-1 grant not to exceed $4,000,000. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The Arizona Department of Administration requires 9-1-1 planning be done at a local level as referenced in the State of Arizona Administrative Code, Title 2, Chapter 1, Article 4 Emergency Telecommunications Services Revolving Fund. The State of Arizona Office of Grants and Federal Resources' Arizona 9-1-1 Program Office has announced the availability of funds for the Program to be distributed during the first six months of Fiscal Year 2023-24. Funding will be available for multiple grants and allocated to each System Administrator Agency to pay, on behalf of the Public Safety Answering Points (PSAP), 9-1-1 system costs and approved projects that support the goals of the Arizona 9-1-1 Program.

The System Administrator Agency for the Maricopa Region is the

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

The 9-1-1 Grant funding would be used to support:
9-1-1 networking, telecom, and Internet Protocol infrastructure.
9-1-1 related hardware, software, and maintenance equipment.
Continue to fund current staff of the Regional 9-1-1 Services section.

Contract Term
The grant Period of Performance is projected to begin on or around July 1, 2023 and end Dec. 31, 2023.

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

This item was adopted.

103 Memorandum of Agreement with the Arizona Department of Health Services for Use of CHEMPACKs (Ordinance S-49887)

Request authorization for the City Manager, or his designee, to enter into an agreement with the State of Arizona Department of Health Services for the Phoenix Fire Department to use CHEMPACKs.

Summary
To effectively respond to acts of chemical terrorism and other public health emergencies, Arizona Department of Health Services (ADHS) has entered into a Memorandum of Understanding (MOU) with the Administration for Strategic Preparedness and Response (ASPR) to pre-position sustainable repositories of nerve agent antidotes in locations throughout the State of Arizona.

This MOU between ADHS and the Fire Department authorizes the department to store, monitor, maintain, dispose, transport, and inventory CHEMPACK material. CHEMPACK is the sustainable repository of nerve agent antidotes and other necessary and certain supporting equipment to

care for individuals exposed to nerve agents, including but not limited to autoinjectors, bulk symptomatic treatment supplies, and self-monitoring storage containers. CHEMPACK is a component of the Strategic National Stockpile (SNS) Program, which is part of the Federal medical response infrastructure.

Contract Term
The term of this agreement will be for five years upon execution.

Financial Impact
There is no cost to the City of Phoenix.

This item was adopted.

104 Adopt Fire Department Computer Aided Dispatch Service Fees and Charges for Fiscal Year 2023-24 (Ordinance S-49886)

Request authorization for the City Manager to adopt the Fire Department's Fiscal Year 2023-24 Computer Aided Dispatch (CAD) payments to be charged to: (1) the cities of Avondale, Buckeye, Chandler, El Mirage, Glendale, Goodyear, Maricopa, Peoria, Scottsdale, Surprise, Tempe, and Tolleson; (2) the fire districts of Buckeye Valley, Daisy Mountain, Harquahala, and Sun City; (3) the towns of Guadalupe and Paradise Valley; (4) Arizona Fire and Medical Authority; (5) Dignity Health; and (6) Palo Verde Nuclear Generating Station. Further request to authorize the City Treasurer to accept and for the City Controller to disburse these funds.

Summary
The City Council approved agreements with each of the above jurisdictions, which included CAD fees and charges to be updated regularly. **Attachment A** outlines Fiscal Year (FY) 2023-24 Computer Aided Dispatch (CAD) fees and charges. The City of Phoenix has Automatic and/or Mutual Aid Agreements with these jurisdictions and provides dispatching for their fire and emergency medical units. Each CAD member pays a dispatching fee for each call dispatched, as well as charges for equipment and network maintenance.

Financial Impact
The General Fund revenue to be generated from these Agreements for FY 2023-24 is estimated at $9,035,974.47 and is intended to offset a

portion of the operating costs of the City's Regional Dispatch Center, including salaries of Dispatch Center staff. The $5,346,338 balance of the funds collected pays for communications system and equipment maintenance and modernization.

This item was adopted.

105 Donation from Royal Palm Women's Club for Phoenix Fire Department Paramedic Restricted Fund (Ordinance S-49870)

Request authorization for the City Manager, or his designee, to accept a donation of $1,924 from the Royal Palm Women's Club for the Phoenix Fire Department Paramedic Restricted Fund. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this donation. If not approved, the donation would be turned down.

Summary

The Royal Palm Women's Club wishes to express their appreciation for the Phoenix Fire Department's service by donating $1,924 to the Department. The donation will be used to fund training, equipment, and/or conferences related to paramedic certification.

Financial Impact

This donation does not require any matching funds. The funds will be used in accordance with City policies.

This item was adopted.

106 Aircraft Fuel - RFA 18-233 - Amendment (Ordinance S-49872)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 148113 with Cutter Holding Co. dba Cutter Aviaton (Cutter Aviation) to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $4,915,404.

Summary

This contract will provide refueling services for Phoenix Police Department Air Support Unit aircraft. Refueling services are required on a 24-hour basis every day of the year. Each specific aircraft requires aviation fuel, including Jet-A fuel for helicopters and Avgas for fixed-wing aircraft. Fuel availability is critical to ensure each aircraft is airworthy and not grounded for extended periods of time.

Cutter Aviation is a fixed-base operator (FBO) at Deer Valley Airport where the Air Support Unit is located, and also has a location at Sky Harbor International Airport. Cutter Aviation has the infrastructure in place to supply aviation fuel as needed and dispense it from mobile trucks directly into the aircraft. The extension and additional funding will provide continuous aircraft availability and ensure the Air Support Unit is providing effective airborne surveillance and patrol support to bureaus and precincts of the Phoenix Police Department.

Contract Term
Upon approval, the contract will be extended through June 30, 2028.

Financial Impact
Upon approval of $4,915,404 in additional funds, the revised aggregate value of the contract will not exceed $8,872,804. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
Aircraft Fuel - Contract 148113 (Ordinance S-44844) on June 27, 2018;
Aircraft Fuel - Contract 148113 (Ordinance S-48927) on Aug. 31, 2022.

This item was adopted.

107 TLOxp Online Investigative Services Contract - EXC 23-120 - Request for Award (Ordinance S-49827)

Request to authorize the City Manager, or his designee, to enter into a contract with TransUnion Risk and Alternative Data Solutions, Inc. (TRADS) to provide Online Investigative Services for the Homeland Defense Bureau of the Police Department. Further request an exception to the indemnity and assumption of liability provisions of Phoenix City Code section 42-18. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $138,600.

Summary
This contract will provide Police staff with subscription services to the TLOxp Online Investigative Service Database. These services include access to an online investigative database of public and proprietary

information. The TLOxp database is a powerful analytic tool used to research people, locations, and companies, that helps streamline processes and delivers quick turnaround of information and completion times for rapid identification and apprehension of criminal violators. This service has provided officers with relevant, actionable and timely information since 2012 to locate suspects, persons of interest and potential witnesses to crime. The information available in this database is vital to the role and mission of the Police Department.

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

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved determination memo based on special circumstances, being without competition. The Police Department purchased the TLOxp Software in 2012 from TRADS, the sole proprietor, and needs to continue to procure their subscription services for access to their investigative database which best aligns with the needs of the department.

Contract Term

The contract will begin on or about June 1, 2023, for a three-year term with a maximum of five one-year options to extend.

Financial Impact

The aggregate contract value will not exceed $138,600 for the three-year aggregate term. Funding is available in the Police Department's budget.

This item was adopted.

108 AZ Automated Fingerprint Identification System (AZAFIS) System Hardware and Maintenance - ADSPO18-00008040 - Amendment (Ordinance S-49831)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 145675 with Idemia Identity & Security USA, LLC to extend contract term and to add the Fire Department as an authorized user. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not

exceed $244,607.

Summary

This contract will provide the Police Department's Information Technology Bureau the ability to purchase automated fingerprint system equipment and maintenance to provide support to the AZAFIS network located at various bureaus and precincts throughout the City. The Fire Department will utilize the contract to purchase equipment for fingerprint background services.

Contract Term

Upon approval the contract will be extended through Oct. 31, 2023, with an option to extend through April 30, 2024.

Financial Impact

Upon approval of $244,607 in additional funds, the revised aggregate value of the contract will not exceed $1,633,969. Funds are available in the Police and Fire departments' budgets.

Concurrence/Previous Council Action

The City Council previously approved this request:
Automated Fingerprint Identification System, Contract 145675, Ordinance S-43768 on June 28, 2017;
Automated Fingerprint Identification System, Contract 145675, Ordinance S-46800 on June 24, 2020;
Automated Fingerprint Identification System, Contract 145675, Ordinance S-47679 on June 16, 2021;
Automated Fingerprint Identification System, Contract 145675, Ordinance S-48758 on June 15, 2022.

This item was adopted.

109 Authorization to Apply For, Accept and Enter Into an Agreement for FY 2023 Paul Coverdell Forensic Science Improvement Formula Grant Program (Ordinance S-49867)

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 Arizona Criminal Justice Commission for the FY 2023 Paul Coverdell Forensic Science Improvement Formula grant program in an amount not to exceed $150,000. Further request authorization for the

City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

The Police Department has applied for these grant funds over the past several years. Funding is used to implement innovative solutions to the backlog issues facing many crime laboratories nationwide. The Police Department's Crime Laboratory has made significant strides in addressing these issues by utilizing these grant funds as part of a comprehensive approach to support and enhance the services provided to the criminal justice community. Funding will be utilized for overtime, related fringe benefits, and supplies to improve the timeliness of forensic science services and to address the backlogs in the analysis of forensic evidence.

The grant application was due on May 16, 2023. If authorization is not approved, staff will rescind application.

Contract Term

The contract term is two years beginning Oct. 1, 2023.

Financial Impact

No matching funds are required.

This item was adopted.

111 Phoenix Deer Valley Airport Blast Pads - Engineering Services Amendment 1 - AV31000094 FAA/ADOT (Ordinance S-49824)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 155732 with Stantec Consulting Services, Inc. to provide additional Engineering Services for the Phoenix Deer Valley Airport Blast Pads project. Further request to authorize execution of amendments to the agreement, as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed $72,009.

Summary

The purpose of this project is to bring the blast pads for runways 7L/25R and 7R/25L at Phoenix Deer Valley Airport up to standards established by current Federal Aviation Administration Advisory Circulars. A blast pad

is defined as the surface adjacent to the ends of the runway provided to reduce the erosive effect of jet blast and propeller wash.

This amendment is necessary because design services on this project are complete and Construction Administration and Inspection (CA&I) services are ready to be performed. This amendment aligns with Federal Aviation Administration grant funding. This amendment will provide additional funds to the agreement.

Stantec Consulting Services, Inc.'s CA&I services include, but are not limited to: providing inspections to ensure compliance with the project plans and specifications; assisting with and conducting construction meetings; reviewing contractor shop drawings and submittals; preparing required documentation to submit for Federal Aviation Administration and Arizona Department of Transportation grant compliance; reviewing and approving monthly pay requests and change orders; scheduling, conducting and providing documentation for regular progress meetings; responding to Requests for Information; verifying compliance with contract documents; reviewing contractor’s record drawings monthly and preparing final record drawings; punch-list development; conducting pre-final and final inspection; conducting warranty inspection; and other CA&I services as required for a complete project.

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

Financial Impact
The initial agreement for Engineering Services was approved for an amount not to exceed $190,000, including all subconsultant and reimbursable costs. This amendment will increase the agreement by an additional $72,009, for a new total amount not to exceed $262,009, including all subconsultant and reimbursable costs.

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

Concurrence/Previous Council Action
The City Council approved Engineering Services Agreement 155732 (Ordinance S-48243) on Jan. 5, 2022.

Location
702 W. Deer Valley Road
Council District: 1

This item was adopted.

112 Phoenix Deer Valley Airport Relocate Taxiway Bravo and Construct High Speed Connectors B6 and B9 - Engineering Services Amendment 1 - AV31000092 FAA (Ordinance S-49830)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 150110 with TRACE Consulting, LLC to provide additional Engineering Services for the Phoenix Deer Valley Airport Relocate Taxiway Bravo and Construct High Speed Connectors B6 and B9 project. Further request to authorize execution of amendments to the agreement, as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed $303,962.

Summary
The purpose of this project is to relocate and reconstruct Taxiway Bravo for the entire length, including taxiway connectors to the hold bars and run up areas. The project includes the design of all taxiway connectors, acute angle connectors B6 and B9, and separation of signage circuiting. Taxiway Bravo is currently at a non-standard distance from the centerline of Runway 7L-25R and needs to be relocated further south.

This amendment is necessary because design services on this project

are complete, and Construction Administration and Inspection (CA&I) services are ready to be performed. This amendment aligns with Federal Aviation Administration grant funding. This amendment will provide additional funds to the agreement.

TRACE Consulting, LLC's CA&I services include, but are not limited to: providing inspections to ensure compliance with the project plans and specifications; scheduling, conducting and preparing daily inspection reports for the Federal Aviation Administration and the project records detailing construction progress; assisting with and conducting construction meetings; reviewing contractor shop drawings and submittals; preparing required documentation to submit for Federal Aviation Administration grant compliance; reviewing and approving monthly pay requests and change orders; responding to Requests for Information; verifying compliance with contract documents; reviewing contractor’s record drawings monthly and preparing final record drawings; punch-list development; conducting pre-final and final inspection; conducting warranty inspection; and other CA&I services as required for a complete project.

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

Financial Impact
The initial agreement for Engineering Services was approved for an amount not to exceed $1,340,929, including all subconsultant and reimbursable costs. This amendment will increase the agreement by an additional $303,962, for a new total amount not to exceed $1,644,891, including all subconsultant and reimbursable costs.

Funding for this amendment is available in the Aviation Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to

the execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action

The City Council approved:

Engineering Services Agreement 150110 (Ordinance S-45685) on June 5, 2019;

Construction Manager at Risk (CMAR) Preconstruction Services Agreement 152002 (Ordinance S-49299) on Jan. 4, 2023; and

CMAR Construction Services Agreement on May 31, 2023.

Location

702 W. Deer Valley Road

Council District: 1

This item was adopted.

113 AerSale, Inc. Amended and Restated Hangar Lease, New Ground Lease, and New Aircraft Storage Agreement at Phoenix Goodyear Airport (Ordinance S-49837)

Request to authorize the City Manager, or his designee, to amend and restate hangar Lease Agreement 75812, enter into a new ground lease, and enter into a new aircraft storage agreement with AerSale, Inc. (AerSale) at Phoenix Goodyear Airport (GYR).

Summary

AerSale, and its predecessor Aeroturbine, have operated a maintenance, repair, and overhaul business at GYR under hangar Lease Agreement 75812 since 1996 and hangar Lease Agreement 136123 since 2013; both leases are scheduled to expire in 2026. AerSale has requested to amend and restate hangar Lease Agreement 75812 to include both existing hangars with a term of 40 years. AerSale also wants to construct a new hangar with an investment of approximately $40 million under a new ground lease that will include a 40 year term. AerSale also wants to enter into a ten-year lease for the storage of unused commercial aircraft. Staff is seeking permission to apply rent credits for the relocation of utilities that conflict with the new hangar development site in an amount not to exceed $1.5 million, and an additional rent credit for the replacement of an obsolete fire suppression system that serves both

existing hangars in an amount not to exceed $2 million.

Contract Term
The term of amended and restated Lease Agreement 75812 and the new ground lease will be 40 years. The term for the aircraft storage agreement will be ten years with one five-year option to extend.

Financial Impact
Rent paid by AerSale under the current leases is approximately $1,115,000 per year. The new leases will increase revenue to the City to approximately $1,468,000 through the inclusion of lease rates that reflect current market conditions. All rents will be subject to the greater of annual consumer price index adjustments per the Phoenix-Mesa-Scottsdale index, or three percent. Total revenue estimated over the combined lease terms will be approximately $54.2 million.

Concurrence/Previous Council Action
City Council previously approved:
Lease Agreement 75812 (Ordinance S-23774) on July 3, 1996;
Lease Agreement 136123 (Ordinance S-39438) on Dec. 19, 2012;
The Business and Development Subcommittee recommended approval of this item on May 4, 2023 by a vote of 3-0;
The Phoenix Aviation Advisory Board recommended approval of this item on May 18, 2023 by a vote of 7-0.

Location
Phoenix Goodyear Airport, 1658 S. Litchfield Road, Goodyear, Ariz.
Council District: Out of City

This item was adopted.

114 Ground Lease with Derek Engineering, Inc. (Ordinance S-49853)

Request to authorize the City Manager, or his designee, to execute a Ground Lease with Derek Engineering, Inc. for 33,994 square feet (.714 acres) of Aviation-owned land across four separate parcels located at 1121, 1125, 1133, and 1135 E. Watkins St. at Phoenix Sky Harbor International Airport, Phoenix, Arizona.

Summary
Derek Engineering, Inc., is requesting to enter into a Ground Lease on

four separate parcels located at 1121, 1125, 1133, and 1135 E. Watkins St. (Maricopa County Assessor Parcel Numbers 115-47-034C, 115-47-034D, 115-47-035A, and 115-47-036B) for the sole purpose of temporarily parking employee vehicles while developing the un-addressed 18 acres adjacent to the west for Prologis. Derek Engineering, Inc. had a temporary six-month license for parking which expired on April 30, 2023 and is currently operating month to month until a new lease is approved.

