City of Phoenix

Minutes

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

186402

City Council Formal Meeting

Wednesday, April 3, 2024 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, April 3, 2024 at 2:33 p.m. in the Council Chambers.

Present: 7 - Councilwoman Betty Guardado, Councilwoman Kesha Hodge Washington, Councilwoman Ann O'Brien, Councilwoman Laura Pastor, Councilman Kevin Robinson, Vice Mayor Debra Stark and Mayor Kate Gallego

Absent: 1 - Councilman Jim Waring

Note: Vice Mayor Stark attended the meeting virtually and joined after the omnibus motion. Councilman Waring was absent.

Mayor Gallego acknowledged the presence of Mario Barajas and Elsie Duarte, Spanish interpreters. In Spanish, Mr. Barajas 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-7242 through G-7245, S-50707 through S-50751 and Resolutions 22188 through 22191 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 documents relate to items 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.

MINUTES OF MEETINGS

1 **For Approval or Correction, the Minutes of the Formal Meeting on July 1, 2021**

Summary

This item transmits the minutes of the Formal Meeting of July 1, 2021, for review, correction and/or approval by the City Council.

The minutes are available for review in the City Clerk Department, 200 W. Washington St., 15th Floor.

A motion was made by Councilwoman Guardado, seconded by Councilwoman O'Brien, 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, Councilman Robinson, Vice Mayor Stark and Mayor Gallego
No:	0	
Absent:	1 -	Councilman Waring

2 **For Approval or Correction, the Minutes of the Formal Meeting on Aug. 25, 2021**

Summary

This item transmits the minutes of the Formal Meeting of Aug. 25, 2021, for review, correction and/or approval by the City Council.

The minutes are available for review in the City Clerk Department, 200 W. Washington St., 15th Floor.

A motion was made by Councilwoman O'Brien, seconded by Councilwoman Pastor, 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, Councilman Robinson, Vice Mayor Stark and Mayor Gallego
No:	0	
Absent:	1 -	Councilman Waring

3 For Approval or Correction, the Minutes of the Formal Meeting on Dec. 6, 2023

Summary

This item transmits the minutes of the Formal Meeting of Dec. 6, 2023, for review, correction and/or approval by the City Council.

The minutes are available for review in the City Clerk Department, 200 W. Washington St., 15th Floor.

A motion was made by Councilman Robinson, seconded by Councilwoman O'Brien, 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, Councilman Robinson, Vice Mayor Stark and Mayor Gallego
No:	0	
Absent:	1 -	Councilman Waring

BOARDS AND COMMISSIONS

4 ***ITEM REVISED (SEE ATTACHED MEMO)* Mayor and Council Appointments to Boards and Commissions**

Summary

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

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

Development Advisory Board

Appoint Caroline Lobo, to serve her second term to expire April 3, 2027, as recommended by Mayor Gallego.

North Gateway Village Planning Committee

Appoint Kylie Kennelly, to fill a vacancy for a term to expire Nov. 19, 2025, as recommended by Councilwoman Ann O’Brien

North Mountain Village Planning Committee

Appoint Heather Garbarino for a term to expire Nov. 19, 2025, as recommended by Vice Mayor Debra Stark.

Sister Cities Commission
Appoint Drew Hutchinson, to fill a vacancy for a term to expire April 3, 2027, as recommended by Mayor Gallego.

Vision Zero Community Advisory Committee
Appoint Marco Marcial, to fill a vacancy for a term to expire March 1, 2025, as recommended by Councilwoman Betty Guardado.
Appoint Ed Hermes, to serve his first full term to expire March 1, 2026, as recommended by Councilwoman Laura Pastor.
Appoint Catherine Mulkerin, to replace Jay Beeber for a term to expire March 1, 2026, as recommended by Councilman Kevin Robinson.
Appoint Steve Burns, to replace James Farley for a term to expire March 1, 2026, as recommended by Councilman Jim Waring.

Rio Vista Village Planning Committee
Appoint Dino Cotton, to fill a vacancy for a term to expire Nov. 19, 2025, as recommended by Councilwoman Ann O'Brien.

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

Yes:	7 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Vice Mayor Stark and Mayor Gallego
No:	0	
Absent:	1 -	Councilman Waring

Mayor Gallego administered the oath of office to the following appointees:

Catherine Mulkerin - Vision Zero Community Advisory Committee
Ed Hermes - Vision Zero Community Advisory Committee
Dino Cotton - Rio Vista Village Planning Committee

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 Stark, seconded by Councilwoman Pastor, that items 5-21 be recommended for approval, except Item 21. The motion carried by the following voice vote:

Yes:	7 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Vice Mayor Stark and Mayor Gallego
No:	0	
Absent:	1 -	Councilman Waring

5 Liquor License - Barrio Brewing Company Restaurant

Request for a liquor license. Arizona State License Application 06070119.

Summary

Applicant
Navayogasingam Thuraisingam, Agent

License Type
Series 6 - Bar

Location
702 W. Deer Valley Road
Zoning Classification: A-1 DVAO
Council District: 1

This request is for an ownership and location transfer of a liquor license for a bar. This location is currently licensed for liquor sales with a Series 12 - Restaurant, liquor license and does not have an interim permit.

The 60-day limit for processing this application is April 20, 2024.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of

the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have held multiple liquor licenses and never had any violations. I plan to serve liquor always following all rules and regulations set forth by the city and state. Further, I will ensure these same rules and regulations are followed by management and employees, who will also receive the necessary and required training to serve liquor."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This will be part of the Deer Valley Airport and provide a great service to both the airport as an organization, as well as all the passengers that travel to and from Phoenix via the Deer Valley Airport. This will be an excellent addition to the community, providing a safe and enjoyable environment to enjoy food and beverage for all patrons."

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
Attachment - Barrio Brewing Company Restaurant - Data
Attachment - Barrio Brewing Company Restaurant - Map

This item was recommended for approval.

6 Liquor License - Romano's Macaroni Grill #31178

Request for a liquor license. Arizona State License Application 273558.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
2949 W. Agua Fria Fwy.
Zoning Classification: C-2
Council District: 1

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 April 15, 2024.

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 business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Romano's Macaroni Grill is a nationwide restaurant known for it's Italian-American style dishes in a casual family-friendly atmosphere. Applicant would like to continue to offer guests 21 and over the opportunity to order alcohol beverages as an incident to the menu items they enjoy."

Staff Recommendation
Staff recommends approval of this application.

Attachments

Attachment - Romano's Macaroni Grill #31178 - Data
Attachment - Romano's Macaroni Grill #31178 - Map

This item was recommended for approval.

7 Liquor License - 76 Gas Station

Request for a liquor license. Arizona State License Application 279815.

Summary

Applicant
Yiorgos Makris, Agent

License Type
Series 10 - Beer and Wine Store

Location
4121 W. Bell Road
Zoning Classification: C-2
Council District: 1

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

The 60-day limit for processing this application is April 15, 2024.

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 owned and operated more than 30 businesses in my life. Through my businesses I abide by the law, provide employment to the community and pay all Sales taxes. I wish to gain this license to open and operate a gas station that will serve the community it resides in."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"By issuing me a license I will be able to grow and expand the business adding more jobs to the community."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - 76 Gas Station - Data
Attachment - 76 Gas Station - Map

This item was recommended for approval.

8 Liquor License - Special Event - Compass CBS Foundation

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

Summary

Applicant

Tanya Ospitale

Location
300 E. Indian School Road
Council District: 4

Function
Mixer

Date(s) - Time(s) / Expected Attendance
April 11, 2024 - 5:30 p.m. to 8 p.m. / 200 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

9 Liquor License - Jaynewt's

Request for a liquor license. Arizona State License Application 277983.

Summary

Applicant
Georgia Robson, Agent

License Type
Series 12 - Restaurant

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

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

The 60-day limit for processing this application is April 8, 2024.

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.

Otro Cafe (Series 12)
6035 N. 7th St., Phoenix
Calls for police service: 3
Liquor license violations: None

Gallo Blanco Cafe Y Bar (Series 12)
928 E. Pierce St., Phoenix
Calls for police service: 2
Liquor license violations: None

Cobra Arcade (Series 06)
801 N. 2nd St., Phoenix
Calls for police service: 0
Liquor license violations: None

Cobra Arcade (Series 06)
63 E. Congress St. Ste. 109, Tucson
Calls for police service: N/A - not in Phoenix
Liquor license violations: In September 2021, a fine of $1,375 was paid

for failure to require applicants, licensees, and employees who serve, sell or furnish liquor to take training courses; for failure to protect the safety of patrons; and having an employee intoxicated/disorderly on duty.

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've been in the Hospitality Industry for 36 years. I have an impeccable record running Restaurants sine 2002 in a managment Role. We implement systems and processes to ensure safety of guests and employees. I have both title 4 management and Basic Liquor training."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We are focused on the food aspect of the restaurant business. Utilizing local ingredients. The restaurant is inside the Hewton development and they are looking for a neighborhood kid friendly space. Our sales are mainly from food. Our hours are from 11 am to 9pm (10pm Friday's and Sat)."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - Jaynewt's - Data
Attachment - Jaynewt's - Map

This item was recommended for approval.

10 Liquor License - Mini Mart 4644

Request for a liquor license. Arizona State License Application 266440.

Summary

Applicant
Nitin Gupta, Agent

License Type
Series 10 - Beer and Wine Store

Location
4644 N. 12th St.
Zoning Classification: C-2
Council District: 4

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

The 60-day limit for processing this application is April 9, 2024.

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

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

Mini Mart (Series 10)
3502 W. Thomas Road, Phoenix
Calls for police service: 31
Liquor license violations: None

Kwik Corner 5402 (Series 10)
5402 W. Indian School Road, Phoenix
Calls for police service: 52
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 over 20 years of experience with Convenience Store and Gas Station businesses ranging from operations to management and during this time have learnt the ins and outs of handling the liquor license in a responsible manner providing due care of laws while being mindful of the needs to the community to the best of my abilities."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"It's a business that is already currently operational. I am purchasing the business from the current owner who has been serving the local community from this location for several years and I intend to continue the tradition of ensuring that this business continues to provide a safe and friendly environment and service to the same local community while assisting with the safety of the families living in the area by continuing to follow the liquor laws and safety protocols."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - Mini Mart 4644 - Data
Attachment - Mini Mart 4644 - Map

This item was recommended for approval.

11 Liquor License - Quick Corner Liquors

Request for a liquor license. Arizona State License Application 09070449.

Summary

Applicant
Jamil Jabbar, Agent

License Type
Series 9 - Liquor Store

Location
5121 W. Thomas Road
Zoning Classification: C-2
Council District: 4

This request is for a location transfer of a 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 under construction with plans to open in May 2024.

The 60-day limit for processing this application is April 8, 2024.

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

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

Other Active Liquor License Interest in Arizona

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

Jimmies Market (Series 10)
6011 W. Thomas Road, Phoenix
Calls for police service: 11
Liquor license violations: None

Jimmies Market (Series 10)
5127 N. 43rd Ave., Phoenix
Calls for police service: 13
Liquor license violations: None

Quik Corner Market (Series 9)
5026 W. Thomas Road, Phoenix
Calls for police service: 14
Liquor license violations: In October 2023, a fine of $1,500 was paid for failure to follow the identification procedure prescribed by statutes and for selling, giving, or furnishing an underage person with alcohol.

Los Vaqueros (Series 10)
6440 W. Van Buren St., Phoenix
Calls for police service: 1
Liquor license violations: None

Public Opinion

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been the owner/member of a Limited Liability Company that has held a Series 9 Liquor License for many years. I have operated a store at 5026 W Thomas Road. I am building a new store at 5121 W Thomas Road and I am asking to move the current store and liquor license to the new location."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I have been a member of the business communiity in Maryvale for many years. Other than the liquor store, I own and operate a carniceria on the corner of 51st Avenue and Thomas Road. I know the neighborhood and most of my customers."

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
Attachment - Quick Corner Liquors - Data
Attachment - Quick Corner Liquors - Map

This item was recommended for approval.

12 Liquor License - Special Event - Knights of Columbus Cathedral Council 12708

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

Summary

Applicant

Richard Garrison

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

Function
Dinner

Date(s) - Time(s) / Expected Attendance
May 24, 2024 - 6 p.m. to 10 p.m. / 300 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

13 Liquor License - Special Event - Cursillo Movement of Phoenix, Inc.

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

Summary

Applicant
Sophia Bejarano

Location
4633 N. 54th St.
Council District: 6

Function
Dinner

Date(s) - Time(s) / Expected Attendance
May 11, 2024 - 5 p.m. to 9 p.m. / 250 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

14 Liquor License - Special Event - Foothills Educational Foundation

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

Summary

Applicant
Randi Garcia

Location
4515 E. Muirwood Drive
Council District: 6

Function
Auction

Date(s) - Time(s) / Expected Attendance
April 20, 2024 - 5 p.m. to 10 p.m. / 200 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

15 Liquor License - Camelback Flowershop

Request for a liquor license. Arizona State License Application 278104.