Contract Term

The term will be for one year, with no options to extend.

Financial Impact

Rent will be approximately $1,982.98 per month ($.70 per square foot). Total anticipated rent from this Ground Lease over the term will be approximately $23,795.80.

Concurrence/Previous Council Action

The Business Development Subcommittee recommended approval of the item on May 4, 2023, by a vote of 3-0.
The Phoenix Aviation Advisory Board recommend this item for approval on May 18, 2023, by a vote of 7-0.

Location

Phoenix Sky Harbor International Airport - 1121, 1125, 1133, and 1135 E. Watkins St., Phoenix Ariz.
Council District: 8

This item was adopted.

115 Trash Compactor and Baler Maintenance and Repair Contract - IFB 23-0117 - Request for Award (Ordinance S-49842)

Request to authorize the City Manager, or his designee, to enter into a contract with ANCO Sanitation Systems, Inc. (ANCO) to provide preventative maintenance and repair services to trash compactors and balers for the Aviation and Phoenix Convention Center departments. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will be up to $475,000.

Summary

This contract will provide trash compactor and baler preventative maintenance and repair services for trash compactors and balers at various locations throughout Aviation and Phoenix Convention Center. Preventative maintenance will ensure the equipment is in safe working order and possibly extend the life of the equipment.

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

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

Selected Bidder
ANCO Sanitation Systems, Inc.: $169,565

Contract Term
The contract will begin on or about July 1, 2023 for a five-year term with no options to extend.

Financial Impact
The total contract value will be up to $475,000 for the five-year contract term.

Funding is available in the Aviation and Phoenix Convention Center departments' budgets.

Location
Phoenix Sky Harbor International Airport, 2485 E. Buckeye Road, Phoenix, Ariz.
Phoenix Convention Center, 100 N. 3rd St., Phoenix, Ariz.
Council Districts: 7 and 8

This item was adopted.

116 Key Control Systems and Maintenance Contract - RFA 23-044 - Request for Award (Ordinance S-49844)

Request to authorize the City Manager, or his designee, to enter into a contract with Genesis Resource, Inc. (Genesis) to provide equipment, parts and maintenance for Morse Watchman's Keywatcher Key Control and Management Systems (Key Control Systems) for the Aviation Department (Aviation). Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will be up to $815,258.

Summary

Aviation has existing Key Control Systems throughout Phoenix Sky Harbor International Airport to secure and manage keys for City-owned vehicles and facilities for tracking, distribution, and to reduce the possibility of theft. This contract will provide equipment, parts and maintenance services for the existing Key Control Systems on an as-needed basis.

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

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on Special Circumstances Without Competition. Genesis is the only factory authorized distributor for Morse Watchman's Key Control Systems in the Southwest region of the United States. Contracting with Genesis is in the best interest of the City to ensure existing Key Control Systems are maintained and serviced with the original equipment manufacturer parts and certified technicians.

Contract Term

The contract will begin on or about July 1, 2023 for a five-year term.

Financial Impact

The contract value will be up to $815,258 for the five-year contract term.

Funding is available in the Aviation Department's budget.

Location

Phoenix Sky Harbor International Airport, 2485 E. Buckeye Road,

Phoenix, Ariz.
Council District: 8

This item was adopted.

117 Expedited Screening, Queuing, and Enrollment Services Contract - Request for Award (Ordinance S-49873)

Request to authorize the City Manager, or his designee, to enter into a contract with AIClear, LLC, dba Clear, to provide a third-party trusted traveler program for expedited screening, queuing, and enrollment services at Phoenix Sky Harbor International Airport. Further request to authorize the City Treasurer to accept all funds related to this item.

Summary

To improve passenger flow through the security screening process, many airports have included expedited identity verification services in their concessions program. The Aviation Department believes that providing expedited screening, queuing, and enrollment services to passengers at Phoenix Sky Harbor International Airport (PHX) will improve the guest experience by reducing the security checkpoint wait time for passengers enrolled in these services.

Clear offers a subscription service that allows travelers to expedite through the security checkpoint and proceed directly to physical screening via their touchless biometric verification technology to validate traveler identity and credentials. Aviation contracted with Clear in 2018 to provide identity verification services at PHX and the current lease is set to expire on Aug. 31, 2023. Clear is the only Transportation Security Administration (TSA) authorized provider for verification screening services. In December 2022, TSA also authorized an agreement with Clear to begin enrolling travelers in the TSA Pre-Check trusted traveler program.

Procurement Information

In accordance with City of Phoenix Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances without Competition as Clear is the only provider authorized to conduct expedited traveler verification. The Aviation Department also issued a Request for Information (RFI 23-027) to

determine interest and program information. AIClear, LLC was the sole respondent.

Contract Term
The contract will begin on or about Sept. 1, 2023, for a three-year term with one, two-year option to extend, which may be exercised at the sole discretion of the Aviation Director.

Financial Impact
The estimated annual revenue to the City will be the greater of a Minimum Annual Guarantee (MAG) or 12 percent of gross sales. MAG for the first year will be $500,000. The MAG will be adjusted annually thereafter at 85 percent of the prior year's annual rent or the MAG for the first lease year, whichever is greater. The minimum estimated revenue to the City will be $2.5 million for the five-year aggregate term.

Concurrence/Previous Council Action
City Council previously approved:
Lease Agreement 146676 (Ordinance S-43997) on Oct. 18, 2017;
The Phoenix Aviation Advisory Board recommended approval of this item on May 18, 2023 by a vote of 7-0.

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

This item was adopted.

118 One-Time Purchase of Ambulance Chassis (Ordinance S-49846)

Request to authorize the City Manager, or his designee, to enter into a contract with Redsky Fire Apparatus LLC for the purchase of one ambulance chassis for the Phoenix Fire Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the one-time purchase will not exceed $92,837.

Summary
This purchase will provide a replacement chassis to ambulance Rescue Unit 731068. The body on the original chassis will be reused and installed on the new chassis. This unit is utilized by the Phoenix Fire Department to transport residents and visitors of the City. Replacing the

ambulance chassis is imperative as it supports medical transport during emergencies.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Without Competition due to obtaining the original equipment manufactured chassis and the unique and specific build requirements.

Contract Term

The contract will begin on or about June 14, 2023, for the one-time purchase of one ambulance chassis.

Financial Impact

The contract value will not exceed $92,837. Funding is available in the Fire Department's budget.

This item was adopted.

119 Automotive Lifts Inspection, Maintenance and Repair Contract - IFB 24-FSD-008 - Request for Award (Ordinance S-49862)

Request to authorize the City Manager, or his designee, to enter into contracts with Southwest Lift and Equipment, Inc. and Arizona Automotive Equipment, LLC, dba Mohawk Automotive Lifts SW, to provide annual inspections, maintenance and repair of automotive lifts. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $345,090.

Summary

This contract will provide safe and reliable operations of approximately 160 automotive lifts throughout the various Public Works and Aviation fleet shop facilities. These inspections are required to ensure the proper operation of all structural, electrical, hydraulic, and mechanical components, including lift controls. This service is performed by a third-party provider as required by the American National Standards Institute (ANSI).

Procurement Information

An Invitation for Bid 24-FSD-008 was processed in accordance with Administrative Regulation 3.10. Thirteen equipment manufacturers were included for bid based on the estimated annual quantity of services needed, with a total price for each group to determine the lowest bid. Two offers were received with a bid for each group. Both offers were deemed to be responsive to the posted specifications and responsible to provide the required goods and services, with the below vendors being recommended for award.

Southwest Lift and Equipment, Inc.
Arizona Automotive Equipment, LLC, dba Mohawk Automotive Lifts SW

See **Attachment A** for the bid summary for Groups 1-13.

Contract Term
The contract will begin on or about Aug. 1, 2023, for an initial three-year term with two one-year options for a term of five years.

Financial Impact
The contract will have an estimated annual expenditure of $69,018, with a total value not to exceed $345,090.

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

This item was adopted.

120 Evaporative Cooler Maintenance and Repair Services - IFB 20-FMD-012 - Amendment (Ordinance S-49868)

Request to authorize the City Manager, or his designee, to amend Agreement 150870 with Comfort Systems USA Southwest, Inc. to allow additional expenditures for the maintenance and repairs of evaporative coolers in City-owned facilities. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $260,000.

Summary
The Public Works Department is responsible for maintaining and repairing evaporative coolers in City-owned facilities. This agreement provides full-service preventative maintenance on evaporative coolers to

keep the units in good working order. An additional 21 locations will be added to the agreement, requiring additional expenditures to maintain and repair these units. The additional expenditures are necessary and will help maintain evaporative coolers citywide to ensure they run efficiently and to help minimize repair costs.

Procurement Information

Invitation for Bid 20-FMD-012 was conducted in accordance with Administrative Regulation 3.10. Two offers were received by the Public Works Department on June 26, 2019. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required services. The offer submitted by Comfort Systems USA Southwest, Inc. was deemed fair and reasonable.

Contract Term

The one-year contract term started on Oct. 1, 2019, with four option years to be exercised in increments of up to one year, with a contract end date of Sept. 30, 2024.

Financial Impact

The initial authorization for this agreement was for an expenditure not-to-exceed $1,375,000. This request will increase the authorization of the agreement by an additional $260,000, for a new not-to-exceed agreement value of $1,635,000. Funds are available in the Public Works Department's budget.

Concurrence/Previous Council Action

The City Council approved Agreement 150870 with Comfort Systems USA Southwest, Inc. (Ordinance S-45926) on Aug. 28, 2019.

This item was adopted.

121 Welding Equipment and Supplies - IFB 18-244 - Amendment (Ordinance S-49876)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 148124 with Matheson Tri-Gas, Inc. to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using Ordinance S-44839.

Summary

This contract will provide departments throughout the City with a wide variety of welding related materials, tools and supplies for maintenance and repairs in City facilities. The contract is used to maintain aquatic facilities, golf courses and public parks and is also used to maintain heating, ventilation and air conditioning and electrical systems as needed. Primary users include the Water Services, Aviation, Parks and Recreation and Public Works departments.

Contract Term

Upon approval the contract will be extended through June 30, 2024, with an option to extend through June 30, 2025.

Financial Impact

The aggregate value of the contract will not exceed $1,085,000 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
• Welding Equipment and Supplies Contract 148124 (Ordinance S-44839) on June 27, 2018;
• Welding Equipment and Supplies Contract 148124 (Ordinance S-45071-24) on Nov. 7, 2018.

This item was adopted.

122 Blade Techs Saw Blades - RFA 17-185 - Amendment (Ordinance S-49874)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 145556 with Blade Techs, Inc. to extend the contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using Ordinance S-43712.

Summary

This contract will provide various specialty saw blades for use in many applications citywide, including cutting concrete, asphalt and pipe, as well as safety operations such as breaching concrete walls and ventilating tile roofs. Extension of this contract will ensure a consistently available supply of these specialty blades.

Contract Term
Upon approval, the contract will be extended through June 30, 2028.

Financial Impact
The aggregate value of the contract will not exceed $250,000 and no additional funds are needed.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
• Blade Techs Saw Blades - Contract 145556 (Ordinance S-43712) on June 28, 2017.

This item was adopted.

123 Protective Footwear - RFQu 18-184 - Amendment (Ordinance S-49858)

Request to authorize the City Manager, or his designee, to execute amendments to Contracts 148175 with Red Wing Brands of America Inc., 148919 with Industrial Safety Shoe Company, 148178 with Boot Barn, 148177 with 030530 Uniforms LLC dba Ace Uniforms of Phoenix, 148179 with Jay R Rivin dba Jr's Shoe and Boots, and 148180 with Foot Solutions Inc. dba Foot Solutions Phoenix to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $900,000.

Summary
These contracts will provide protective footwear to meet the Occupational Safety and Health Act section 5(a)(1) General Duty Clause, which states each employer "shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees." Primary users include the Parks and Recreation, Water Services, Street Transportation and Public Works departments. The requested products are essential to safe operations throughout the City.

Contract Term
Upon approval, the contracts will be extended through June 30, 2024 with

an option to extend through June 30, 2025.

Financial Impact

Upon approval of $900,000 in additional funds, the revised aggregate value of the contracts will not exceed $3,100,000. Funds are available in the various departments' budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
• Protective Footwear Contracts 148175, 148178, 148179, 148180 (Ordinance S-44865) on July 5, 2018;
• Protective Footwear Contract 148919 (Ordinance S-45085) on Nov. 7, 2018;
• Protective Footwear Contracts 148175, 148919, 148178, 148179, 148180 (Ordinance S-46132) on Nov. 6, 2019;
• Protective Footwear Contracts 148175, 148919, 148178, 148179, 148180 (Ordinance S-46738) on June 17, 2020.

This item was adopted.

124 Asphalt Binder Emulsion, Cold Mix and Hot Mix Asphalt Contract - RFQu 23-078 - Request for Award (Ordinance S-49835)

Request to authorize the City Manager, or his designee, to enter into contracts with Brewer Cote of Arizona, Superior Supply, Inc., Musgrove Enterprises, LLC dba SealMaster Arizona, Crafco, Inc., and Calmat Co. dba Vulcan Material Co. to provide various asphalt materials to departments throughout the City. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $18,000,000.

Summary

These contracts will provide cold and hot mix asphalt and emulsion binder material to departments throughout the City. The City utilizes these asphalt materials for regular maintenance and projects across various departments, including maintaining airport roadways, aircraft aprons, as well as patching and paving city streets. The asphalt emulsions are also used for asphalt preservation and are environmentally friendly, energy-efficient and cost-effective products.

Procurement Information

A Request for Qualifications procurement was processed in accordance with Administrative Regulation 3.10 to establish a Qualified Vendor List (QVL).

Five offerors submitted qualifications and were deemed to be responsive and responsible. An evaluation committee of City staff evaluated those offers based on the following minimum qualifications:
Experience, Place of Business, and Capacity.

After reaching consensus, the evaluation committee recommends award to the following offerors:
Brewer Cote of Arizona
Superior Supply, Inc.
Musgrove Enterprises, LLC dba SealMaster Arizona
Crafco, Inc.
Calmat Co. dba Vulcan Materials Co.

Contract Term
The contracts will begin on or about June 15, 2023, for a five-year term.

Financial Impact
The aggregate contracts' value will not exceed $18,000,000. Funding is available in the various departments' budgets.

This item was adopted.

125 Intergovernmental Agreements with the Board of Regents for Services Associated with Transportation Engineering Projects - Amendments (Ordinance S-49860)

Request to authorize the City Manager, or his designee, to execute amendments to three Intergovernmental Agreements (IGAs) with the Arizona Board of Regents, on behalf of Arizona State University, Northern Arizona University, and University of Arizona (Universities) to provide additional funding for services associated with transportation engineering projects. Further request to authorize the City Controller to disburse all funds related to this item. The additional funding for all three IGAs will not exceed $3 million for a new aggregate amount not to exceed $6 million.

Additionally, request City Council authorization for an exemption of the

prohibition set forth in Phoenix City Code section 42-18 for a governmental entity pursuant to Phoenix City Code section 42-20.

Summary

The Street Transportation Department (Streets) entered into IGAs with the Arizona Board of Regents for the ability to utilize the Universities to conduct research and studies relative to transportation engineering projects under the IGAs with each University. The IGAs were amended in April 2022 to increase the overall aggregate by $1.5 million. As the overall capacity of the IGAs are being reached, this request is to increase the spending authority for each of the three IGAs from $1 million to $2 million during the life of the agreements for a total not to exceed $6 million for all three IGAs.

The purpose of this amendment is to allow Streets to continue its partnership with the Universities through the use of these IGAs.

Contract Term

The contract terms of the IGAs will remain unchanged from the original terms of five years, with options to extend up to an additional five years. The original IGAs were executed in June 2019.

Financial Impact

The current authorization for the three IGAs is $3 million ($1 million each). These amendments will increase the authorization for the three IGAs by $3 million ($1 million each), for a new total not to exceed $6 million ($2 million each) for all three IGAs. Funding is available in the Street's Capital Improvement Program budget.

Concurrence/Previous Council Action

The City Council approved:

Arizona State University IGA 151121 (Ordinance S-45863) on June 26, 2019;

Northern Arizona University IGA 151120 (Ordinance S-45868) on June 26, 2019;

University of Arizona IGA 150814 (Ordinance S-45867) on June 26,2019; and

An amendment to all three IGAs to provide additional funding (Ordinance S-48510) on April 20, 2022.

This item was adopted.

126 Intergovernmental Agreement with Maricopa County Department of Transportation to Design and Construct a Traffic Signal at 99th Avenue and Indian School Road (Ordinance S-49861)

Request authorization for the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the Maricopa County Department of Transportation (MCDOT) for the City of Phoenix to assume full responsibility for the traffic signal at 99th Avenue and Indian School Road. 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. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

The intersection of 99th Avenue and Indian School Road is an existing signalized intersection operated by MCDOT. The City operates traffic signals north and south of Indian School Road on 99th Avenue. Assuming full responsibility for the signalized intersection will allow the City to provide uniform traffic management along the 99th Avenue corridor. The traffic signal will need to be upgraded to sustain the increase in traffic volumes. The City will lead the efforts to rebuild the traffic signal at the intersection. MCDOT is contributing $150,000, and private development will contribute the remaining cost to rebuilding the traffic signal.