Summary

Applicant
Jeffrey Keck, Agent

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

Location
4214 E. Indian School Road, Ste. 103/105
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application is April 15, 2024.

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

Camelback Flower Shop (Series 10)
4214 E. Indian School Road, Ste. 101, Phoenix
Calls for police service: 4
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 am a certified liquor manager in the State of Arizona. I have a degree in Hotel, Restaurant and Travel Administration from the University of Massachusetts. I have managed in the restaurant industry for over 20 years in Arizona. I understand liquor laws and will responsibly manage shop, including training my staff on responsible alcohol sales behaviors.”

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 an established, well respected business in the Arcadia area. We sell great quality flowers and retail goods. We would like to offer high quality wines and beer to sell to our patrons to go with the other products we sell. We believe the community would be happy to have the ability to purchase flowers and wine or beer at the same location. We have been selling with a Series 10 License in our shop that is 30 feet away from this location and it has been well received.”

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - Camelback Flowershop - Data
Attachment - Camelback Flowershop - Map

This item was recommended for approval.

16 Liquor License - HHATT

Request for a liquor license. Arizona State License Application 278911.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
1001 N. Central, Fl. 1

Zoning Classification: DTC - Downtown Gateway
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 April 7, 2024.

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 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: "Hhatt is located on the first floor and the park-like outdoor space of the 9-story building on the northeast corner of Roosevelt and North Central Avenue. The casual, neighborhood restaurant will feature freshly-made gourmet appetizers, salads, sandwiches and specialty pizzas. Applicant would like to offer alcoholic beverages to guests 21 and over."

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

Attachments
Attachment - HHATT - Data
Attachment - HHATT - Map

This item was recommended for approval.

17 Liquor License - Milk & Honey

Request for a liquor license. Arizona State License Application 271605.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 9 - Liquor Store

Location
888 N. 1st Ave., Ste. 112
Zoning Classification: DTC-Downtown Gateway
Council District: 7

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.

The 60-day limit for processing this application is April 13, 2024.

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

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

Milk & Honey (Series 9)
333 E. Roosevelt St., #114, Phoenix
Calls for police service: 49
Liquor license violations: None

Milk & Honey (Series 10)
115 W. 6th St., Tempe
Calls for police service: N/A - not in Phoenix
Liquor license violations: In February 2018, a fine of $3,000 was paid for failure to request an ID from an underage buyer and for selling, giving, or furnishing an underage person with alcohol. In October 2019, a fine of $6,000 was paid for failure to request an ID from an underage buyer and for selling, giving, or furnishing an underage person with alcohol.

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 and operate other businesses in the Valley including businesses with liquor licenses. We ensure all of our employees have attended Title 4 liquor law training."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We would like to offer the downtown area a convenient place to shop for their everyday needs."

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
Attachment - Milk & Honey - Data
Attachment - Milk & Honey - Map

This item was recommended for approval.

18 Liquor License - Special Event - Evan's Churchill Community Association

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

Summary

Applicant
Sean Johnson

Location
907 N. 5th St.
Council District: 8

Function
Block Party

Date(s) - Time(s) / Expected Attendance
April 19, 2024 - 4:20 p.m. - Midnight / 5,000 attendees

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

19 Liquor License - Carolina's Mexican Food

Request for a liquor license. Arizona State License Application 279168.

Summary

Applicant
Juanita Esparza, Agent

License Type
Series 12 - Restaurant

Location
1202 E. Mohave St.
Zoning Classification: C-2 AIOD
Council District: 8

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

The 60-day limit for processing this application is April 9, 2024.

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 owner's of Carolina's Mexican Food, Inc are committed to upholding high standards for "It's Bus practices and employees. They have been trained in the techniques of legal and responsibility and has taken Title IV Liquor training course as well as all employees. As the owner's and operators of the restaurant they will oversee all employees and will provide a safe experience all staff and patrons.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“The owner's of Carolina's Mexican Food, Inc wish to provide dining in a family restaurant environment with the service of an alcoholic drink at the restaurant of any patron over the age of 21 years. In addition the owners of Carolina's Mex Food, Inc will assume responsibility and adhere to all State and Federal Tax laws and maintain a strict adherenceto the security

requirements of the City and State."

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
Attachment - Carolina's Mexican Food - Data
Attachment - Carolina's Mexican Food - Map

This item was recommended for approval.

20 Liquor License - Ezbachi

Request for a liquor license. Arizona State License Application 278719.

Summary

Applicant
Jaqueline Padilla, Agent

License Type
Series 12 - Restaurant

Location
1713 S. Central Ave.
Zoning Classification: C-3
Council District: 8

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor dining and outdoor alcohol consumption.

The 60-day limit for processing this application is April 15, 2024.

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 a manager certification for liquor. I have manage places of businesses that sold liquor. I am aware of how to properly and safely work/sell liquor."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We want for the community to be able to sit down with family, friends, co-workers to enjoy a great meal and a drink within their own community rather than going else where. We hope to bring value to the community. We have the best interest of the community and the growth."

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
Attachment - Ezbachi - Data
Attachment - Ezbachi - Map

This item was recommended for approval.

21 Liquor License - La Consentida Tacos and Sushi

Request for a liquor license. Arizona State License Application 270372.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
2647 W. Glendale Ave., Ste. 11-14
Zoning Classification: C-2
Council District: 5

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

The 60-day limit for processing this application is April 14, 2024.

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

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

Silverado Canta Bar (Series 6)

4809 N. 27th Ave., Phoenix
Calls for police service: 45
Liquor license violations: None

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

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

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

Staff Recommendation
Staff recommends disapproval of this application based on a Police Department recommendation for disapproval. The Police Department disapproval is based on concerns with the applicant's employment history and involvement with locations with a history of liquor license violations. The applicant has not demonstrated the capability, qualifications and reliability to hold and control a liquor license.