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

MCDOT is contributing $150,000 towards the cost of rebuilding the signal. The southwest corner was recently rebuilt to current standards. Development is occurring in Phoenix on the northeast and southeast corners, and the developers will be responsible for the cost of rebuilding the traffic signals at their respective corners. There is no anticipated

upfront cost to the City of Phoenix for the intersection improvements. The City of Phoenix will be responsible for ongoing operations and maintenance costs for the traffic signal.

Location
99th Avenue and Indian School Road
Council District: 5 and Outside of City

This item was adopted.

127 Development Transportation Planning for Large High Growth Development - Engineering Services - ST85100454 (Ordinance S-49881)

Request to authorize the City Manager, or his designee, to enter into an agreement with Burgess & Niple, Inc. to provide Engineering Services that include review, analysis and recommendation for the Development Transportation Planning for Large High Growth Development projects/areas. Further request to authorize execution of amendments to the agreement, as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $300,000.

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

Summary
The purpose of this project is to allow for timely review and appropriate infrastructure is stipulated and programmed in a timely manner due to the influx of large area development plans being submitted to the City for consideration. A number of these projects are proposed in areas with no

or limited street network. An inability to respond in a timely manner will increase frustration on proposed development projects along with potentially a negative impact to existing residents or business owners in the area.

Burgess & Niple, Inc.'s services include, but are not limited to: reviewing and advising on developer submitted traffic impact studies; reviewing and analyzing regional Maricopa Association of Governments data; and evaluating current transportation infrastructure versus planned development to determine appropriate level of service and recommended infrastructure needs.

Procurement Information
Burgess & Niple, Inc. was chosen for this project using a Direct Select process set forth in section 34-103 of the Arizona Revised Statutes (A.R.S.). The Direct Select process will reduce the time to procure Engineering Services, as opposed to an advertised selection process; therefore, meeting the project deadline and ensuring continuity and the most efficient use of staff and funding resources.

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

Financial Impact
The agreement value for Burgess & Niple, Inc. will not exceed $300,000, including all subconsultant and reimbursable costs.

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

This item was adopted.

128 IT Programming and Consulting Services Contract - RFP 63-2324 - Request for Award (Ordinance S-49838)

Request to authorize the City Manager, or his designee, to enter into contracts with CyberTech Solutions, Inc. and Global Solutions Group, Inc. to provide IT Programming and Consulting Services for the Street Transportation Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts combined will not exceed $4,156,500.

Summary

This contract will provide three information technology programmers to support the main business applications of the department. One Senior Developer will support the existing custom-built Street Transportation applications in addition to creating custom reporting and applications to support various departmental needs. Two Developers will provide support for critical business applications and programming support for several other functions.

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.

Four vendors submitted proposals deemed responsive and responsible. An evaluation committee of City staff evaluated those offers based on the following criteria with a maximum possible point total of 1,000:

Qualifications and Experience (Senior Developer) - 300 points
Qualifications and Experience (Developers) - 300 points
Method of Approach - 200 points
Price - 200 points

After reaching consensus, the evaluation committee recommends award to the following vendors: CyberTech Solutions and Global Solutions Group:

Global Solutions Group - 580 points
CyberTech Solutions - 514 points
KollaSoft - 495 points
22nd Century - 447 points

Contract Term
The contracts will begin on or about July 1, 2023, for a five-year term with no options to extend.

Financial Impact
The aggregate contract value will not exceed $4,156,500.

Funding is available in the Street Transportation's Operating and Capital Improvement Program budgets.

This item was adopted.

129 Traffic Signal Head Housing and LED Indication Components - IFB 18-164 - Amendment (Ordinance S-49879)

Request to authorize the City Manager, or his designee, to execute amendments to Contracts 148208 with Wesco Distribution, Inc., 148209 with Dialight Corporation, and 148211 with General Traffic Equipment Corp. to extend the contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed. Request to continue using Ordinance S-44638.

Summary
These contracts provide components for the Street Transportation Department to maintain the traffic signal infrastructure throughout the City, thereby supporting the safe movement of vehicular/non-vehicular traffic and pedestrians. The components are used at all intersections, for high intensity activated crosswalk installations, school zone installations, and other warning devices throughout the signalized infrastructure.

Contract Term
Upon approval, these contracts will be extended through June 30, 2024, with an option to extend through June 30, 2025.

Financial Impact
The aggregate value of the contract will not exceed $8,301,761, and no

additional funds are needed.

Concurrence/Previous Council Action

The City Council approved:

Traffic Signal Head Housing and LED Indications Components Contracts 148208, 148209, and 148211 (Ordinance S-44638) on June 6, 2018.

This item was adopted.

130 Resolution to Conduct a Second Bid Process for Hedgepeth Waterline Improvement District - WS85503001, ID 1309 (Resolution 22130)

Request City Council to approve a Resolution to initiate a second bid process for waterline improvements for the Hedgepeth Waterline Improvement District.

Summary

The Hedgepeth Waterline Improvement District is bounded by 51st to 43rd avenues from Loop 101 to Pinnacle Peak Road (**Attachment A**) and includes installation of a distribution waterline for project WS85503001 (ID 1309). The Improvement District was approved by City Council through an amended Ordinance of Intention (S-48327). Only one bid was received in this call, and the $6,173,189 bid received was significantly higher than the estimate of $3,600,000. The City subsequently re-balloted the property owners, and they voted in favor of the City conducting a second bid process.

Financial Impact

The most recent cost estimate for the Hedgepeth Waterline Improvement District is $6,173,189 based on the one bid that was received, which includes final design, right-of-way, construction and administration costs. Any bids received in the second bid process are not to exceed the approved amended Ordinance of Intention amount of $3,600,000. The estimated participation from the City of Phoenix is $1,090,000.

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

Concurrence/Previous Council Action

The City Council approved:

The Ordinance of Intention to form the Hedgepeth Waterline Improvement District (Ordinance S-45902) on July 3, 2019;

The amended Ordinance of Intention (Ordinance S-48327) on Feb. 16, 2022; and

The Resolution to proceed with construction and order a call for bids (Resolution 22033) on June 15, 2022.

Public Outreach

October 2017 - All affected property owners were petitioned and 76.2 percent approved the request to form the improvement district.

April 2018 - All affected property owners were balloted and 73.6 percent supported the waterline improvement project.

July 11, 2019 (first Thursday after Ordinance approval) - Ordinance of Intention was published in the Arizona Business Gazette.

July 18, 2019 (first Thursday following first publishing) - Ordinance of Intention was published in the Arizona Business Gazette.

Aug. 9, 2019 - Ordinance of Intention was posted every 300 feet within the proposed improvement area.

Aug. 27, 2019 - Legal protest period for the Ordinance of Intention to form the Improvement District expired with no protests filed.

May 11, 2020 - City of Phoenix mailed an updated cost letter to all affected property owners.

April 2021 - City of Phoenix mailed ballots to all affected property owners to determine the level of support for the proposed improvements.

July 2021 - City of Phoenix mailed ballots to all affected property owners to determine the level of support for the proposed improvements given the increased cost estimate of $3.6 million.

Sept. 14, 2021 - City of Phoenix mailed a letter to all affected property owners explaining the ballot results that showed 68.6 percent of the property owners supported the revised project, with eight property owners who rejected the proposed improvement district and four who did not respond to the ballot.

Jan. 12, 2022 - City of Phoenix mailed a letter to all affected property owners informing them of the Feb. 16, 2022, City Council hearing for the Amended Ordinance of Intention.

Oct. 7, 2022 - City of Phoenix mailed ballots to all affected property owners to determine the level of support for the proposed

improvements given the increased cost estimate of $6.2 million.

Feb. 16, 2023 - City of Phoenix mailed ballots to all affected property owners to determine the level of support for conducting a second bid process with bids not to exceed the approved amended Ordinance of Intention amount of $3.6 million.

April 14, 2023 - City of Phoenix mailed a letter to all affected property owners explaining the ballot results that showed 61.5 percent of the property owners were in favor of the City conducting a second bid process. The results consisted of 16 parcels in favor, six parcels opposing and four that did not respond to the ballot.

Location

The waterline improvement district includes single-family residences and one commercial business located within an area generally bounded by 51st to 43rd avenues from Loop 101 to Pinnacle Peak Road.
Council District: 1

This item was adopted.

131 Water and Wastewater Systems - Raftelis Consulting Services (Ordinance S-49843)

Request to authorize the City Manager, or his designee, to enter into a contract with Raftelis Financial Consultants, Inc., to provide expertise and technical support to assist the City's regular review and update to the water and wastewater rates and fees program. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $375,000.

Summary

The Financial Accounting and Reporting section of the Finance Department is responsible for assisting the City's Water Services Department with its financial planning and rate setting process. The Water Services Department assesses water and wastewater rates and fees to generate the revenue needed to provide water services to existing and new development. Assessments are periodically performed to determine if future forecasted water and wastewater rate increases will ensure financial targets are being met and the water and wastewater systems are financially stable. The services solicited under this contract will provide expertise and technical support to the water and wastewater rates and fees program.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approval determination memo based on special circumstances without competition, as there exists a lack of available qualified products, which makes a competitive selection process impracticable, unnecessary, or contrary to the public interest.

Contract Term

The contract will begin on or July 1, 2023, for a five-year term.

Financial Impact

The aggregate contract value will not exceed $375,000 for the five-year aggregate term. Funding is available in the Finance Department's operating budget.

This item was adopted.

132 Agreement to Share Costs for the Feasibility Study of Proposed Salt River Project-Central Arizona Project Interconnect Facility Among Cost-Share Partners and Salt River Project Agricultural Improvement and Power District Doing Business as Salt River Project (Ordinance S-49859)

Request to authorize the City Manager, or his designee, to enter into an agreement with the Salt River Project Agricultural Improvement and Power District and others (Parties) to share the costs of a technical review of a proposed Salt River Project-Central Arizona Project (SRP-CAP) Interconnect Facility. Further request to authorize the City Controller to disburse all funds related to this item. Phoenix's share of the technical review costs will not exceed $139,510.

Summary

The Bureau of Reclamation (BOR) is conducting a technical review to consider the size and placement of the SRP-CAP Interconnect Facility (SCIF) to allow for the transport of water from the Salt River Project (SRP) system directly to the Central Arizona Project (CAP) canal. The SCIF would provide opportunities to physically transport water from the Salt and Verde rivers to new locations, opening new options for exchange, storage, and other water management tools providing greater flexibility within Phoenix's water portfolio.

SRP estimates the non-federal portion of the technical review could cost as much as $1,142,352 to evaluate the size of the SCIF, the cost of construction, the need for an additional interconnect facility that would transport water from the SRP system to the CAP system, local interest in using such an interconnect facility, and investigation of the environmental impact. SRP has asked Phoenix and other interested parties to share the non-federal costs of the technical review. Because of Phoenix's interest in owning capacity in the interconnect facility to optimize the use of its water resources, Phoenix would contribute up to $139,510 to the costs of the technical review. There are approximately 11 other entities participating in the cost share agreement, including, but not limited to the cities of Apache Junction, Chandler, Glendale, Mesa, Peoria, Scottsdale, and the towns of Carefree, Gilbert, and Queen Creek.

Contract Term

The Agreement terminates when the technical review is completed or BOR otherwise terminates the technical review. The parties expect that the feasibility study will be completed in approximately ten years.

Financial Impact

The total cost of the agreement will not exceed $1,142,352 with Phoenix's cost being no greater than $139,510. Funding for this agreement is available from the Colorado River Resiliency Fund, a part of the Water Services Department's Capital Improvement Budget.

Location

Adjacent to Granite Reef Dam
Council District: Outside of City

This item was adopted.

133 Authorization to Amend Lease Agreement 131499 with Carver Mountain Enterprises to Extend Term and Increase Leased Premises (Ordinance S-49809)

Request to authorize the City Manager, or his designee, to amend Lease Agreement 131499 with Carver Mountain Enterprises to extend the term for a five-year period; to provide for three additional one-year options to extend; and to increase the leased premises to 102 acres, net, of

farmland. Further request to authorize the City Treasurer to accept all funds related to this item.

Summary

Carver Mountain Enterprises (Tenant) currently leases 97 acres of farmland located between Dobbins Road and South Mountain Avenue, east of 15th Avenue. Tenant currently occupies the property as a holdover tenant and is in good standing.

The lease will be amended to extend the term for a five-year period, beginning July 1, 2023, through June 30, 2028, and to provide for three additional one-year options to extend. Each option period will be exercised upon mutual agreement of the City and Tenant. The lease will also be amended to include an additional five acres, increasing the leased premises to 102 acres of farmland beginning July 1, 2023.

Market rent at the beginning of the five-year extension period is $225 per acre per year, or $22,950 per year, which is within the range of market rents as determined by the Real Estate Division. Base rent will increase three percent annually at the beginning of each one-year option period. As consideration for the extension, the Tenant will receive a rent credit valued in the amount of $180,000 for ground leveling work on 72 acres of the leased premises. Tenant will be assessed market rent, plus applicable taxes, for failure to complete the ground leveling work. Tenant will forfeit any credit related to the work for early termination of the lease or for non-renewal of any option period.

Contract Term

The contract extension is a five-year term, from July 1, 2023, through June 30, 2028, with three additional one-year options to extend.

Financial Impact

There is no net revenue during the five-year extension.

Concurrence/Previous Council Action

Lease Agreement 131499 (Ordinance S-37720) adopted March 16, 2011.

Location

Between Dobbins Road and South Mountain Avenue, east of 15th Avenue.
Council District: 8

This item was adopted.

134 Authorization to Enter into an Intergovernmental Agreement between the City of Phoenix and U.S. Geological Survey to Create a Water Budget for Tres Rios Ecosystem Restoration Project (Ordinance S-49850)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement with the U.S. Geological Survey to create an ecosystem water budget for Tres Rios, a joint City of Phoenix and U.S. Army Corps of Engineers project. Further request to authorize the City Controller to disburse all funds related to this item. The City of Phoenix cost under this agreement will not exceed $200,000.

Summary

The City of Phoenix is the local sponsor for the Tres Rios Flood Control and Environmental Restoration project, a U.S. Army Corps of Engineers (USACE) Civil Works project. Tres Rios is located in the Salt and Gila rivers and adjacent river bank from 83rd Avenue to approximately the confluence with the Agua Fria River. The ecosystem restoration phases of Tres Rios include the flow regulating wetlands, overbank wetlands, mesquite bosque, and the Salt and Gila rivers. The flow regulating wetlands are part of the wastewater treatment process, polishing the processed effluent to Clean Water Act standards before being discharged to the Salt River. All phases of the project are supported by these daily effluent discharges. The City has obligations, under our Project Cooperation Agreement with the USACE and under our Safe Harbor Agreement with the U.S. Fish and Wildlife Service, to establish and maintain native vegetation communities and to operate, maintain, repair, replace and rehabilitate the Tres Rios project, including the ecosystem restoration components.

As the Water Services Department evaluates the approach and use of advanced water treatment, an understanding of the water use, by ecosystem restoration, components of Tres Rios is a critical information need. Understanding the city's obligations under existing agreements will help inform the planning for future advanced water treatment. The U.S.

Geological Survey (USGS) is a scientific leader in collecting and analyzing data related to surface water and groundwater, and the USGS has performed similar ecosystem water budget studies in other river systems in Arizona. The USGS is familiar with the Tres Rios area; they are currently conducting a water seepage study so the City can better understand the surface and groundwater dynamics in the river system at Tres Rios. This ongoing effort will provide key baseline information to build on for the proposed water budget study. Specific work will include evaluating existing ecosystem vegetation, vegetation/habitat obligations under our federal agreements, incorporating surface water and groundwater dynamics, understanding vegetative water demands, undertaking data modeling, and similar tasks to develop a water budget for Tres Rios. The City of Phoenix will provide no more than $200,000 to complete this work on behalf of the City.

Contract Term

The agreement would be for a two-year term beginning on or around June 20, 2023, with three one-year options to extend.

Financial Impact

The aggregate value shall not exceed $200,000 without further Council approval. The funds would only be expended for USGS to create an ecosystem water budget for Tres Rios. Funding is available in the Water Services Department's Capital Improvement Program budget and the Office of Environmental Programs' Operating budget.

Location

Tres Rios
Council District: 7

This item was adopted.

135 Final Plat - 10050 N. 25th Avenue - PLAT 230009 - Northeast Corner of 26th Drive and Mountain View Road

Plat: 230009
Project: 00-7100
Name of Plat: 10050 N. 25th Avenue
Owner: Bay Pacific Phoenix Corporate Center, LLC
Engineer: James M. Williamson, RLS

Request: A Six-Lot Commercial Plat
Reviewed by Staff: May 4, 2023
Final Plat requires Formal Action Only

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

Location
Generally located at the northeast corner of 26th Drive and Mountain View Road
Council District: 3

This item was approved.

136 Final Plat - Algodon Lot 17 Retail - PLAT 220114 - Northwest Corner of Thomas Road and 93rd Avenue

Plat: 220114
Project: 06-2638
Name of Plat: Algodon Lot 17 Retail
Owner: GM 39T, LLC
Engineer: Douglas B. Toney, RLS
Request: A Four-Lot Commercial Plat
Reviewed by Staff: May 4, 2023
Final Plat requires Formal Action Only

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

Location
Generally located at the northwest corner of Thomas Road and 93rd Avenue
Council District: 5

This item was approved.

137 Final Plat - Modern Industries - PLAT 220029 - Southeast Corner of 46th Street and Beautiful Lane

Plat: 220029

Project: 00-3671
Name of Plat: Modern Industries
Owner: Beautiful Lane Properties, LLC, Beautiful Lane Properties II, LLC, Beautiful Lane Properties III, LLC
Engineer: James B. Flack, RLS
Request: A Three-Lot Commercial Plat
Reviewed by Staff: May 3, 2023
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 46th Street and Beautiful Lane
Council District: 6

This item was approved.

138 Final Plat - Avance Highlands - PLAT 220082 - North of Mineral Road and West of 14th Street

Plat: 220082
Project: 00-3791
Name of Plat: Avance Highlands
Owner: D.R. Horton, INC.
Engineer: Ronnie E. Dorsey, RLS
Request: A 130-Lot Residential Plat
Reviewed by Staff: May 11, 2023
Final Plat requires Formal Action Only

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

Location
Generally located north of Mineral Road and west of 14th Street
Council District: 8

This item was approved.

139 Final Plat - Trellis at the Park - PLAT 220088 - Northeast Corner of 19th Street and Polk Street

Plat: 220088
Project: 21-380
Name of Plat: Trellis at the Park
Owner: City of Phoenix Housing Department
Engineer: Richard D. Stockman, RLS
Request: A 44-Lot Residential Plat
Reviewed by Staff: May 10, 2023
Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the northeast corner of 19th Street and Polk Street
Council District: 8

This item was approved.

140 Abandonment of Easement - ABND 220040 - Northeast Corner of Camelback Road and Phoenician Boulevard (Resolution 22132)

Abandonment: ABND 220040
Project: 16-3642
Applicant: Justin Evinger, Beck Consulting Engineers, Inc.
Request: Request to abandon a portion of an existing drainage easement per book 247, page 1, Maricopa County Recorder.
Date of Decision/Hearing: Aug. 23, 2022

Location

Northeast corner of Camelback Road and Phoenician Boulevard
Council District: 6

Financial Impact

Pursuant to Phoenix City Code article 5, section 31-64(e) as the City acknowledges the public benefit received by the generation of additional revenue from the private tax rolls and by the elimination of third-party

general liability claims against the city, maintenance expenses, and undesirable traffic patterns, also replatting of the area with alternate roadways and new development as sufficient and appropriate consideration in this matter.

No consideration fee was required as a part of this easement abandonment, although a filing fee of $875 was paid.

This item was adopted.

141 Abandonment of Right-of-Way - ABND 210057 - Chipman Road between 16th Street and 17th Street (Resolution 22131)

Abandonment: ABND 210057
Project: 20-3324
Applicant: Ran Edelman
Request: To abandon the unimproved half-street right-of-way for Chipman Road east of 16th Street and south of the lot identified by Assessor's Parcel Number (APN) 122-46-015 and Chipman Road between the alley east of the lot identified by APN 122-46-015 and 17th Street.
Date of Decision/Hearing: Jan. 13, 2022

Location
Chipman Road between 16th Street and 17th Street
Council District: 8

Financial Impact
A consideration fee was also collected as part of this right-of-way abandonment in the amount of $9,000.

This item was adopted.

142 Planning, Zoning, Plan Review, Permitting and Inspections Application - RFP 19-019 - Amendment (Ordinance S-49834)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 151139 with Accenture, LLP to modify scope of work and extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $29,982,957.

Summary
This contract will provide planning, zoning, plan review, permitting and

inspections application software. This software supports the SHAPE PHX Project and replaces multiple existing Planning and Development Department land management applications. This is a continuation of a multi-year project to consolidate existing applications into one modern enterprise system that provides a single source for land management information. The new system will result in improved data quality; a better performing, fully supported and secure business application; opportunities to streamline processes; and the ability to quickly adapt to changes. In addition, the system offers scalability to adapt to future needs.

This request to extend the contract two years will allow for management of schedule changes affecting Release 2. The modification of scope adds Releases 3 and 4, as well as application maintenance and support along with Salesforce administration. The scope modification will result in an updated project plan and adjustments to the timeline and resource expectations to reduce staff over allocation during the project. The requested additional funds will allow for completion of this phase of the project.

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

Contract Term
Upon approval the contract will be extended through Oct. 31, 2028.

Financial Impact
Upon approval of $29,982,957 in additional funds, the revised aggregate value of the Accenture, LLP contract will not exceed $49,982,957. Total payment ordinance for the SHAPE PHX Project to include this contract (151139) and software licensing through Carahsoft contract (151147) will not exceed $61,582,957. Funds are available in the Planning and Development Department's Capital Improvement Program budget thru the Development Services Department Special Revenue Fund.

Concurrence/Previous Council Action
The SHAPE PHX Steering Committee:
Recommended approval of this item on May 10, 2023.

The SHAPE PHX Executive Committee:
Recommended approval of this item on May 10, 2023.

The City Council previously reviewed this request:
Planning, Zoning, Plan Review, and Permitting Application Contract 151139 (Ordinance S-46102) on Oct. 16, 2019; and
Planning, Zoning, Plan Review, and Permitting Application Contract 151139 (Ordinance S-47874) on Aug. 25, 2021.

This item was adopted.

143 Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-1-23-1 - Approximately 80 Feet West of the Southwest Corner of 49th Drive and Cactus Road (Ordinance G-7118)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-1-23-1 and rezone the site from R1-6 (Approved P-1) (Single-Family Residence District, Approved Passenger Automobile Parking, Limited) and C-1 (Approved C-1) (Neighborhood Retail, Approved Neighborhood Retail) to C-2 SP (Intermediate Commercial, Special Permit) to allow self-service storage warehouse. This item is a companion case to Z-2-23-1 and must be heard first, followed by Z-2-23-1.

Summary
Current Zoning: R1-6 (Approved P-1) (0.46 acres) and C-1 (Approved C-1) (3.29 acres)
Proposed Zoning: C-2 SP
Acreage: 3.75 acres
Proposal: Special Permit to allow self-service storage warehouse

Owner: Parkwood Retail Investors, LLC
Applicant: Alex Kunen, Lock Safe Storage
Representative: Jessica Sarkissian, UpFront Planning, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The North Mountain Village Planning Committee heard this case on April 19, 2023, and recommended approval, per the staff recommendation, by a vote of 13-0.

PC Action: The Planning Commission heard this case on May 4, 2023, and recommended approval, per the North Mountain Village Planning Committee recommendation, by a vote of 6-2.

Location

Approximately 80 feet west of the southwest corner of 49th Drive and Cactus Road
Council District: 1
Parcel Address: 5051 W. Cactus Road

This item was adopted.

144 Amend City Code - Ordinance Adoption - Rezoning Application Z-2-23-1 - Approximately 80 Feet West of the Southwest Corner of 49th Drive and Cactus Road (Ordinance G-7119)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-2-23-1 and rezone the site from C-1 (Approved C-1) (Pending C-2 SP) (Neighborhood Retail, Approved Neighborhood Retail) (Pending Intermediate Commercial, Special Permit) and R1-6 (Approved P-1) (Pending C-2 SP) (Single-Family Residence District, Approved Passenger Automobile Parking, Limited) (Pending Intermediate Commercial, Special Permit) to C-2 HGT/WVR SP (Intermediate Commercial, Height Waiver, Special Permit) to allow self-service storage warehouse with a height waiver. This item is a companion case to Z-SP-1-23-1 and must be heard following Z-SP-1-23-1.

Summary

Current Zoning: C-1 (Approved C-1) (Pending C-2 SP) (3.29 acres) and R1-6 (Single-Family Residence District) (Pending C-2 SP) (0.46 acres)
Proposed Zoning: C-2 HGT/WVR SP
Acreage: 3.75 acres
Proposal: Self-service storage warehouse with a height waiver

Owner: Parkwood Retail Investors, LLC
Applicant: Alex Kunen, Lock Safe Storage
Representative: Jessica Sarkissian, Upfront Planning, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The North Mountain Village Planning Committee heard this

case on April 19, 2023, and recommended approval, per the staff recommendation, by a vote of 13-0.
PC Action: The Planning Commission heard this case on May 4, 2023, and recommended approval, per the North Mountain Village Planning Committee recommendation, by a vote of 6-2.

Location
Approximately 80 feet west of the southwest corner of 49th Drive and Cactus Road
Council District: 1
Parcel Address: 5051 W. Cactus Road

This item was adopted.

145 Amend City Code - Ordinance Adoption - Rezoning Application Z-5-23-2 - Northwest Corner of the 38th Street Alignment and Bell Road (Ordinance G-7122)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-5-23-2 and rezone the site from C-2 SP (Intermediate Commercial, Special Permit) and R-3 (Approved R-3) (Multifamily Residence District, Approved Multifamily Residence District) to C-2 HGT/WVR SP (Intermediate Commercial, Height Waiver, Special Permit) to allow a self-service storage warehouse with underlying C-2 uses and a height waiver.

Summary
Current Zoning: C-2 SP (6.69 acres) and R-3 (Approved R-3) (0.73 acres)
Proposed Zoning: C-2 HGT/WVR SP
Acreage: 7.42 acres
Proposal: Self-service storage warehouse with underlying C-2 uses and a height waiver

Owner/Applicant: Extra Space Properties 121, LLC
Representative: William F Allison, Withey Morris Baugh, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Paradise Valley Village Planning Committee heard this case on May 1, 2023, and recommended approval, per the staff

recommendation, by a vote of 13-0.
PC Action: The Planning Commission heard this case on May 4, 2023, and recommended approval, per the Paradise Valley Village Planning Committee recommendation, by a vote of 8-0.

Location
Northwest corner of the 38th Street alignment and Bell Road
Council District: 2
Parcel Address: 3770 E. Bell Road

This item was adopted.

146 Amend City Code - Ordinance Adoption - Rezoning Application Z-21-22-2 (Alta Dove Valley PUD) - Approximately 170 Feet West of the Southwest Corner of North Valley Parkway and Dove Valley Road (Ordinance G-7123)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-21-22-2 and rezone the site from PCD NBCOD (Planned Community District, North Black Canyon Overlay District), Approved C-2 or CP M-R PCD NBCOD (Approved Intermediate Commercial or Commerce Park District, Mid-Rise District, Planned Community District, North Black Canyon Overlay District) to PUD NBCOD (Planned Unit Development, North Black Canyon Overlay District) to allow multifamily residential.

Summary
Current Zoning: PCD NBCOD (Approved C-2 or CP M-R PCD NBCOD)
Proposed Zoning: PUD NBCOD
Acreage: 7.53 acres
Proposal: Planned Unit Development to allow multifamily residential

Owner: JD Real Estate Holding, LLC
Applicant/Representative: Brian Greathouse, Burch & Cracchiolo

Staff Recommendation: Approval, subject to stipulations.
VPC Info: The North Gateway Village Planning Committee heard this case on July 14, 2022, for information only.
VPC Action: The North Gateway Village Planning Committee heard this case on April 13, 2023, and recommended approval, per the staff recommendation, with additional stipulations, by a vote of 4-0.

PC Action: The Planning Commission heard this case on May 4, 2023, and recommended approval, per the North Gateway Village Planning Committee recommendation, by a vote of 8-0.

Location
Approximately 170 feet west of the southwest corner of North Valley Parkway and Dove Valley Road
Council District: 2
Parcel Address: 2725 W. Dove Valley Road

This item was adopted.

147 Amend City Code - Ordinance Adoption - Rezoning Application Z-67-22-3 - Approximately 230 Feet South of the Southwest Corner of 17th Avenue and Bell Road (Ordinance G-7121)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-67-22-3 and rezone the site from C-2 (Intermediate Commercial) to C-2 HGT/WVR DNS/WVR (Intermediate Commercial, Height Waiver, Density Waiver) to allow multifamily residential with a height and density waiver.

Summary
Current Zoning: C-2
Proposed Zoning: C-2 HGT/WVR DNS/WVR
Acreage: 3.73 acres
Proposal: Multifamily residential with a height and density waiver

Owner: Rod Rosenstein, 1711 W Bell, LLC
Applicant: Leoh Sandoval, Long Beach Designers
Representative: Steven Valdez, Remedy Designs

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Deer Valley Village Planning Committee was scheduled to hear this case on April 20, 2023, for recommendation; however, there was no quorum.
PC Action: The Planning Commission heard this case on May 4, 2023, and recommended approval, per the staff recommendation, by a vote of 8-0.

Location
Approximately 230 feet south of the southwest corner of 17th Avenue and Bell Road
Council District: 3
Parcel Address: 1705 and 1711 W. Bell Road

This item was adopted.

148 **Amend City Code - Ordinance Adoption - Rezoning Application Z-9-23-5 - Approximately 400 Feet East of the Southeast Corner of 27th Avenue and McLellan Boulevard (Ordinance G-7120)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-9-23-5 and rezone the site from R-3 (Multifamily Residence District) to R-4 (Multifamily Residence District) to allow multifamily residential.

Summary
Current Zoning: R-3
Proposed Zoning: R-4
Acreage: 0.80 acres
Proposal: Multifamily residential

Owner: Putting U First, LLC
Applicant/Representative: Derek Stana, Leckie Investments

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Alhambra Village Planning Committee heard this case on April 25, 2023, and recommended approval, per the staff recommendation, by a vote of 9-2.
PC Action: The Planning Commission heard this case on May 4, 2023, and recommended approval, per the Alhambra Village Planning Committee recommendation, by a vote of 8-0.

Location
Approximately 400 feet east of the southeast corner of 27th Avenue and McLellan Boulevard
Council District: 5
Parcel Address: 2609 W. McLellan Blvd.

This item was adopted.

34 (CONTINUED FROM MAY 31, 2023) - Police Employment Marketing Services RFP HR 22-009 - Request for Award (Ordinance S-49790)

Request to authorize the City Manager, or his designee, to enter into contracts with ON Advertising, Inc., and Lincoln Strategy Group, LLC, to provide employment marketing services for the Human Resources Department and the Police Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $1,700,000.

Summary

The Phoenix Police Department faces significant challenges to fill hundreds of vacant positions and maintain necessary staffing levels. These contracts will provide marketing services and advertising using digital and traditional media to promote the Phoenix Police Department as a premier employer for law enforcement careers, attract a diverse pool of qualified applicants, and generate a continuous pipeline of applicants for the next five years. The contracts also include the design and hosting of a new employment website.

Procurement Information

A Request for Proposal procurement was processed in accordance with Administrative Regulation 3.10.

Four vendors submitted proposals deemed responsive and responsible. An evaluation committee of City staff evaluated those offers based on the following criteria with a maximum possible point total of 1,000:
Qualifications and Experience (0-300 points)
Method of Approach (0-450 points)
Price (0-250 points)

After reaching consensus, the evaluation committee recommends awards to the following vendors:
ON Advertising, Inc., 782.5 points
Lincoln Strategy Group, LLC, 762 points

Contract Term

The contracts will begin on or about June 1, 2023, for a five-year term with no options to extend.

Financial Impact

The aggregate value of the two contracts will not exceed $1,700,000. Funding is available in the Police Department operating budget.

Discussion

Following the vote, Mayor Gallego clarified someone had signed up to speak virtually, but was not online.

A motion was made by Vice Mayor Ansari, seconded by Councilwoman Pastor, that this item be adopted as amended to award the highest-scoring vendor, ON Advertising, Inc, for a five-year term for $1.7 million and request that City staff present a marketing plan focused on women in order to help us achieve our 30-by-30 initiative to the Public Safety and Justice Subcommittee on an annual basis. The motion carried by the following vote:

Yes:	7 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	2 -	Councilman Robinson and Councilman Waring

36 Public Hearing on Proposed Property Tax Levy, Truth in Taxation and Adoption of the Final 2023-24 Annual Budget

As required by State statute, this item requests the City Council hold a public hearing on the City's proposed Property Tax Levy and Truth in Taxation and the adoption of the final 2023-24 City of Phoenix Annual Budget (see **Attachment A** for State Budget Forms and Truth in Taxation Notice).

Discussion

Mayor Gallego declared the public hearing open. Noting there was no one present to speak, she declared the public hearing closed.

The hearing was held.

37 Convening of Special Meeting of the City Council

In accordance with State statute, this item requests the City Council formally convene a special meeting for the purpose of considering adoption of the final 2023-24 budget.

Discussion

A motion was made and seconded to recess the regular meeting and convene a special meeting to consider adoption of the budget.

A motion was made by Vice Mayor Ansari, seconded by Councilwoman Stark, to recess the regular meeting and convene a special meeting to consider adoption of the budget. The motion carried by the following voice vote:

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

No: 0

Absent: 2 - Councilman Robinson and Councilman Waring

38 Adoption of the Final 2023-24 Operating Funds Budget (Ordinance S-49813)

In compliance with requirements of the City Charter and Code and State statutes, this item requests to adopt an ordinance (**Attachment A**) determining and adopting final estimates of proposed expenditures by the City of Phoenix for the fiscal year beginning July 1, 2023 and ending June 30, 2024 declaring that such shall constitute a budget of the City of Phoenix for such fiscal year.