Attachments
Attachment - La Consentida Tacos and Sushi - Police Department Recommendation

Discussion
Deputy City Clerk Kristen Lecuyer-Benavidez introduced Officer Samantha Chester with the Phoenix Police Department. She added that the request was for control of an existing series 12 restaurant liquor license. Ms. Lecuyer-Benavidez explained that the location was licensed for liquor sales and the 60-day limit for processing the application was April 4, 2024. She stated that staff recommended disapproval per the police department disapproval based on the concerns with the applicant's employment history and involvement with locations with the history of

liquor license violations. Ms. Lecuyer-Benavidez explained that the applicant had not demonstrated the capability, qualifications, and reliability to hold and control a liquor license.

Officer Chester stated that the liquor license application was regarding La Consentida Taco and Sushi (La Consentida) located at 2647 W. Glendale Avenue. She stated that her recommendation of denial of applicant Edgar Vega Caro from obtaining a liquor license at La Consentida was based on facts she discovered throughout the course of her investigation after receiving the liquor application. She explained that the issues were Mr. Vega Caro's past and current employment, prior calls for service by police, a liquor inspection and the results, enforcement operation and the results and failing to submit paperwork in a timely manner for a full investigation to be completed by the police department. Officer Chester stated that a preliminary review showed most of the establishments Mr. Vega Caro listed as his former and current place of employment revealed multiple liquor violations per the Arizona Department of Liquor License and Control (DLLC). She noted that Mr. Vega Caro indicated that his employment began at each of the establishments January 2011 and indicated that he was still currently employed. Officer Chester stated that based on Mr. Vega Caro's indicated time of employment she conducted her investigation starting from January 2011 to March 6, 2024, when the denial was authored. She explained that his prior places of employment Club XTC now La Boom Nightclub had four violations from the Arizona DLLC. She added that Club Paris, which Mr. Vega Caro indicated as his prior place of employment had five liquor violations. Officer Chester stated that Mr. Vega Caro's current places of employment La Consentida Taco and Sushi had seven liquor license violations, Silverado Canta Bar had three violations, and Club Silverado had 14 liquor violations. Officer Chester described a call for service at Club Silverado in January of 2023 where community action officers and liquor detectives from the state were conducting a liquor inspection and observed a violation notifying Mr. Vega Caro, who was listed as the manger in the report, that the club would be given an administrative violation. Officer Chester stated that in her investigation of La Consentida from February 16, 2023 to February 16, 2024 there were 11 calls for service. She added that there were two notable violent incidents: the first on June 16, of 2021 regarding an

aggravated assault with a firearm and the second in September 15, 2021 regarding an assault. Officer Chester explained that the report of the second incident indicated that the establishment was a nightclub which was indicative of the atmosphere La Consentida was presenting to customers and police. She stated that La Consentida had a series 12 liquor license but operated as a series 6 liquor license establishment. She noted that La Consentida had security at the door, excessively loud music, and bottle service all which were not typically found in a restaurant with a series 12 liquor license. Officer Chester described the enforcement operation conducted by the Phoenix Police Department and the state liquor detective from the DLLC who had received an anonymous tip of underage drinking on Tuesday nights at La Consentida. She stated that detectives conducted an enforcement operation on March 5, 2024 and observed four additional liquor violations including a violation of Arizona Revised Status (A.R.S.) 4-244.23 which is serving more than the law allows. She explained that the violation was observed when a man was found inside La Consentida at a bottle service table filling his own glass from a bottle of liquor. Officer Chester noted that bottle service is consistent with a series 6 liquor license not a series 12. Officer Chester stated that her recommendation was due to the administrative licensing investigator March 4, 2024 noting that the City questionnaire was not submitted until March 5, 2024 after business hours not allowing sufficient time to interview the applicant while meeting the deadline required by licensing. Officer Chester described her experience as a patrol officer responding to La Consentida, Silverado Canta Bar, and Club Silverado on numerous occasions for violent crimes. She stated that due to mentioned factors and the applicant's failure to submit the City questionnaire in time for the police department to conduct an interview with him in accordance with A.R.S 4-203, Mr. Vega Caro was not capable, qualified, or reliable to own and operate a liquor license within the City of Phoenix.

A motion was made by Councilwoman Guardado, seconded by Councilwoman O'Brien, that this item be recommended for disapproval. The motion carried by the following vote:

Yes:	7 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Vice Mayor Stark and Mayor Gallego
No:	0	
Absent:	1 -	Councilman Waring

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

Note: Two electronic comments were submitted for the record in opposition to Item 23. Two electronic comments were submitted for the record in opposition to Item 64. Two electronic comments were submitted for the record in opposition to Item 66.

A motion was made by Councilwoman Pastor, seconded by Councilwoman O'Brien, that items 22-81 be approved or adopted, except items 43, 45, 48, 77-80; and continuing Item 76 to the April 17, 2024 City Council Formal Meeting; and Item 81 is an add-on. The motion carried by the following vote:

Yes:	7 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Vice Mayor Stark and Mayor Gallego
No:	0	
Absent:	1 -	Councilman Waring

Items 22-28, Ordinance S-50707 was a request to authorize the City Controller to disburse funds, up to amounts indicated on items for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some

items below require payment pursuant to Phoenix City Code section 42-13.

22 Salt River Project Agricultural Improvement and Power District dba SRP

For $50,760 in payment authority to SRP for service and work needed to add an electrical switch and transformer for new Fire Station 62, located at 9300 W Lower Buckeye Road, Phoenix, AZ 85053, for Fire Department Project FD57100027-4.

This item was adopted.

23 AmeriNational Community Services LLC dba AmeriNat

For $200,000 in payment authority for a new contract, entered on or about May 1, 2024, for a term of five years for loan services for the Housing Department. The Housing Department is responsible for approximately 98 loans for affordable multifamily rentals, special needs housing, and home ownership financial assistance programs, which are managed by a financial institution. Services include but are not limited to collections, account monitoring, cash-flow analysis, delinquency monitoring, forbearance plans, online account services, loan subordination, and other loan portfolio management services. These loans are generally financed with federal funds. There is no impact to the General Fund.

This item was adopted.

24 NEVCO Sports, LLC

For $46,000 in payment authority for a one-time purchase to replace seven LED scoreboards, including four at Desert West Sports Complex and three at Rose Mofford Sports Complex, for the Parks and Recreation Department.

This item was adopted.

25 WMDTech, LLC

For $35,000 in payment authority for an Explosive Ordnance Disposal training course for the Bomb Squad Unit of the Police Department. The course is designed to provide bomb responders with knowledge and decision-making skills when responding to a Special Event Response (SER), and will cover instances when complete separation or isolation of

a package is not possible. The focus of the training will be on potential threats during initial encounters, knowledge of the type of equipment necessary to conduct a response, X-Ray techniques, as well as other skills needed to respond to a SER, while ensuring the safety of the public and bomb responders.

This item was adopted.

26 Settlement of Claim(s) Lopez v. City of Phoenix

To make payment of up to $36,000 in settlement of claim(s) in *Lopez v. City of Phoenix*, CV2023-051608, 21-1047-001, AU, BI, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim involving the Police Department that occurred on May 17, 2022.

This item was adopted.

27 Settlement of Claim(s) Moreno v. City of Phoenix

To make payment of up to $50,000 in settlement of claim(s) in *Moreno v. City of Phoenix*, CV2023-001193, 22-0012-001, GL, BI, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim involving the Public Works Department that occurred on March 9, 2022.

This item was adopted.

28 Settlement of Claim(s) Salazar v. City of Phoenix

To make payment of up to $650,000 in settlement of claim(s) in *Salazar v. City of Phoenix*, CV2019-01188, 18-1059-001, GL, BI, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim involving the Police Department that occurred on March 5, 2019.

This item was adopted.

29 Proposed SWC 67th Ave and Broadway Road Right of Way De-Annexation (Ordinance S-50749)

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 the southwest corner of 67th Avenue and Broadway Road intersection right of way. (**Attachment A**) Additionally, all parts of the intersection of 67th Avenue and Broadway Road are to be maintained by Maricopa County Department of Transportation. The de-annexation area is approximately 0.1705 acres (0.0002 sq. mi.), decreasing the area of the City of Phoenix by approximately 0.1705 acres.

Council District: 7

This item was adopted.

30 Part-Time Television Engineering Services - RFQU 19-070 - Amendment (Ordinance S-50716)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 150025 with Engineering and Recording dba EAR Professional Audio and Video, to extend the contract term and add additional expenditures. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $96,000.

Summary

This contract will provide the Communications Office with required part-time engineering services, maintenance of all station engineering facilities, video production software, software and equipment upgrades, live streaming, emergency equipment failure and service support as needed, as well as equipment tech research, and installation and operation of equipment and services.

The Communications Office operates PHXTV, a cable station available to inform the public. The station broadcasts programming on-air and online which requires television engineering services for the audio and video support provided for City Council, Subcommittee and department meetings.

Contract Term

Upon approval the contract will be extended through May 15, 2025, with an option to extend through May 15, 2026.

Financial Impact

Upon approval of $96,000 in additional funds, the revised aggregate value of the contract will not exceed $324,000. Funds are available in the Communications Office's budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

Part-Time Television Engineering Services Contract 150025 (Ordinance S-45664) on May 15, 2019.

Part-Time Television Engineering Services Contract 150025 (Ordinance S-47628) on June 2, 2021.

This item was adopted.

31 Citywide Marketing Services - CTR056866 State of Arizona Cooperative Contract - Request for Award (Ordinance S-50711)

Request to authorize the City Manager, or his designee, to enter into a contract with Riester Sonoran, LLC, to provide marketing services and materials on an as-needed basis for Citywide 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 $253,550.

Summary

This contract will provide a wide variety of marketing services and materials to support operations Citywide. The range of products and services from this contract include creative design, production media buying and placement, interactive marketing services, public relations, and multicultural-focused marketing.

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 Alternative Competition. This State of Arizona Cooperative Agreement offers the best cost and provides full services to the City. The contract was awarded through a competitive process consistent with the City's procurement processes as set forth in the Phoenix City Code Chapter 43, and best aligns with the City's terms, conditions and needs.

Contract Term

The contract will begin on or about April 1, 2024, and expire on the expiration date of the Master Agreement, Sept. 30, 2026, with no options to extend.

Financial Impact

The aggregate contract value will not exceed $253,550 for the aggregate term.

Funding is available in Citywide department budgets.

This item was adopted.

32 Real Time Captioning and Sign Language Interpretation Services Contract - RFQu-24-0086 - Request for Award (Ordinance S-50721)

Request to authorize the City Manager, or his designee, to establish a qualified vendor list and enter into contracts with Access Professional Interpreting, Inc.; Arizona Interpreting Service, Inc.; Horn Interpreting Services, Inc., dba Arizona Freelance Interpreting Services; Karla M. Martin; Lango SW, LLC; Language Line Services, Inc.; and Translation & Interpretation Network, LLC, to provide real time captioning and sign language interpretation services for Citywide departments. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $728,000.

Summary

These contracts will provide real time captioning and sign language interpretation services for Citywide departments. Real time captioning and sign language interpretation services are utilized by various departments for effective communication with employees and customers

who have disabilities so that the community may participate in City business and/or employment. These types of services ensure inclusivity under the City's Equal Opportunity Plan and is required under Title II and III of the Americans with Disabilities Act (ADA). The contracts will be available to all City departments, with primary usage from Communications, Parks and Recreation, Human Services, and the Aviation departments.

Procurement Information
A Request for Qualifications procurement was processed in accordance with Administrative Regulation 3.10 to establish a Qualified Vendor List (QVL).

There were eight offers submitted and seven were deemed to be responsive and responsible. The procurement officer evaluated those offers as a pass or fail based on the following minimum qualifications:
Experience
Capacity
Qualifications

The procurement officer recommends award to the following Offerors:
Access Professional Interpreting, Inc.
Arizona Interpreting Service, Inc.
Horn Interpreting Services, Inc. dba Arizona Freelance Interpreting Services
Karla M. Martin
Lango SW, LLC
Language Line Services, Inc.
Translation & Interpretation Network, LLC

Contract Term
The contract will begin on or about April 15, 2024, for a five-year term with no options to extend.

Financial Impact
The aggregate contract value will not exceed $728,000.

Funding is available in various department budgets.

This item was adopted.

33 Acceptance of a Temporary Construction Easement for a High Intensity Activated Crosswalk at Osborn Road, West of 5th Avenue (Ordinance S-50725)

Request to authorize the City Manager, or his designee, to accept a temporary construction easement (TCE) from WFC North Park, LLC, for a High Intensity Activated Crosswalk (HAWK) at Osborn Road, west of 5th Avenue.