Summary

The final operating funds budget ordinance reflects extensive public review through phone, email, information posted on the City website and actions taken by the Council on the budget at the May 16, 2023 Policy meeting and at the May 31, 2023 Formal meeting to adopt the tentative Fiscal Year 2023-24 operating budget ordinance.

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

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

No: 0

Absent: 2 - Councilman Robinson and Councilman Waring

39 Adoption of the Final 2023-24 Capital Funds Budget (Ordinance

S-49851)

In compliance with requirements of the City Charter and Code and State statutes, this item requests to adopt an ordinance **(Attachment A)** adopting the final Capital Funds Budget for the City of Phoenix for the fiscal year 2023-24.

Summary

This adopts the final 2023-24 Capital Funds Budget for the fiscal year beginning July 1, 2023, and ending June 30, 2024. This capital funds appropriation will be funded by property tax and revenue supported bond proceeds, federal, state and other participation funds, passenger facility charges, customer facility charges, participation by other governmental entities in certain projects, development impact fees, capital grants, capital reserves, solid waste remediation funds and other capital funding sources.

Concurrence/Previous Council Action

The final Capital Funds Budget ordinance reflects actions taken by Council at the May 31, 2023, Formal meeting to adopt the tentative budget ordinances and is consistent with the Five-Year Capital Improvement Program resolution approved by Council at the May 31, 2023, Formal meeting.

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

Yes:	7 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	2 -	Councilman Robinson and Councilman Waring

40 Adoption of the Final 2023-24 Reappropriated Funds Budget (Ordinance S-49814)

In compliance with requirements of the City Charter and Code and State statutes, this item requests to adopt an ordinance (**Attachment A**) adopting the final reappropriation budget for items of expenditure previously adopted as part of the 2022-23 fiscal year operating and

capital fund budgets of the City of Phoenix but remaining as unexpended funds as of June 30, 2023.

Concurrence/Previous Council Action

The reappropriated funds budget ordinance reflects the action taken at the May 31, 2023 Formal meeting to adopt the tentative 2023-24 reappropriated funds budget ordinance.

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

Yes:	7 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	2 -	Councilman Robinson and Councilman Waring

Discussion

Following the vote, Mayor Gallego declared the special meeting adjourned and reconvened the regular meeting.

A motion was made by Vice Mayor Ansari, seconded by Councilwoman Stark, to adjourn the special meeting and reconvene the regular meeting. The motion carried by the following voice vote:

Yes:	7 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	2 -	Councilman Robinson and Councilman Waring

41 Amend Ordinance S-48719 Adopting the 2022-23 Annual Budget for Operating Funds (Ordinance S-49812)

An ordinance (**Attachment A**) amending Ordinance S-48719 adopting the 2022-23 Annual Budget to authorize reallocating appropriations among lawfully available appropriations to ensure the continued operation of the City of Phoenix in the payment of necessary expenses.

Summary

This legally required amendment to the 2022-23 Operating Budget will allow the City to close out the current fiscal year's budgetary accounts

and proceed with the annual independent audit. This is a standard end-of-year process required to close the books.

State law precludes any expenditure not included in the budget even if additional funds become available. This means all expenditures require an appropriation. An appropriation is the formal recognition in the City's official accounting records that the City Council has approved spending authority. State law allows the City Council to transfer spending authority between line items in the adopted budget. This does not represent an actual transfer of funds, but rather, only transfers of spending authority between specific areas. As a result, the total bottom line budget amount for 2022-23 does not change.

To make sure all planned expenditures have appropriate spending authority, each year the Budget and Research Department brings to the City Council a request to amend the original budget amounts between specific areas at the end of each fiscal year. This is a normal part of the annual budget close-out process. Variances between estimated and actual expenditures that trigger the need to do these reallocated appropriations are usually caused by timing differences, such as expenditures originally planned for the early part of the 2023-24 fiscal year that actually occurred during the 2022-23 fiscal year. These timing variances can be quite large, especially when dealing with construction contracts. Allowing for these timing differences in our request for year-end budget amendments allows for bid awards and payments to vendors to proceed.

The amendments to the 2022-23 Operating Budget require City Council approval to move spending authority from areas where excess authority is available to other areas where insufficient authority was originally provided due to normal changes during the year.

Decreases in 2022-23 appropriation authority are requested in the following:

Federal and State Grant Funds due to the carryover of various grant awards to 2023-24, including Coronavirus State and Local Fiscal Recovery Funds (SLFRF) projects that are still in process.

Increases in 2022-23 appropriation authority are requested in the following:

City Improvement Funds due to actual interest costs exceeding budgeted interest costs for Transportation 2050 revolver loan.
Golf Course Funds as a result of increased usage of City golf courses, which increased operating and maintenance costs.
Human Services Grant Funds for additional Emergency Rental Assistance (ERA) and other grant award receipts and the reallocation of ERA funds previously budgeted in Federal and State Grants.
Neighborhood Protection Funds due to a significant increase in Police overtime costs compared to prior years.
Other Restricted Funds as a result of payments to the Public Safety Personnel Retirement System. These payments, which are funded by Proposition 207 revenues, are part of the Council-approved pension funding policy.
Public Safety Expansion Funds due to a significant increase in Police overtime costs compared to prior years.
Regional Wireless Cooperative Funds as a result of less credits received because of an adjustment to operating and maintenance charges.
Secondary Property Tax Funds for defeasance of outstanding General Obligation Bond debt, consistent with financial planning for the 2023 General Obligation Bond program.
Water Funds due to significant price inflation on the cost of chemicals required for water treatment.
The following fund to provide for minor year-end variances: Cable Communications.

These are balancing measures with a net impact of $0. The total appropriation remains unchanged.

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

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

No: 0

Absent: 2 - Councilman Robinson and Councilman Waring

50 **Foreign Language Interpretation and Translation Services - COOP 21-029 - Amendment (Ordinance S-49845)**

Request to authorize the City Manager, or his designee, to execute amendment to Contract 154557 with Language Line Services, Inc., to extend the contract term. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $250,000.

Summary

This contract will provide City departments access to certified interpreters and/or translators. The as-needed services that are provided include in-person interpretation services, telephone interpretation services, and document translation services. Interpretation and translation services are needed to allow the public the ability to communicate in more than 70 languages with public safety personnel during emergency and non-emergency scenarios. The extension will allow additional time for completion of a full procurement process.

Contract Term

Upon approval the contract will be extended through June 1, 2024, with an option to extend through June 1, 2025.

Financial Impact

Upon approval of $250,000 in additional funds, the revised aggregate value of the contract will not exceed $1,000,000. Funds are available in the various department budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

Foreign Language Interpretation and Translation Services 154557 (Ordinance S-47614) on June 2, 2021;

Foreign Language Interpretation and Translation Services 154557 (Ordinance S-48749) on June 15, 2022.

Discussion

Vice Mayor Ansari said she supported this contract extension given the

purpose was to have more time for a procurement process and expressed her appreciation for the interpreters as it was a difficult job. She mentioned she had heard from bilingual and monolingual Spanish speakers who wanted nuanced interpretation services as testimony could be specific to someone's experience which did not come across at times and was unfair to Spanish speaking residents. She emphasized she looked forward to exploring additional interpretation services that had more technical translation experience, noting she sent options to staff.

A motion was made and seconded to approve this item.

Councilwoman Guardado agreed with Vice Mayor Ansari's comments, noting she met with staff about residents concerns. Councilwoman Guardado asked if the contract could be done in-house with city staff or come up with something different, such as arriving an hour before the meeting to understand what needed to be translated so everyone was comfortable.

City Manager Jeffrey Barton replied Council's feedback had been heard by staff, noting he had met with Communications Director Dan Wilson who also met with Council to discuss the concerns. Mr. Barton conveyed staff would be reaching out to the current contractor to go over options to improve that service as well as include additional resources to the contract in the interim. He added staff was looking at soliciting additional vendors to provide the level of service requested by Council. He advised staff could evaluate bringing this in-house as part of the program budget later in the year, but measures could be put in place that could serve everyone's needs in the interim.

NOTE: Councilman Waring joined the meeting virtually.

Councilwoman Guardado expressed her appreciation to people who translated for the city as it was a difficult task, but she wanted to make sure constituents concerns were addressed.

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

Yes: 8 - Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego

No: 0

Absent: 1 - Councilman Robinson

53 **Authorization to Adopt Proposed Update to Pension Funding Policies (Ordinance S-49826)**

Request to adopt a Pension Funding Policy applicable to City of Phoenix Employee Retirement System (COPERS) and Public Safety Personnel Retirement System (PSPRS). A Pension Funding Policy to clearly communicate the City's funding objectives is a requirement adopted by the State Legislature in 2018 as Arizona Revised Statutes Section 38-863.01 **(Attachment A)** to be implemented on an annual basis by June 30. While the State law only applies to PSPRS, for the fifth year in a row City staff recommends also adopting a Pension Funding Policy for COPERS as a transparent sound financial practice.

Summary

The State law requires the City to:
Annually adopt a Pension Funding Policy.
Formally accept the Employer's share of the assets and liabilities under each pension system.
Post the Policy on the City's website.

For review and discussion purposes, a proposed Pension Funding Policy for both COPERS and PSPRS can be found in **Attachments B and C.** A final City Pension Funding Policy must be adopted and posted on the City's website by July 1 each year.

Over the last several years the Phoenix City Council and voters have taken responsible actions to ensure the pension systems are financially stable while maintaining services to the public. Fluctuations in unfunded pension liabilities **(Attachment D)** and annual costs **(Attachment E)** have placed significant budgetary constraints on the City’s ability to provide employee wage and non-pension benefit increases, public services and infrastructure maintenance. While currently manageable,

this pressure will continue into the foreseeable future. Further, credit rating agencies and lenders place strong consideration on the funding plan and funding levels of the City's pension systems when determining their view of the overall financial health of the City.

The Phoenix City Council has requested staff provide various pension funding options, which has resulted in the following actions:

Adopted a balanced budget based on a 25-year amortization schedule for PSPRS, which is more aggressive than the 30-year amortization adopted through State Law. However, the 25-year amortization schedule still allows budgetary capacity to continue providing quality services and fair compensation for employees.

Established a Pension Reserve Fund to stabilize annual PSPRS payments.

Advanced $70 million in Wastewater enterprise funds to pay down the COPERS liability in Fiscal Year 2017-18. Advanced $170 million in Aviation enterprise funds to pay down the COPERS liability in Fiscal Year 2020-21.

Authorized a portion of recreational (non-medical) marijuana tax revenue to directly pay down the PSPRS pension liability.

These actions are in addition to the COPERS pension reform that the City Council and voters have implemented since 2013 and the statewide PSPRS pension reform passed by the voters in 2016.

Results to Date

Implementation of the City Council's direction has resulted in improvements to the funded position and stabilization of COPERS, including the current funded ratio for COPERS to 68.65 percent for fiscal year ending 2022, down from 75.70 percent in fiscal year ending 2021 **(Attachment F)**.

The funded ratio for PSPRS was 42.44 and 45.20 percent for Police and Fire, respectively, for fiscal year ending 2022 and was 37.22 and 38.05 percent for Police and Fire, respectively, for fiscal year ending 2021 **(Attachment F)**. This is an indication that ongoing attention to the funded position of PSPRS and strategies to increase payments over a sustained

period is necessary in conjunction with balancing the current needs of the community and employees.

In November 2020, voters approved Proposition 207 legalizing the sale of recreational marijuana in the State of Arizona beginning in January 2021. Towards the end of Fiscal Year 2020-21, the City of Phoenix started receiving recreational marijuana revenues from four sources, including:

City of Phoenix regular general fund sales tax.
Public Safety proportional allocation based on PSPRS membership.
Highway User Revenue Fund (HURF) proportional allocation.
State-shared sales tax revenue.

As part of the PSPRS Pension Funding Policy for Fiscal Year 2022-23, City Council adopted a policy to annually direct revenues from 1 and 2 above (the general fund portion of the City's sales tax of recreational marijuana and the City's Public Safety allocation) to paying down PSPRS pension liability. To date, $16.2 million has been used to pay towards PSPRS, above the Actuarially Determined Contribution (ADC). Revenues in the current fiscal year from 1 and 2 above are estimated to be approximately $10.0 million.

City Council Considerations
In accordance with State law, the City Council must formally accept the assets and liabilities of the City's pension funds for the City of Phoenix **(Attachments G and H)** and must approve Pension Funding Policies **(Attachments B and C)** by July 1, 2022.

Pension Obligation Bonds (POBs) are bonds issued to pay pension plan liabilities. This type of bond issuance is very complex and as such, has many critical considerations. As part of the PSPRS Pension Funding Policy for fiscal year 2023, City Council adopted a framework establishing parameters around issuing POBs to mitigate risks. This framework is included as part of the proposed PSPRS Pension Funding Policy for Fiscal Year 2023-24. The policy establishes a framework only. Additional City Council authorization would be required for issuance of POBs.

The City has allowed the Deferred Retirement Option Plan (DROP) Tier 1 members (who entered prior to July 6, 2022) to be eligible to extend their DROP service from 5 to 7 years in accordance with the statutory guidelines when in the best interest of the City; this will be evaluated annually and, on a case-by-case basis.

While the pension systems are not currently fully funded, the strategy to pay the ADC and pay down the liability over a set period (18 years remaining for PSPRS and 15 years remaining for COPERS) allows flexibility in improving services to the public while spreading the liability over a period of time.

Under current actuarial calculations and amortization periods, PSPRS will be 100 percent funded by June 30, 2042 **(Attachment I)** and COPERS will be 100 percent funded by June 30, 2039 **(Attachment I)**. Under the leadership of the City Council, the City can continue to take steps to ensure current funding expectations are achieved on this schedule, or even reach 100 percent funded within a shorter time frame.

Discussion

Mayor Gallego announced there would be two motions on this item, noting Councilwoman Stark would not participate in the first vote due to a conflict of interest.

A motion was made by Vice Mayor Ansari, seconded by Councilwoman Pastor, to approve staff's recommendations to adopt the annual COPERS pension funding policy and acknowledge the assets and liabilities of the COPERS plan. The motion carried by the following vote:

Yes:	7 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	
Conflict:	1 -	Councilwoman Stark
Absent:	1 -	Councilman Robinson

A motion was made by Vice Mayor Ansari, seconded by Councilwoman Stark, to approve staff's recommendations to adopt the annual PSPRS

pension funding policy and acknowledge the assets and liabilities of the PSPRS plan. The motion carried by the following vote:

Yes: 8 - Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego

No: 0

Absent: 1 - Councilman Robinson

63 City Prosecutor's Office Domestic Violence Diversion, Positive Alternatives Program, and Cognitive Skills Program Diversion - RFP - LAW-23-0081-1 (Ordinance S-49882)

Request to authorize the City Manager, or his designee, to enter a contract with SAGE Counseling, Inc., to operate and administer the City's Domestic Violence Diversion (DVD), Positive Alternatives Program (PAP), and Cognitive Skills Program (CSP) diversion programs. These programs do not require funding.

Summary

The Prosecutor's Office Domestic Violence Diversion (DVD), Positive Alternatives Program (PAP), and Cognitive Skills Program (CSP) are rehabilitative diversion programs serving to redirect the behavior of offenders. DVD provides a counseling and education program for domestic violence offenders to stop the cycle of violence. PAP provides anger management counseling to provide offenders in non-domestic violence cases with the tools to avoid future assaultive and threatening behavior. Finally, CSP offers cognitive behavioral therapy and opportunities to explore thinking patterns that are intended to help offenders make better decisions. Both the offender and the community benefit when the offender is rehabilitated.

The programs seek to educate offenders about the origin of their criminal behavior and to deter offenders from criminal behavior after the completion of the program. Once proceeding into the criminal justice system the offenders are considered defendants. A defendant who is eligible for a program must accept and enter the City Prosecutor's Office post-plea diversion plea agreement. The defendant is responsible for the costs of the program, though a reduced fee schedule is available for

indigent defendants. If a defendant completes the program and meets all conditions, the City Prosecutor's Office may file a motion to dismiss the eligible charge(s) without prejudice. The contracted agency remits $30 to the City of Phoenix for each defendant who pays a full program fee and successfully completes the program. These monies are utilized for diversion program evaluations and technology enhancements in the City Prosecutor's Office.

In March 2023, the City issued a Request for Proposals (RFP) to seek offers from outside organizations to operate the City Prosecutor's Office DVD/PAP/CSP diversion programs. SAGE Counseling, Inc., was the sole organization to respond to the RFP. SAGE's proposal was reviewed by an evaluation committee. The evaluation panel consisted of members from the City Prosecutor's Office.

The committee determined that SAGE's proposal satisfies all the RFP requirements. Furthermore, as the incumbent provider, SAGE is already known to be highly qualified to continue to provide these program services.

Contract Term
Three years beginning on July 1, 2023, through June 30, 2026, with two one-year renewal options.

Financial Impact
The programs are fee-based and will not require City funds.

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

Councilman Waring requested staff confirm this did not replace penalties, such as substituting classes for jail time.

City Attorney Julie Kriegh affirmed that was accurate and specified someone had to meet criteria to be eligible for this program which staff looked at first, noting jail time was sometimes served.

Councilman Waring said he wanted to make sure this program gave no leeway for someone to serve less time for an egregious crime.

Ms. Kriegh responded that was correct.

Councilwoman Pastor asked if services would be provided while someone was in jail or if this replaced someone serving jail time.

Ms. Kriegh replied it could be both depending on the situation, noting someone could serve some jail time and get credit for the remainder of that time by going through the diversion program.

Councilwoman Pastor questioned if a person could complete this program and have time served taken off their sentence.

Ms. Kriegh answered yes that jail time could be suspended.

Mayor Gallego mentioned Item 61 was relevant to this item as it was an agreement with Arizona State University (ASU) to conduct a study of prosecutorial diversion programs, so the City would be looking at the efficacy of these programs.

Ms. Kriegh added this was discussed at a subcommittee meeting where councilmembers wanted staff to obtain more information about the City's diversion programs, noting the study with ASU over the next five years.

Councilwoman O'Brien recalled the Public Safety and Justice Subcommittee requested new data on the effectiveness of the City's diversion programs. She thanked staff for doing the study so these programs could be data-driven and ensure the results were still positive.

Councilman Waring stated a person was not eligible for the program if the victim was 15 years old or younger and the defendant was older than 25 years old. He continued if the defendant was 40 years old and the victim was 16 years old that person was eligible and inquired about the age cut-off.

Ms. Kriegh replied she did not know why that was one of the rules, but she thought a victim under 15 years old should be looked at closer and would not be eligible for this type of diversion program.

Councilman Waring expressed someone who was 16, 17 or 18 years old was still in school and not considered an adult, noting most people that age could not defend themselves. He said he understood why other things were not eligible, but this one aspect should be expanded.

Ms. Kriegh advised these were guidelines, noting each case was evaluated on whether it fit with the diversion program.

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

Yes:	7 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Ansari and Mayor Gallego
No:	1 -	Councilman Waring
Absent:	1 -	Councilman Robinson

79 Helen Drake Senior Center Site Redevelopment - Request for Award (Ordinance S-49833)

Request to authorize the City Manager, or his designee, to award and enter into a development agreement with The Richman Group, for the development of the undeveloped portion of the Helen Drake Senior Center site to provide affordable rental housing for seniors, and to take all actions and execute all documents to effectuate all agreements required to complete the project. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item. There is no impact to the General Fund.

Summary

On June 16, 2020, the Phoenix City Council approved nine policy initiatives listed in the Housing Phoenix Plan with the goal of creating or preserving 50,000 homes by the year 2030. As part of the third initiative to redevelop City-owned land with mixed-income housing, the Housing Department identified City-owned parcels that would be ideal for affordable or mixed-income development.

On Aug. 31, 2022, the Housing Department received City Council approval to update the list of City-owned land, and to set aside the

identified parcels for the development of affordable or mixed-income development. This update included the addition of the Helen Drake Senior Center parcel, located at 7600 N. 27th Ave., and is owned and operated by the Human Services Department.

The proposed project, Helen Drake Village, plans to develop an 80-unit senior affordable rental property, all below 80 percent Area Median Income, on the undeveloped portion of the site (approximately 1.8 acres).

The Housing Department, working with The Richman Group, seeks authorization to proceed with all actions necessary or appropriate to develop the Helen Drake site, which may include the following:

Form a new city-controlled non-profit corporation with the Housing Director to serve as sole incorporator, with names and governance documents as approved by the City Manager, or his designee.

Form a new corporate entity, or entities, of which the corporation will be a member and co-developer for the Project, to serve as the ownership entity(ies) for the site.

Procure and/or engage in funding transactions to finance the redevelopment, including submitting applications and accepting awards of Low Income Housing Tax Credits (LIHTC), seeking a LIHTC equity investor, and obtaining other grants and/or loans for the Project.

Provide financial guarantees to investors or lenders to assure completion and loan repayment if necessary to obtain financing, provided that any guaranty may only be paid from any developer fees to be paid to the new corporation.

Appropriate, expend and disburse funds, which may include Affordable Housing Funds, Project Based Vouchers and other sources.

Enter into agreements including easements, ground leases, licenses, and/or use agreements as necessary or appropriate to facilitate financing, construction, rehabilitation, operations and implementation of the development site.

Enter into a Memorandum of Understanding for non-profit services to be provided to the senior residents and members of the Helen Drake Senior Center.

Procure, execute, and submit or deliver all contracts, documents and instruments necessary for the financing, redevelopment and operations of the project.

Use and expend the proceeds of any grants, loans and other financing and funding sources to carry out the redevelopment, capital improvements and operations.

Take other action necessary or appropriate to develop, implement and operate all phases of the project.

Procurement Information

A Request For Proposals (RFP) was issued and posted on the City's solicitation website in accordance with the City of Phoenix Administrative Regulation 3.10 for Competitive Sealed Proposals on Dec. 12, 2022. Five proposals were submitted and deemed responsive and responsible. An evaluation committee from the City's Housing, Human Services, and Community and Economic Development departments evaluated the proposals based on the following evaluation criteria: Proposed Development; Proposer Qualifications, Experience and Finance Capacity; Project Integration with Helen Drake Senior Center; Proposed Project Timeline; and Proposed City Commitment and Benefit to the City. The maximum possible point total was 1,000.

The Richman Group
Douglaston Development
Impact Residential Development LLC
Mercy Housing Mountain Plains
Urban Development Partners

After reaching consensus, the evaluation committee recommends to award The Richman Group.

Financial Impact

There is no impact to the General Fund.

Concurrence/Previous Council Action

On June 16, 2020, the Housing Phoenix Plan, and its nine policy initiatives, was adopted, including the third initiative to redevelop City-owned land with mixed-income housing.

On Aug. 31, 2022, City Council approved an update to the list of City-owned land, which included the addition of the Helen Drake Senior Center parcel.

Public Outreach
Staff held multiple meetings with residents to discuss the potential redevelopment of the undeveloped portion of the Helen Drake Senior Center site and the intent of issuing an RFP. On Sept. 23, 2022, an on-site meeting was held at the Helen Drake Senior Center to discuss the potential redevelopment with members of the senior center. Staff additionally met with The Haven Advisory Board on Sept. 27, 2022; the Violence Impact Project (VIP) Coalition on Oct. 24, 2022; the North Glen Square Neighborhood Association on Nov. 10, 2022; and various community members.

Location
7600 N. 27th Ave.
Council District: 5

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

Councilwoman Guardado thanked Housing staff for their work on this item and said she was proud to have the first housing development identified in the housing plan in her district. She mentioned this project would add 80 affordable senior housing units to the community and expressed she looked forward to working with the developer, The Richman Group. She also thanked Nick Wood for his hard work on this matter.

Mayor Gallego noted Mr. Wood was present and confirmed he did not wish to speak.

Prior to her vote, Councilwoman Pastor congratulated the team then voted yes.

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

Yes: 8 - Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego

No: 0

Absent: 1 - Councilman Robinson

81 **American Rescue Plan Act Community Land Trust Program - Request for Award (Ordinance S-49891)**

Request to authorize the City Manager, or his designee, to enter into an agreement to provide $5 million in American Rescue Plan Act (ARPA) funds for Newtown Community Development Corporation to serve as a Community Land Trust (CLT) Administrator and to take all actions and execute all documents to complete the agreement. Further request to authorize the City Controller to disburse all funds for the life of the agreement. There is no impact to the General Fund.

Summary

On Feb. 13, 2023, the Housing Department issued a Request for Proposal (RFP) seeking proposals from qualified organizations to be the Administrator for a CLT Program. The CLT Administrator will acquire properties, rehabilitate homes, and then sell the homes to first-time, low-income homebuyers and serve as the long-term property steward.

In a typical CLT model, the administrator acquires a property, rehabilitates the home, and then sells the home to income-eligible homebuyers. The land remains in a trust to ensure long-term affordability. A land use restriction agreement outlines the affordability requirements, and any future sales of the home must adhere to those requirements.

The following CLT requirements will be met:

All homes will be made available to first-time homebuyers at or below 80 percent Area Median Income, as defined by HUD annually.

The Declaration of Affirmative Land Use Restrictive Covenants will have a term of 99 years and list the City as the beneficiary.

A maximum subsidy of $200,000 per home is allowed through this grant.

Procurement Information
On April 4, 2023, one proposal was received and determined to be responsive and responsible. The proposal was reviewed by the evaluation committee comprised of two City staff members and one staff member from a local municipality. The proposal was evaluated on a 1,000-point scale based on the following criteria: Experience; Proposed Budget, Approach and Timeline; Current and Future Capacity; and Plan for Providing Support Services.

The evaluation committee recommends to award Newtown Community Development Corporation.

Financial Impact
This program is funded by the ARPA, and there is no impact to the General Fund.

Concurrence/Previous Council Action
On June 16, 2020, the Phoenix City Council approved the Housing Phoenix Plan, which included Initiative 7 - Expand Efforts to Preserve Existing Affordable Housing Stock and implement a CLT Program.

On June 7, 2022, the Phoenix City Council approved the City's ARPA Strategic Plan for the second tranche, which included an allocation of $5 million for a CLT Program.

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

Vice Mayor Ansari expressed her excitement for this item because Phoenix now had a community land trust, noting home ownership was out-of-reach for many people due to the city's housing shortage, inflation and wages not keeping up with rising costs. She explained this item gave $5 million in American Rescue Plan Act funds to Newtown Community Development Corporation serving as the community last trust administrator. She continued this land trust would acquire properties, rehabilitate homes and then sell houses to first-time low-income home buyers, noting the land would remain in the trust to ensure long-term affordability. She remarked she supported this item and was excited to move forward with it.

Mayor Gallego stated this was a new model for Phoenix and would be one of many tools to use to address the need for affordable housing. She added Council passed 10 items on today's agenda which added hundreds of housing units throughout the city.

Councilwoman Pastor said she was excited about Newtown Community Development Corporation doing this as they had a footprint in Arizona, including an area in Tempe. She recalled hearing about this program years ago from someone who was part of the land trust. She emphasized this was a great program for Phoenix and appreciated that it was finally happening.

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

Yes:	8 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	1 -	Councilman Robinson

86 Authorization to Enter into Contract with Central Arizona Shelter Services, Inc. (Ordinance S-49849)

Request authorization for the City Manager, or his designee, to enter into contract with Central Arizona Shelter Services, Inc. (CASS) to provide emergency shelter services for people experiencing homelessness in the City of Phoenix. Upon annual general fund budget approval, the total contract authority will not exceed $4,390,190. Further request authorization for the City Controller to disburse all funds related to this item for the life of the contract.

Summary

The City has contracted with CASS to provide emergency shelter services since July 1, 2007. The facility currently serves up to 600 adult men and women. Shelter operations include security, staffing and secured storage for personal belongings, and case management. The shelter is located on the Human Services Campus, and a coordinated

entry access point is run out of the co-located Brian Garcia Welcome Center. This coordination is critical to serving people experiencing homelessness in the area and to regional efforts to end homelessness. CASS is a large provider of shelter services for adults in Phoenix and Maricopa County and is the only facility that has the capacity to serve this large number of homeless individuals.

Contracting with CASS will provide the essential continuation of shelter services. In addition, enhanced reporting requirements and an updated service delivery model will align CASS with regional standards for emergency shelter services and ensure full participation in the regional homelessness response system.

Contract Term
The term of the contract will be for one year, beginning on or about July 1, 2023, with four one-year options to extend, which may be exercised by the City Manager or his designee.

Financial Impact
The contract will have an annual budget of approximately $878,038, subject to annual budget approval. The total contract value of this agreement shall not exceed $4,390,190. General Purpose funding is available in the Human Services Department Office of Homeless Solutions' budget, subject to annual budget approval.

Location
Human Services Campus
Council District: 7

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

Councilwoman O'Brien expressed she could not support this contract with Central Arizona Shelter Services (CASS) as she had not seen much progress with the homeless community over the past two years. She recalled when she first joined the Council there was a vote to pay a bill over $1 million in damages for a hotel the city leased in partnership with CASS for shelter during the pandemic. She added last fall CASS came to Council requesting more operational funds due to over-estimating their

available budget. She said she asked CASS for data showing positive strides being made, but they were unable to provide it, noting wrap-around services were not being provided for this population. She acknowledged City staff made some forward progress, but as a major investor and client of CASS she wanted the City to have a more positive working relationship moving forward, especially with the new chief operating officer (COO). She emphasized if CASS was being awarded another contract worth almost $4.4 million the City should have a non-voting seat on their board, along with a detailed annual budget to ensure money was spent in an appropriate manner. She made a substitute motion to continue this item to the June 28, 2023 Formal Meeting so staff could have more time to come to an agreement with CASS.

Councilwoman Stark agreed the City had issues with CASS in the past and requested staff provide an update on those resolutions. She seconded the substitute motion in order to have dialogue with CASS.

A substitute motion was made by Councilwoman O'Brien, seconded by Councilwoman Stark, that this item be continued to the June 28, 2023 City Council Formal Meeting.

Deputy City Manager Gina Montes conveyed staff had been working close with CASS, especially the past nine months because of the new contract. She acknowledged Council's concerns and agreed based on some of the outcomes and performance necessary to help address homelessness. She stated staff had made progress, including an improved level of cooperation and coordination with CASS.

Office of Homeless Solutions Director Rachel Milne added the City's relationship with CASS over the last nine months had improved as there were the monthly meetings with their chief executive officer and COO, Maricopa County, Arizona Department of Economic Security (DES) and City staff to go over the goals, outcomes and indicators line-by-line in their contract. She pointed out the City, Maricopa County, and DES had the same scope of work in the contracts from the previous year and could benchmark where CASS was currently at with the 600-bed level. She stated the City worked collaboratively with CASS to develop this year's

scope of work to push CASS to have better goals and outcomes. She emphasized the most notable improvement related to the Human Services Campus and recent engagement efforts with CASS offering shelter beds during each engagement. She recalled during the May 10th engagement the City asked all shelters how many beds were available and CASS offered as many beds that were needed which was a positive step. She advised staff had seen improvement with CASS in their known exits from last year to this year, noting the City was pushing them further in this proposed contract to 50 percent known exits.

Vice Mayor Ansari expressed she was surprised by the dialogue since CASS was in her district and, given the homeless crisis, delaying this contract for a 600-bed shelter that was full every night was unwise. She said she met with staff every other week and talked about this issue, and asked if staff recommended this contract be approved today.

Ms. Milne replied yes, noting these 600 beds were necessary to continue this year.

Vice Mayor Ansari recalled comments from Councilwoman O'Brien about delaying this item to work on getting a seat at the table. Vice Mayor Ansari inquired if staff thought the City already had a seat at the table.

Ms. Montes responded staff had discussed in the past about having a direct line to the board of directors to provide information from the City. She confirmed the City had a relationship with the board and could always be improved, noting it had improved the past year.

Vice Mayor Ansari asked if staff recommended delaying this contract for a board seat.

Ms. Montes replied she deferred to Council on that question, but she recommended the City not hold their funding past the end of the fiscal year. She indicated staff was not opposed to discussing more items, noting staff preferred this item be approved today but could make it work based on Council's direction.

Vice Mayor Ansari mentioned staff was working hard every day and there

court orders that conflicted with each other as well as lawsuits, including a court order with a July deadline for block-by-block clean-ups. She conveyed the City relied on these 600 beds when doing the clean-ups, noting she was at the last clean-up along with the CASS COO. She inquired about the necessity of these 600 beds as she remembered staff said there was a bed shortage.

Ms. Montes affirmed the City relied on these 600 beds, adding every bed was vital to all efforts around the city, particularly around the Human Services Campus.

Vice Mayor Ansari asked what percentage of beds were in Districts 7 and 8 when moving people from The Zone.

Ms. Milne responded she did not have an exact number, but a majority of the shelters were in Districts 7 and 8 so a good portion of beds.

Vice Mayor Ansari asked that her colleagues approve this contract today, noting it was difficult to manage a shelter with 600 individuals every night. She stressed the city had a housing and homeless crisis, and said additional accountability and relationship building with CASS could be done in meetings versus the dais.

Councilwoman Pastor asked when the contract ended.

Ms. Montes replied it ended June 30, 2023.

Councilwoman Pastor questioned when the next formal meeting was scheduled.

Ms. Montes answered it was June 28, 2023.

Councilwoman Pastor inquired if this item was continued to June 28th to obtain solid answers it could be done by June 30th.

Ms. Montes responded yes, noting staff was comfortable as long as it was approved by June 28th.

Councilwoman Pastor requested confirmation this had to be approved by June 28th.

Ms. Montes emphasized staff preferred this contract be approved this fiscal year so CASS had their approval before next fiscal year and prior to expiration of the current contract.

Councilwoman Pastor stressed Council could not disapprove it as there was no other operator besides CASS, along with the need for 600 beds. She asked if CASS was present to answer Council's questions.

Ms. Montes replied CASS was not in the audience, but staff informed them this morning about the possibility this item might not be approved today and that staff was hopeful it would be approved by June 28th. She indicated CASS understood and wanted to proceed, noting they preferred it be approved today but were willing to work with the City on additional scope requests.

Councilwoman Pastor reiterated her question if CASS was present to answer whether they agreed to have a City liaison interact with the board of directors.

Ms. Montes responded CASS was not present today.