Summary

The TCE is for installation of a HAWK to provide pedestrians and bicyclists a secure passage for crossing the street, while enhancing safety and minimizing traffic impediment. Project improvements for the HAWK include striping, signals, lighting, curbs, gutters, and Americans with Disabilities Act (ADA) compliant sidewalks and ramps.

WFC North Park, LLC, donated a TCE within Maricopa County Assessor's parcel number 118-29-001G, Maricopa County Recording number 2024-0078490, recorded on Feb. 15, 2024. The TCE will commence upon 10-day advance written notification of the start of project construction and will terminate upon completion of project construction or within one year after commencement, whichever occurs first.

Financial Impact

The temporary construction easement was donated to the City at no cost.

Location

Osborn Road, west of 5th Avenue
Council District: 4

This item was adopted.

34 Cabling Communication Systems - State of Arizona Cooperative Contract - COOP 24-0211 Request for Award (Ordinance S-50747)

Request to authorize the City Manager, or his designee, to enter into contracts with Anixter, Inc.; BPG Technologies, LLC; Cable Solutions, LLC; Corporate Technology Solutions, LLC; Fishel Company; Graybar Electric Company, Inc.; IES Commercial, Inc.; Kearney Electric, Inc.; and Tel Tech Networks, Inc.; for equipment, installation, testing, and warranty

of cabling communications systems for the Information Technology Services Department for Citywide use. Further request an exception to the indemnity and assumption of liability provisions of Phoenix City Code section 42-18. Further request authorization for the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $17,500,000.

Summary

Cabling communication systems are used Citywide to connect City facilities to the data network and phone system through Internet access, phone lines, and data circuits, allowing City facilities to connect to email, instant messaging, and access to critical applications such as the City's financial accounting and reporting system and the human resources system. The City's cabling communication systems are critical to operations of City departments. Cabling communications systems enable access to emergency services provided by the Police and Fire departments, provide internet access in public libraries, allow the Parks and Recreation Department to manage sprinkler systems in City parks, allow the Street Transportation Department to manage traffic signals and lights throughout the City, and facilitate several other important City services. Without the cabling communication systems, users and devices will not be able to connect to their network and/or back-end systems for operations.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based upon the following reason: Special Circumstances Alternative Competition. The State of Arizona Communications Cabling Systems contracts were awarded using a competitive process consistent with the City's procurement processes set forth in the Phoenix City Code, Chapter 43. The State of Arizona contracts cover various cabling communication systems and services required by the City. Utilization of the State cooperative allows the City to benefit from statewide, government quantity pricing.

Contract Term

The contracts will begin on or about April 15, 2024, through Oct. 1, 2027, with a one-year option to extend.

Financial Impact

The aggregate contract value will not exceed $17,500,000 for the aggregate term. Funding is available in the Information Technology Services Department's budget.

This item was adopted.

35 Glass Repair and Replacement Contract - IFB-24-0084 Request for Award (Ordinance S-50734)

Request to authorize the City Manager, or his designee, to enter into a contract with Arizona Glass and Door, LLC, to provide glass repair and replacement services for Citywide 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 $3,161,500.

Summary

This contract will provide glass products, repair, removal, and replacement services to Citywide departments. City departments require various glass windows, mirrors, and glass doors for commercial and residential buildings throughout the City. Additionally, this contract will provide window tinting products such as blackout film, frost film, and anti-graffiti film for existing windows and emergency board-up services for public safety.

Procurement Information

An Invitation for Bid procurement was processed in accordance with Administrative Regulation 3.10.

One vendor submitted a bid deemed 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(s):

Selected Bidder

Arizona Glass and Door LLC

Contract Term

The contract will begin on or about April 1, 2024, for a five-year term with no options to extend.

Financial Impact
The aggregate contract value will not exceed $3,161,500.

Funding is available in the various department operating budgets.

This item was adopted.

36 Grant of Easement to Cellco Partnership dba Verizon Wireless, LLC, for the Talking Stick Resort Amphitheatre at 2121 N. 83rd Ave. (Ordinance S-50750)

Request to authorize the City Manager, or his designee, to grant an underground utility easement to Cellco Partnership dba Verizon Wireless, LLC within City-owned property located at 2121 N. 83rd Ave., for consideration in the amount of the appraised value and other consideration. Further request to authorize the City Treasurer to accept all funds related to this item.

Summary
The Parks and Recreation Department owns Talking Stick Resort Amphitheatre, operated by Live Nation as an outdoor concert venue. Live Nation, on behalf of Verizon, requested an easement for the installation of fiber circuit at the venue for Verizon's 5G deployment to enhance communication for wireless technology. The six-foot wide easement for underground utilities is approximately 4,076 square feet and will be conveyed to Cellco Partnership dba Verizon Wireless, LLC.

Financial Impact
Revenue will be reflective of the market value of the easement.

Location
2121 N. 83rd Ave., identified by Maricopa County Assessor parcel number 102-37-009.
Council District: 5

This item was adopted.

37 Acceptance of an Easement for Water and Sewer Purposes (Ordinance S-50741)

Request for the City Council to accept an easement for water and sewer 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: PV Retail II SPE, LLC; its successor and/or assigns
Purpose: Water and Sewer
Location: 12770 N. Tatum Blvd.
File: 230100
Council District: 3

Easement (b)
Applicant: PV Land SPE, LLC; its successor and/or assigns
Purpose: Water and Sewer
Location: 12750 N. Tatum Blvd.
File: 230100
Council District: 3

This item was adopted.

38 Amendments to Pay Ordinance [S-49802] in Accordance with Human Resources Committee 624 Recommendations (Ordinance S-50742)

The following amendments to the Pay Ordinance (Ordinance S-49802) are proposed in accordance with the recommendation of Human Resources Committee 624, to be effective on April 29, 2024. The proposal will also require modifications to the City's Classification Plan (Ordinance S-5815), which will be processed under a separate ordinance.

Regrade the classification of Sales Supervisor, Job Code: 27150, Salary Plan: 001, Grade/Range: 057 ($47,029 - $102,669/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 059 ($49,379 - $107,806/annual).

Regrade the classification of Sales Manager, Job Code: 27120, Salary Plan: 001, Grade/Range: 051 ($40,643 - $88,691/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA

Status: Exempt to Grade/Range: 053 ($42,661- $93,122/annual).

Regrade the classification of Events Coordinator, Job Code: 27460, Salary Plan: 001, Grade/Range: 045 ($35,110 - $76,627/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Nonexempt to Grade/Range: 051 ($40,643 - $88,691/annual).

Regrade the classification of Asst Event Services Manager, Job Code: 80200, Salary Plan: 001, Grade/Range: 049 ($38,688 - $84,469/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 053 ($42,661 - $93,122/annual).

Regrade the classification of Neighborhood Maintenance Tech I, Job Code: 60630, Salary Plan: 006, Grade/Range: 331 ($31,845 - $54,454/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Administrative Support, FLSA Status: Nonexempt to Grade/Range: 337 ($31,845 - $63,045/annual).

Regrade the classification of Building Code Examiner, Job Code: 60200, Salary Plan: 006, Grade/Range: 357 ($47,029 - $102,669/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Technicians, FLSA Status: Nonexempt to Grade/Range: 359 ($49,379 - $107,806/annual).

Regrade the classification of Electrical Plans Examiner I, Job Code: 60100, Salary Plan: 006, Grade/Range: 351 ($40,643 - $88,691/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Technicians, FLSA Status: Nonexempt to Grade/Range: 355 ($44,803 - $97,781/annual).

Regrade the classification of Electrical Plans Examiner II, Job Code: 60110, Salary Plan: 006, Grade/Range: 357 ($47,029 - $102,669/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Technicians, FLSA Status: Nonexempt to Grade/Range: 359 ($49,379 - $107,806/annual).

Regrade the classification of Mechanical Plans Examiner I, Job Code: 60080, Salary Plan: 006, Grade/Range: 351 ($40,643 - $88,691/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Technicians, FLSA Status: Nonexempt to Grade/Range: 355 ($44,803 - $97,781/annual).

Regrade the classification of Mechanical Plans Examiner II, Job Code: 60090, Salary Plan: 006, Grade/Range: 357 ($47,029 - $102,669/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Technicians, FLSA Status: Nonexempt to Grade/Range: 359 ($49,379 - $107,806/annual).

Regrade the classification of Structural Plans Examiner I, Job Code: 60140, Salary Plan: 006, Grade/Range: 351 ($40,643 - $88,691/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Technicians, FLSA Status: Nonexempt to Grade/Range: 355 ($44,803 - $97,781/annual).

Regrade the classification of Structural Plans Examiner II, Job Code: 60150, Salary Plan: 006, Grade/Range: 357 ($47,029 - $102,669/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Technicians, FLSA Status: Nonexempt to Grade/Range: 359 ($49,379 - $107,806/annual).

Regrade the classification of Construction Permit Spec I, Job Code: 60070, Salary Plan: 006, Grade/Range: 351 ($40,643 - $88,691/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Technicians, FLSA Status: Nonexempt to Grade/Range: 355 ($44,803 - $97,781/annual).

Regrade the classification of Elevator Insp Field Supv, Job Code: 60340, Salary Plan: 001, Grade/Range: 059 ($49,379 - $107,806/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 063 ($54,454 - $118,872/annual).

Regrade the classification of General Insp Field Supv, Job Code: 60040, Salary Plan: 001, Grade/Range: 057 ($47,029 - $102,669/annual), Labor

Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 063 ($54,454 - $118,872/annual).

Retitle and regrade the classification of Asst Real Estate Admin, Job Code: 12190, Salary Plan: 001, Grade/Range: 067 ($60,029 - $131,040/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Job Title: Real Estate Prog Manager, Grade/Range: 069 ($63,045 - $137,592/annual).

Retitle and regrade the classification of Asst Risk Management Admin, Job Code: 12360, Salary Plan: 001, Grade/Range: 067 ($60,029 - $131,040/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Job Title: Risk Management Prog Manager, Grade/Range: 069 ($63,045 - $137,592/annual).

Reclassify the filled position of Project Manager, Position #: 00018116, Job Code: 08640, Salary Plan: 001, Grade/Range: 067 ($60,029 - $131,040/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Job Title: Administrative Assistant III, Job Code: 06050, Salary Plan: 001, Grade/Range: 061 ($51,854 - $113,194/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt.

Abolish the classification of Neighborhood Maintenance Tech III, Job Code: 60650, Salary Plan: 001, Grade/Range: 048 ($37,773 - $82,451/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Technicians, FLSA Status: Nonexempt.

Abolish the classification of Property Records Specialist, Job Code: 12080, Salary Plan: 006, Grade/Range: 347 ($36,858 - $80,454/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Technicians, FLSA Status: Nonexempt.

Abolish the classification of Property Records Supervisor Job Code: 12040, Salary Plan: 001, Grade/Range: 061 ($51,854 - $113,194/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4

Category: Professional, FLSA Status: Exempt.

Summary

The Classification and Compensation study was implemented rapidly to address a systemic staffing and labor market crisis throughout the City. Adjustments to grade and salary ranges are necessary as the City adapts to the new pay structures that took effect on Aug. 7, 2023. These recommendations balance internal alignment with external market focus. As a result of the changes made during the Classification and Compensation study, staff requests that the adjustments listed above be approved.

Financial Impact

The estimated cost for this action for the first year is $7,614.

Concurrence/Previous Council Action

On March 12, 2024, Human Resources Committee 624 reviewed and recommended these modifications for approval effective on April 29, 2024.

This item was adopted.

39 Amendments to Classification Plan (Ordinance S-5815) in Accordance with Human Resources Committee 624 Recommendations (Ordinance S-50743)

The following amendments to the Classification Plan (Ordinance S-5815) are proposed in accordance with the recommendation of Human Resources Committee 624, to be effective on April 29, 2024. The proposal will also require modifications to the City's Pay Ordinance (S-49802), which will be processed under a separate ordinance.

Regrade the classification of Sales Supervisor, Job Code: 27150, Salary Plan: 001, Grade/Range: 057 ($47,029 - $102,669/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 059 ($49,379 - $107,806/annual).

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Regrade the classification of Events Coordinator, Job Code: 27460, Salary Plan: 001, Grade/Range: 045 ($35,110 - $76,627/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Nonexempt to Grade/Range: 051 ($40,643 - $88,691/annual).

Regrade the classification of Asst Event Services Manager, Job Code: 80200, Salary Plan: 001, Grade/Range: 049 ($38,688 - $84,469/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 053 ($42,661 - $93,122/annual).

Regrade the classification of Neighborhood Maintenance Tech I, Job Code: 60630, Salary Plan: 006, Grade/Range: 331 ($31,845 - $54,454/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Administrative Support, FLSA Status: Nonexempt to Grade/Range: 337 ($31,845 - $63,045/annual).