Councilwoman Guardado inquired how often staff met with CASS.

Ms. Milne replied the group was scheduled to meet monthly, noting some meetings were canceled.

Councilwoman Guardado asked how accurate information was from CASS in order to provide it to Council.

Ms. Milne responded reports were pulled directly from the homeless management information system so staff was comfortable with the information. She added staff was working with CASS on data quality issues, but reiterated staff was comfortable with the reports as they went through them at the monthly meetings with Maricopa County and DES.

Councilwoman Guardado expressed the City had a crisis and understood Council had issues with CASS; however, since CASS was willing to work with the City she stressed this item should be approved today to continue the funding. She agreed with Councilwoman O'Brien about having a seat at the table, but she did not think that was a reason to continue this item given the crisis.

Councilwoman Hodge Washington asked what other involvement the City had with CASS operations besides the monthly meetings.

Ms. Milne replied staff spoke with CASS often, including Human Services Campus engagements as well as an open line of communication.

Councilwoman Hodge Washington expressed concern that having a seat at the table would give the perception this was the City's asset and liability which offsets regional assistance, noting stakeholders should be part of this conversation. She questioned if other municipalities had an active role on CASS's board.

Ms. Milne answered no as there was not a current seat specifically for cities or towns.

Councilwoman Hodge Washington inquired if a non-voting seat would have an impact on operations at CASS.

Ms. Milne responded it could afford the City some insight on what was communicated to the board of directors, but she did not know if it would have an impact on their operations.

Councilwoman Hodge Washington asked if there was another way to obtain that insight besides a board seat.

Ms. Milne replied staff proposed additional language in the contract to provide more information based on having an observation role on the board, specifically transparency on finances as that was the main concern.

Councilwoman Hodge Washington questioned if that language could be

added to this contract instead of requesting a seat at the table.

Ms. Montes responded staff could work with CASS based on Council's authority, noting the contract language was not being approved today. She added one of the things staff requested and could pursue was providing more technical assistance as well as observe operations throughout the day to provide feedback to CASS.

Councilwoman Hodge Washington inquired if there was a back-up plan if this item was not approved.

Ms. Montes replied CASS operated these 600 beds, noting funding from the City was approximately 17 percent of their budget. She emphasized staff did not have a back-up plan as there was no replacement for these 600 beds, plus not having the funds would impact their operations and ability to administer the beds.

Assistant City Manager Lori Bays added Council could approve the contract with the stipulations just discussed as a requirement. She advised if CASS did not accept the terms staff could bring the contract back to Council.

Councilwoman Stark said she wanted to go over the stipulations to make them enforceable, noting one was routinely meeting with the City as well as providing more direction.

Ms. Milne stated staff had already drafted stipulations to include in the contract as follows:

ability for staff to observe day and night operations plus technical assistance;

continue the monthly meetings with all major funding partners moving forward;

transparency in finances with monthly budget to actual reports submitted to the City, Maricopa County and DES for review;

all board of directors finance reports submitted to the City for review; and

financial stability plan for the upcoming fiscal year so staff can ensure availability of funds for the 600 beds.

Mayor Gallego expressed those were complicated stipulations and was confident this contract would be approved, but she was supportive of continuing this item for two weeks to have everything in writing. She remarked communication was beneficial with CASS as their partnership and performance had improved, noting her priority was the caseworker ratio which showed significant improvement as they spent time with individuals to come up with a good solution. She pointed out the Human Services Campus had made notable changes in their board of directors and said she wanted to have this conversation with the major partners for consistency.

Councilwoman O'Brien asked if other cities had contracts with CASS, similar to the City of Phoenix.

Ms. Montes replied CASS received funding from other communities, noting Maricopa County and DES had consistent scopes of work with the City.

Ms. Milne added there were several cities that funded CASS to a minor extent, under $50,000 per year, for operations of the single-adult shelter while other cities provided funds for their capital improvements.

Councilwoman O'Brien inquired how the City would proceed if this contract was approved with stipulations and CASS did not agree to those stipulations.

Ms. Bays responded if CASS did not agree then this item would come back before Council to discuss the terms CASS agreed to and get Council's recommendation.

Councilwoman O'Brien questioned if staff's stipulations included a non-voting seat on the board of directors.

Ms. Milne answered it did not.

Councilwoman O'Brien acknowledged staff's stipulations were good, but she wanted confirmation about her recommendation. She agreed with her colleagues the City was in a crisis; however, monthly meetings and open

lines of communication were not the same as having a seat on the board of directors and understanding their line of communication, especially since the City provided for one-fifth of their operating budget. She wished to amend her substitute motion to approve this item with staff's stipulations and include an additional stipulation to have a non-voting seat on the board of directors as picked by the City.

Councilwoman Stark concurred with the amended substitute motion.

An amended substitute motion was made by Councilwoman O'Brien, seconded by Councilwoman Stark, that this item be approved per staff's stipulations with an additional stipulation that the City have a non-voting seat on the board of directors as picked by the City.

Councilwoman Guardado requested clarification of the motion on the floor.

Ms. Milne repeated staff's stipulations as follows:
Office of Homeless Solutions (OHS) staff be able to conduct observations day and night of CASS' on-going operations at the single-adult shelter;
monthly meetings to review performance outcomes and indicators;
transparency in finances by providing the City their monthly budget to actual reports;
all board of directors finance reports be submitted to OHS for review;
submit a financial sustainability plan for the current fiscal year; and
non-voting board member seat to be selected by the City.

Prior to her vote, Councilwoman Guardado questioned the motion on the floor was to approve this item with staff's stipulations.

Mayor Gallego affirmed that was correct.

Prior to her vote, Vice Mayor Ansari said she was voting yes, but in the future she wanted to be informed and part of the process prior to the meeting, especially since the shelter was in her district.

A motion was made by Councilwoman O'Brien, seconded by

Councilwoman Stark, that this item be adopted as amended with the following six stipulations: Office of Homeless Solutions (OHS) staff will have the ability to conduct multiple on-site shelter observations at various hours of the day and provide written technical assistance responses to CASS; monthly meetings will be held to review performance outcomes and indicators; transparency in finances with monthly "Budget to Actual" reports submitted to OHS for review; all Board of Directors Finance reports submitted to OHS for review; financial sustainability plan required to be submitted for Fiscal Year 2024; and the City to have a non-voting position on the CASS Board of Directors as selected by the City. The motion carried by the following vote:

Yes: 8 - Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego

No: 0

Absent: 1 - Councilman Robinson

98 **Enter into Sister Cities Agreement with Medellin, Colombia (Ordinance S-49880)**

Request to authorize the Mayor of Phoenix, or her designee, to enter into a Sister Cities agreement with Medellin, Colombia in support of youth and education exchanges, municipal and technical cooperation, business, and arts and culture.

Summary

Phoenix Sister Cities, Inc. (PSC) is a 501(c)(3) nonprofit organization established in 1972. It is responsible for coordinating exchange programs in youth and education, municipal and technical cooperation, business, and arts and culture with Phoenix's 11 Sister Cities. Currently, the City of Phoenix has Sister Cities relationships with Calgary, Canada; Catania, Italy; Chengdu, China; Ennis, Ireland; Hermosillo, Mexico; Himeji, Japan; Grenoble, France; Prague, Czech Republic; Ramat-Gan, Israel; Suwon, South Korea; and Taipei, Taiwan.

In 2016, the PSC Board of Directors conducted an analysis of cities with which Phoenix customarily compares itself and discovered that it was

falling short in its number of sister cities. At that time, the Board of Directors prioritized the exploration of additional sister cities relationships. The last sister city to join Phoenix's family was Suwon, South Korea in 2021, bringing the total number of sister cities to 11.

In December 2021, the Embassy of Colombia in Washington, DC contacted Phoenix Sister Cities about a project in Colombia to recruit 200 US sister cities for Colombian cities in recognition of 200 years of diplomatic relations between the two countries. Over the next 11 months, Phoenix Sister Cities analyzed potential sister cities and discussed with the Embassy opportunities for a relationship. In November 2022, Phoenix Sister Cities sent a working delegation to Medellin to discuss opportunities for cooperation. In April 2023, Phoenix Sister Cities received a working delegation from Medellin, in turn.

Medellin is the capital of the Antioquia province in the Aburra Valley, a central region of the Andes Mountains. It is the second largest city in Colombia, with a population of more than 2.5 million. The metropolitan area surrounding Medellin brings the total population to four million.

Medellin leaders are "building a city of the future" based on sustainability through planning, education and mobility. Considered the Silicon Valley of Colombia, Medellin's economy is tech-centric.

Among the many benefits of the proposed relationship are:

Alignment around initiatives and goals, including connected and sustainable mobility; and the development of the cities' respective rivers and surrounding communities;
Youth and education exchanges including the Youth Ambassador Exchange Program;
Arts, culture and sports exchanges including an upcoming exhibit of works by Fernando Botero at the Phoenix Botanical Garden; and,
Business exchanges, especially focused on aerospace, biotech, and connected mobility.

The PSC Board of Directors recommends that the City Council authorize the Mayor of Phoenix to sign a Sister Cities agreement, acknowledging

the intention of both cities to engage in mutually-beneficial activities and exchanges, and detailing the ideas generated to date as a starting point.

If approved, PSC intends to organize a delegation to visit Medellin in August 2023 to sign a Sister Cities agreement.

Contract Term
If approved, the term of this contract is in perpetuity until the City of Phoenix or City of Medellin terminates it.

Financial Impact
This action will not impact the General Fund. Activities and exchanges with Medellin will be privately funded through the efforts of Phoenix Sister Cities, Inc.

Discussion
Mayor Gallego expressed she was excited to support this item for a Sister Cities agreement with Medellin, Colombia, noting the two individuals who wished to speak helped with this matter.

A motion was made and seconded to approve this item.

Oscar de las Salas said this was a unique opportunity for his home country, Colombia, and thanked three Sister Cities board members in attendance. He mentioned Medellin was celebrating 200 years of diplomatic relationship between the two countries and this first year of sisterhood. He recalled Medellin was highlighted in the news during the 1980s and 1990s as a violent city due to drugs that almost collapsed. He emphasized since then he created a task force with their citizens to move the city forward, noting today the city ventured on clean energy through transportation with electric and autonomous vehicles, such as their Waymo proposal. He added there were collaborations coming up through this sisterhood, such as bio-research and innovation as well as sustainability which showed the commonality between the two cities. He reiterated this sisterhood was a celebration for Colombians, noting those living in Arizona were watching this meeting online, and he thanked Council for their support.

Nestor Guzman thanked Council for their forward-thinking in joining with

several cities around the world in friendship, noting Medellin was proud to be a sister city with Phoenix for future mutual benefits through technology, municipal development and inter-city commerce. He urged Council to approve this item and said the first cultural exchange was the Botero exhibition at the Phoenix Botanical Garden.

One electronic comment was submitted for the record in support of this item.

Mayor Gallego thanked both individuals for their testimony as this was the first sister city in South America, noting this was an opportunity to celebrate the partnerships and areas the two cities had in common, including a focus on technology and entrepreneurship. She added Medellin had a robust bio-science research community with important synergies with shared interest in mobility and sustainability. She conveyed Medellin concentrated on technology jobs which was a big sector in Phoenix that added to the partnership. She thanked the sister cities staff and commissioners as well as City staff who worked hard to bring this matter forward. She remarked the government of Colombia approached Phoenix, along with other United States cities, as part of celebrating the 200th anniversary of diplomatic relationships.

Vice Mayor Ansari also expressed her excitement for this item and recalled she met with Colombia's ambassador at the Washington, D.C. office in March of 2022 to discuss the potential of friendship between the two cities. She stressed this was historically significant as Medellin was Phoenix's first sister city in the global south, noting the cities would have many opportunities to learn from each other. She acknowledged Mr. de las Salas who helped facilitate a meeting held in Medellin last year to talk about their work on the riverfront which mirrored Phoenix's Rio Reimagined project. She remarked Phoenix could also learn from Medellin's expansive transit system. She reiterated she was excited for this sisterhood and looked forward to visiting Medellin.

Councilwoman O'Brien stated Phoenix and Medellin had a unique opportunity to expand international relations as sister cities by fostering collaboration and establishing strong ties so both cities could unlock the benefits for their communities. She said she would be supporting this

item.

Councilwoman Pastor mentioned she would be visiting the city as her daughter was getting married to a Colombian and the wedding ceremony was in Medellin. She congratulated those involved with this item.

Mayor Gallego congratulated Councilwoman Pastor on the news about her daughter.

Prior to her vote, Councilwoman Guardado said she was supportive of this item as the City had done great work with Hermosillo and the other sister cities. She also thanked Mr. de las Salas for his leadership and hard work. She stated her vote was yes.

Prior to her vote, Councilwoman Stark remarked she had visited Colombia and said it was a wonderful city. She stated her vote was yes.

Following the vote, Mayor Gallego welcomed Medellin, Colombia, as a new sister city by unanimous vote.

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

Yes:	8 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	1 -	Councilman Robinson

110 Approval of the 2023 Neighborhood Block Watch Grant Program Oversight Committee's Recommendations for the 2023 Grant Program Awards (Ordinance S-49888)

This report requests City Council approval of the recommendations from the Neighborhood Block Watch Grant Program (NBWGP) Oversight Committee to fund 140 grant applications for the 2023 grant cycle.

Summary

The Neighborhood Block Watch Grant Program (NBWGP) Oversight

Committee was established to solicit, evaluate, and recommend to the Mayor and City Council appropriate proposals to expend funds for the expansion of the Block Watch programs within the limits of the Neighborhood Protection Ordinance. This ordinance, known as Proposition 301, was adopted at a special election on Oct. 5, 1993. The City Council adopted the format and guidelines for this process on April 26, 1994. The NBWGP is administered by the Police Department.

The 2023 NBWGP grant application process opened on Nov. 1, 2022 and closed on Dec. 5, 2022. The NBWGP Oversight Committee scored the grant applications based on the following criteria:
Crime Prevention/Quality of Life Factors: 50 percent
Budget Evaluation: 20 percent
Community Involvement: 20 percent
Project Viability/Feasibility/Ability to Complete the Project: 10 percent

A total of 144 grant applications were received. On April 6, 2023, the Oversight Committee voted unanimously to fund 142 applicants. However, in a subsequent meeting held April 18, 2023, the original recommendation to fund 142 applicants was rescinded. A revised recommendation (to fund 140 applicants, disqualifying those applications that scored below the minimum of 5.25) was made. The recommendation passed with five in favor, two opposed, and three abstained.

Of the 144 applications received, 140 applications ($1,646,829 in grant awards) are recommended for full or partial funding and four applications are not recommended to receive funding.

Of the 140 applications recommended for funding, 130 are recommended for full funding and 10 are recommended for partial funding. The 10 applications recommended to receive partial funding requested amounts above the outlined cap and/or included prohibited items, as well as failing to submit required meeting documents.

The four applications not recommended to receive funding scored below the minimum requirement of 5.25 out of 10 points. Also, one of the four applicants requested funding for unallowable items which are outlined in the grant application guide, making them ineligible to receive funding

regardless of their score.

See **Attachment A** for a full list of the 144 grant applications and proposed award amounts.

Additionally, during the Oversight Committee meeting on April 6, 2023, the Committee voted unanimously to recommend the following change related to annual funding for the Block Watch Grant Program, "Increase funding for the Neighborhood Block Watch Grant Program from $1,500,000 to $1,750,000 annually." The program's fund balance allows for the recommended increase.

Contract Term
The award period is July 1, 2023 through June 30, 2024.

Financial Impact
No matching funds are required.

Concurrence/Previous Council Action
On May 10, 2023, the Public Safety and Justice Subcommittee voted unanimously to recommend City Council approval of the Oversight Committee's recommendations.

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

Councilwoman O'Brien expressed her appreciation for the hard work of each committee member in reviewing all of the applications and scoring them, noting their collective expertise and commitment helped identify projects with significant impact on communities. She emphasized their evaluation ensured Council selected the most deserving projects that create positive change in neighborhoods. She recognized and thanked two committee members who were present for their hard work.

Councilwoman Guardado also thanked the two committee members and everyone else on the committee for their hard work and dedication to make sure neighborhoods remained safe and brought communities together. She pointed out this item brought over $180,000 of City investment to neighborhood efforts of addressing crime in District 5,

noting the recipients were block watch groups that continue to ensure residents have safe neighborhoods. She recognized a new block watch in her district which covered the neighborhood north of the Camelback Ranch spring training facility. She expressed her appreciation for this program and said she would be supporting this item.

Councilwoman Pastor thanked the committee.

Councilwoman Stark expressed her thanks for the committee's good work.

Mayor Gallego thanked the committee members for their great work and block watch leaders for submitting thoughtful projects and executing them. She expressed she was happy to see programs that helped children and wanted to address public safety in that area. She added she wanted to tackle the unique needs of different neighborhoods as this was a flexible tool that allowed neighborhoods to come together and build a community. She emphasized this program was backed by sales tax, noting the State was looking to cut some of this budget and those decisions impacted how Phoenix helped block watches.

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

Yes:	8 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	1 -	Councilman Robinson

149 Public Hearing - Certificate of Appropriateness - Appeal of Historic Preservation Commission's Decision on Certificate of Appropriateness Application HPCA 2200311 - 711 West Glenrosa Avenue in the Woodlea Historic District

Request to hold a public hearing on a Certificate of Appropriateness decision by the Historic Preservation (HP) Commission on Certificate of Appropriateness Application HPCA 2200311. The application seeks

approval to construct a 96-square-feet addition to the front of the attached garage, convert the garage to living space, and replace the roof structure on the garage and damaged part of the house at 711 W. Glenrosa Ave. in the Woodlea Historic District. Requested City Council action is to uphold, reverse or modify the HP Commission's decision.

Summary

On March 1, 2023, the HP Hearing Officer held a public hearing to review this application, which was filed by Patrick Hallman of C & H Associates LLC on behalf of the property owner, Janice Ashford. The hearing officer approved the Certificate of Appropriateness subject to the following stipulations:

1. That the existing height and 4:12 roof pitch of staggered inset gable roof above the garage be preserved and be repaired in kind;
2. That the existing front façade of the garage not be altered to project forward, and if the footprint needs to be expanded, that an addition to the south or east be considered instead;
3. That the siding be repaired or replaced in kind or use a smooth fiber cement siding that matches the width of the existing siding boards;
4. That the proposed faux-garage door use a simplified design or be infilled with a window and siding;
5. That the new vent on the east façade of the remodeled garage match the existing square vent; and
6. That the existing floor plan be revised to accurately depict the bathroom and all documents be reviewed for accuracy.

The Hearing Officer’s decision was appealed by Mr. Hallman on March 2, 2023, who cited concerns from the owner regarding the first two stipulations. The HP Commission heard the appeal on April 17, 2023, and voted 7-1 to uphold the decision of the hearing officer.

The HP Commission's decision was appealed on April 24, 2023, by Mr. Hallman on behalf of the property owner.

The City of Phoenix General Design Guidelines for Historic Properties discourage making additions or changes to primary facades. They further specify that additions should be designed and located in a manner that is subordinate to the historic building. To this end, the Guidelines provide

multiple examples of appropriate additions at the rear of a building, as well as one example of an appropriate addition at the side of a building, but no examples are provided of front additions, since they are considered inappropriate. The Guidelines also state that original building features, particularly those that help give the building its historic character, should be preserved and restored. The Secretary of the Interior's Standards for Rehabilitation, which are the national standards for the repair and alteration of historic properties, echo these same principles.

Staff finds that the addition on the front facade would not meet either the city or national standards. Although the addition would have a small footprint, it would project in front of the existing house, creating a highly visible intrusion. Furthermore, the proposed alteration to the roof would also be contrary to the standards, as the staggered inset gable roof over the existing garage is symmetrical with the opposite end of the roof. While the roof does need to be repaired, modifying its appearance would impact the balance of the design and adversely affect the home's historic integrity.

The property is currently classified as a contributor to the Woodlea Historic District. The State Historic Preservation Office has expressed support for the hearing officer's decision and stated that the property could be reclassified as a noncontributor if the application were to be approved without the stipulations.

Staff recommends that the City Council uphold the HP Commission's April 17, 2023, decision to approve the Certificate of Appropriateness subject to the six stipulations noted above.

Financial Impact

There is no financial impact to the city.

Concurrence/Previous Action

The HP Hearing Officer approved the Certificate of Appropriateness application on March 1, 2023, subject to six stipulations.

The property owner's representative, Patrick Hallman, appealed the hearing officer's decision on March 2, 2023.

The HP Commission voted 7-1 on April 17, 2023, to uphold the hearing

officer's decision.

The property owner's representative, Patrick Hallman, appealed the HP Commission's decision on April 24, 2023.

Location

711 W. Glenrosa Ave.

Council District: 4

Discussion

Planning and Development Director Joshua Bednarek introduced Mr. Weight.

Principal Planner Kevin Weight stated this was an appeal of the Historic Preservation Commission's decision on Certificate of Appropriateness Application HPCA 2200311 for the property at 711 W. Glenrosa Avenue located on the southeast corner of Glenrosa and 9th avenues. He conveyed this Tufa-stone Ranch-style home was built in 1949 and was classified as a contributor to the Woodlea Historic District. He explained the application requested to construct a 96-square-foot addition in front of the existing attached garage to convert the garage as livable space as well as modify the existing roof line. He displayed the existing floor plan and the new floor plan with the addition, along with the front of the existing house and the proposed changes. He noted the proposed roof repairs from the fallen tree would eliminate the staggered inset gabled roof over the garage that was symmetrical with the staggered gable at the opposite end of the house. He advised staff recommended against changing the staggered gables because it would impact the balance of the design and negatively affect the historic integrity of the house.

Mr. Weight presented the proposed east and west elevations, noting the west elevation showed the proposed frame addition would project beyond the front facade of the Tufa-stone house which contradicted historic preservation standards. He emphasized the standards recommended additions be located at the side or rear of the historic home. He stated staff originally recommended approval of the application subject to nine stipulations and the Historic Preservation Hearing Officer approved the application on March 1, 2023 subject to six stipulations. He pointed out the Hearing Officer's decision was appealed by the owner's representative on March 2, 2023 with objections primarily to Stipulations

1 and 2; that the roof be rebuilt with staggered gables and the addition be moved to the side or rear of the historic home. He remarked the Historic Preservation Commission heard the case on April 17, 2023 and upheld the Hearing Officer's decision by a vote of 7-1, noting that decision was appealed by the owner's representative on April 24, 2023 and the reason for today's hearing. He conveyed staff's recommendation was to uphold the Historic Preservation Commission's decision on the Certificate of Appropriateness. He added Council could reverse the Commission's decision and deny the application or modify the Commission's decision by adding or deleting stipulations.

Mayor Gallego declared the public hearing open.

Patrick Hallman thanked Historic Preservation staff for their work on this project and was speaking on behalf of Ms. Ashford's proposal for this house. He explained Ms. Ashford approached him for help with her house after a Ponderosa pine tree fell on it which damaged the roof and structural integrity of the project. He said the historical integrity of the house was compromised by the weight of the tree, noting the structural integrity of the roof was non-conforming with today's standards and would be difficult to rebuild in keeping that historical integrity. He mentioned historic standards specified a particular diagram that shows the degree of protrusion beyond the front facade of a house. He indicated Ms. Ashford proposed putting a restroom in the front of the garage that would affect 20 percent of the building facade while the rest of the structure remained the same. He stated the 20 percent would mirror a garage, except for the roof line due to drainage issues and the front elevations showed the lines which proved they were protecting it. He conveyed the project would extend 7 feet, whereas the diagrams in Historic Preservation's documentation showed a 20- to 25-foot extension. He expressed he disagreed with the City's standard versus Ms. Ashford's proposal and urged Council to let him fix her house.

Jan Ashford expressed it had taken 16 months to get to this point, noting she was a licensed plumbing contractor with 30 years of sewer and drainage certification. She mentioned when she bought this 50-year-old house she noticed ABS plumbing and cleanouts which usually meant the sewer had been replaced; however, the roof damage uncovered cast iron

plumbing from the roof to the vent. She conveyed she hired a plumber who ran a camera down the sewer and found there was no sewer, so the City's recommendation was to jackhammer across the kitchen, bathroom, garage and 20-foot patio to replace it and then put in the bathroom. She added her proposal was to use the kitchen sink line that came out the window and went across the driveway to the City's sewer line. She emphasized one option cost about $18,000 while the alternative was roughly the same expense, noting the City's option was more work.

One electronic comment was submitted for the record in opposition of this item.

Mayor Gallego declared the public hearing closed.

Councilwoman Pastor requested staff explain the process of how this case got to Council.

Mr. Weight explained this case went to the Historic Preservation Hearing Officer for a hearing on March 1, 2023 and was approved subject to six stipulations, noting one of the stipulations was to repair the roof to its original form and another stipulation was to move the addition to the side or rear of the house. He pointed out the applicant objected to those two stipulations and appealed which then went to the Historic Preservation Commission who heard the case on April 17, 2023 and upheld the hearing officer's decision with the six stipulations. He stated that decision was appealed to Council for today's hearing.

Councilwoman Pastor recalled it was first approved with nine stipulations and questioned if the next step was the appeal.

Mr. Weight replied it was approved with six stipulations, noting staff originally recommended nine stipulations and the hearing officer approved six of those stipulations.

Councilwoman Pastor inquired the applicant did not accept two of the six stipulations and appealed to Council.

Mr. Weight affirmed that was correct.

Councilwoman Pastor stated she received several letters from the community regarding integrity of the structure and the new addition. She requested staff talk about those points.

Mr. Weight said he did not know what was in the correspondence, but from staff's perspective the house was in poor condition and stressed the roof needed to be repaired due to the fallen tree. He remarked the question what was the best way to repair it which was to do a simple gable or staggered gable that historically existed. He pointed out neighbors also had concerns with the condition of the home and activities in the rear yard. He remarked from a historic preservation standpoint the house still retained sufficient integrity to contribute to the historic district; however, staff was concerned if the addition was built in the front and the roof was not historically rebuilt the historic integrity could be lost.

Councilwoman Pastor asked if this was a contributing house.

Mr. Weight affirmed the house was a contributor to the Woodlea Historic District.

Councilwoman Pastor said she understood someone was hired to remove the tree and when it was being removed it fell onto the home.

Mr. Weight responded that was also his understanding.

Councilwoman Pastor stated she learned the person hired was not an expert in removing this type of tree and then the incident happened. She remarked three letters mentioned there was someone living in the backyard who was either homeless or a squatter and using a bucket as there was no bathroom or water. She added a fire was started in the backyard earlier in the year. She agreed the house was in disarray and expressed concern that doing an addition could damage the home, so she was going to uphold the Historic Preservation Commission's decision on this Certificate of Appropriateness which included the six stipulations.

The hearing was held. A motion was made by Councilwoman Pastor, seconded by Vice Mayor Ansari, that this item be approved to uphold

the Historic Preservation Commission's Certificate of Appropriateness decision to approve the project, subject to the six stipulations. The motion carried by the following vote:

Yes: 8 - Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego

No: 0

Absent: 1 - Councilman Robinson

150 Public Hearing and Ordinance Adoption - Rezoning Application Z-74-22-8 - Approximately 340 Feet North of the Northwest Corner of 27th Avenue and Baseline Road (Ordinance G-7124)

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-74-22-8 and rezone the site from S-1 (Ranch or Farm Residence) to R1-10 (Single-Family Residence District) to allow single-family residential.

Summary
Current Zoning: S-1
Proposed Zoning: R1-10
Acreage: 9.78 acres
Proposal: Single-family residential

Owner: Hilario Casillas
Applicant/Representative: Francisco Badilla

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Laveen Village Planning Committee heard this case on Feb. 13, 2023, and recommended approval, per the staff recommendation, with modifications, by a vote of 7-0.
PC Action: The Planning Commission heard this case on March 2, 2023, and recommended approval, per the Laveen VPC recommendation, with a modification, by a vote of 5-2.
City Council Action: This item was scheduled for adoption on the April 5, 2023, Formal Meeting agenda; however, it was withdrawn to be advertised as a public hearing item.

Location

Approximately 340 feet north of the northwest corner of 27th Avenue and Baseline Road
Council District: 8
Parcel Addresses: 7408, 7416 and 7426 S. 27th Ave.

Discussion

Planning and Development Director Joshua Bednarek introduced Ms. Escolar.

Principal Planner Racelle Escolar stated this was a request to rezone 9.78 acres located north of the northwest corner of 27th Avenue and Baseline Road from S-1 to R1-10 to allow a single-family residential subdivision. She displayed the proposed site plan which showed 16 lots, plus an additional existing lot labeled not a part which was included in the rezoning application but not part of the proposed subdivision that made it a total of 17 lots in the rezoning area. She conveyed the existing large lot had a home on it, noting Lot 16 in the proposed site plan was currently permitted and under construction with S-1 zoning. She showed examples of the building elevations for homes being built with a modern contemporary concept and a traditional design. She advised the Laveen Village Planning Committee recommended approval per staff's recommendation with modifications by a 7-0 vote. She continued the Planning Commission recommended approval per the Laveen Village Planning Committee recommendation with a modification by a 5-2 vote. She explained the Planning Commission modified a stipulation to allow the 17th lot as shown on the proposed site plan. She stated staff recommends approval per the Planning Commission recommendation and adoption of the related ordinance.

Mayor Gallego declared the public hearing open.

Larry Casillas stated he was the principal owner of these properties, noting his family had owned this site for 40 years. He mentioned he wanted to carry on with the original plans for Laveen development which was larger lots, noting his proposal was 15 large lots with limited thoroughfare due to the cul-de-sac design. He added there was opposition to traffic coming in and out of the development with the

cul-de-sac, but he said it was appropriate for the property. He pointed out this development would be homes for people who were well-established which was part of a proper socio-economic mix within the community. He asked for Council's approval for this development.

Lidia Dickinson remarked she was a current resident on the property and future owner in the proposed development, noting she was also one of the project owners. She expressed her creation was a mid-century modern neighborhood that would help put South Phoenix on the map. She mentioned it was natural to put an entrance on Ellis Street as it was already a half-street which would make this a quiet neighborhood with the cul-de-sac. She conveyed there was neighborhood opposition based on the home on the corner that was already in place prior to their plans. She said she reached out to the opponents and tried to address their concerns, but there was no other area to create a new entrance. She stated this project would be an asset to the community with minimal traffic impact given the number of homes in the development.

Francisco Badilla stated he was the project manager for this development. He reiterated there was opposition regarding the entrance into the subdivision, noting traffic analysis was not required due to the size of the lots. He claimed one request from the opposition was to put an exit onto 27th Avenue which was not possible because of existing residents and other development that was almost complete. He mentioned the property owner tried to contact adjacent property owners to the south to purchase right-of-way, but no one was willing to sell as it would reduce their property value fronting Baseline Road. He pointed out this was a small subdivision with 15 lots that would enter and exit the existing right-of-way through the cul-de-sac.

Joe Jannuzzi spoke in support as a neighbor of this subdivision, noting he lived about 300 feet away. He expressed the city needed more of these types of infill projects with larger lots and wider streets versus high-density projects and smaller streets. He urged Council to approve this project.

Tracie Riggs stated she was also a close neighbor as she lived three properties north of this project. She remarked the concerns from the

subdivision to the west were baseless as the size of this subdivision and peak hour traffic it would generate entering a residential street was negligible. She agreed this was the type of infill project residents wanted in Laveen in keeping a rural feel in the area. She conveyed there was a similar project to the north with a cul-de-sac and had 10-12 lots, noting this project provided a buffer between the existing high-density lots and low-density S-1 zoning to the south. She said she wanted to see this project move forward.

Mayor Gallego declared the public hearing closed.

Councilwoman Hodge Washington conveyed a majority of the opposition she received regarded the one ingress and egress. She said she understood 27th Avenue was not an option because some of the property belonged to the county.

Mr. Bednarek responded the notch on the northern end of the property highlighted where the city boundary began and ended. He added just south of where the notch went into the right-of-way onto 27th Avenue was part of Phoenix, but just to the north was outside the city boundary. He stressed it would be an obstacle as the City would not have control on how the driveway or intersection could be built from the subdivision. He advised the proposed ingress and egress was the most appropriate location.

Councilwoman Hodge Washington stated another objection her office received related to timing and the single-family residence being built on Lot 15. She requested confirmation the rezoning application was submitted after prior construction had been approved for that lot.

Ms. Escolar affirmed that was correct, noting staff was unaware that permits were already issued and construction had begun until well after the rezoning application was received.

A motion was made and seconded to approve this item.

Councilwoman Stark commended the property owners as this was good neighborhood work without a zoning attorney.

Councilwoman Pastor expressed she liked that this proposal preserved the ranch feeling in this area and that this development would have a cul-de-sac while maintaining horse property.

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

Yes:	8 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilwoman Stark, Councilman Waring, Vice Mayor Ansari and Mayor Gallego
No:	0	
Absent:	1 -	Councilman Robinson

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

000 CITIZEN COMMENTS

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

NOTE: Councilwoman Pastor temporarily left the voting body.

Ora Crush expressed concern regarding an incident where her aunt and boyfriend were killed and nothing had happened in over a year. She said her rights as a victim were being violated because the suspect was not showing up in court. She added she was not informed about her aunt's death until she requested a welfare check. She asked that everyone be treated equally.

NOTE: Councilwoman Pastor returned to the voting body during Ms. Crush's testimony.

Beatrice Johnson spoke about her sister's death following a police incident, noting the officer did not appear at the arraignment hearing. She claimed her victims rights were violated as the officer was arrested on a warrant for failure to appear plus two counts and released on bail without seeing a judge. She mentioned she was recently contacted about a continuance on the case, noting the officer had never appeared in court while she was at every hearing. She asked that this officer be held accountable for her sister's death.

Robert Dale also spoke about his sister's death as mentioned by Ms. Johnson and expressed the law should work equally for everyone. He claimed no protocols were followed as other officers on scene noticed the accused was impaired. He added the family was not informed of his sister's death, noting he found out after calling the police department several days after the incident.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 4:35 p.m.

MAYOR

ATTEST:

CITY CLERK

SM

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the formal session of the City Council of the City of Phoenix held on the 14th day of June, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 18th day of September, 2024.

CITY CLERK