Regrade the classification of Building Code Examiner, Job Code: 60200, Salary Plan: 006, Grade/Range: 357 ($47,029 - $102,669/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Technicians, FLSA Status: Nonexempt to Grade/Range: 359 ($49,379 - $107,806/annual).

Regrade the classification of Electrical Plans Examiner I, Job Code: 60100, Salary Plan: 006, Grade/Range: 351 ($40,643 - $88,691/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Technicians, FLSA Status: Nonexempt to Grade/Range: 355 ($44,803 - $97,781/annual).

Regrade the classification of Electrical Plans Examiner II, Job Code: 60110, Salary Plan: 006, Grade/Range: 357 ($47,029 - $102,669/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Technicians, FLSA Status: Nonexempt to Grade/Range: 359 ($49,379 - $107,806/annual).

Regrade the classification of Mechanical Plans Examiner I, Job Code:

60080, Salary Plan: 006, Grade/Range: 351 ($40,643 - $88,691/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Technicians, FLSA Status: Nonexempt to Grade/Range: 355 ($44,803 - $97,781/annual).

Regrade the classification of Mechanical Plans Examiner II, Job Code: 60090, Salary Plan: 006, Grade/Range: 357 ($47,029 - $102,669/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Technicians, FLSA Status: Nonexempt to Grade/Range: 359 ($49,379 - $107,806/annual).

Regrade the classification of Structural Plans Examiner I, Job Code: 60140, Salary Plan: 006, Grade/Range: 351 ($40,643 - $88,691/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Technicians, FLSA Status: Nonexempt to Grade/Range: 355 ($44,803 - $97,781/annual).

Regrade the classification of Structural Plans Examiner II, Job Code: 60150, Salary Plan: 006, Grade/Range: 357 ($47,029 - $102,669/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Technicians, FLSA Status: Nonexempt to Grade/Range: 359 ($49,379 - $107,806/annual).

Regrade the classification of Construction Permit Spec I, Job Code: 60070, Salary Plan: 006, Grade/Range: 351 ($40,643 - $88,691/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Technicians, FLSA Status: Nonexempt to Grade/Range: 355 ($44,803 - $97,781/annual).

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Regrade the classification of General Insp Field Supv, Job Code: 60040, Salary Plan: 001, Grade/Range: 057 ($47,029 - $102,669/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional,

FLSA Status: Exempt to Grade/Range: 063 ($54,454 - $118,872/annual).

Retitle and regrade the classification of Asst Real Estate Admin, Job Code: 12190, Salary Plan: 001, Grade/Range: 067 ($60,029 - $131,040/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Job Title: Real Estate Prog Manager, Grade/Range: 069 ($63,045 - $137,592/annual).

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Reclassify the filled position of Project Manager, Position #: 00018116, Job Code: 08640, Salary Plan: 001, Grade/Range: 067 ($60,029 - $131,040/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Job Title: Administrative Assistant III, Job Code: 06050, Salary Plan: 001, Grade/Range: 061 ($51,854 - $113,194/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt.

Abolish the classification of Neighborhood Maintenance Tech III, Job Code: 60650, Salary Plan: 001, Grade/Range: 048 ($37,773 - $82,451/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Technicians, FLSA Status: Nonexempt.

Abolish the classification of Property Records Specialist, Job Code: 12080, Salary Plan: 006, Grade/Range: 347 ($36,858 - $80,454/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Technicians, FLSA Status: Nonexempt.

Abolish the classification of Property Records Supervisor Job Code: 12040, Salary Plan: 001, Grade/Range: 061 ($51,854 - $113,194/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt.

Summary

The Classification and Compensation study was implemented rapidly to address a systemic staffing and labor market crisis throughout the City. Adjustments to grade and salary ranges are necessary as the City adapts to the new pay structures that took effect on Aug. 7, 2023. These recommendations balance internal alignment with external market focus. As a result of the changes made during the Classification and Compensation study, staff requests that the adjustments listed above be approved.

Financial Impact

The estimated cost for this action for the first year is $7,614.

Concurrence/Previous Council Action

On March 12, 2024, Human Resources Committee 624 reviewed and recommended these modifications for approval effective on April 29, 2024.

This item was adopted.

40 Legal Document Retrieval Services - Legal Document Retrieval Services Agreement for Litigation and Claims with DocuTraK, LLC (Ordinance S-50735)

Request to authorize the City Attorney, through the City Manager or his designee, to enter into an agreement with DocuTrak, LLC (DocuTraK), to provide legal document retrieval services, such as medical bills and other records related to litigation or notice of claims for the Law Department. The aggregate amount will not exceed $225,000 for a five year agreement. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The purpose of this agreement is for document retrieval related to litigation or notice of claims to pull all relevant documents such as medical, hospital, billing, payroll, personnel, insurance claims, Medicare, the United States Department of Veterans Affairs (VA), Social Security, police departments, fire departments, the Occupational Safety and Health Administration (OSHA), employment and educational records. Those records are provided to the Law Department as related to cases in litigation, or where the City has received a notice of claim, to assist in

evaluation of the case and for discovery purposes.

Procurement Information
Legal services are exempt from the Procurement Code. Nevertheless, the Law Department sought quotes from multiple vendors. DocuTraK was the only responsive offeror and was selected. Moreover, in accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved determination memo where there was insufficient time for competition as a result of only one responsive offer being received and the critical need for these contracted services to be in place for the Law Department.

Contract Term
The term of the Legal Services Agreement will begin on or about March 20, 2024, for five years.

Financial Impact
Funds are not anticipated to exceed $225,000 for the five-year term.

This item was adopted.

41 Authorization to Restate and Amend Lease Agreement 35179 with Friendly House at 723 S. 1st. Ave. (Ordinance S-50708)

Request to authorize the City Manager, or his designee, to restate and amend Lease Agreement 35179 with Friendly House to extend the term for 40 years, allow for tenant improvements and co-location of partner nonprofits, and to provide an option to purchase. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary
The City acquired and leased land to Friendly House (Tenant) through a development agreement to construct, operate, and maintain the Youth and Americanization Center at 723 S. 1st Ave. The ground lease, effective June 21, 1984, for approximately 18,170 square feet of land provided for a 40-year term, expires June 20, 2024.

The term will be extended 40 years (Extended Term) to allow for continued operations by Friendly House. The lease will be amended to allow for tenant improvements, with written approval from the City to support modern programs and community needs, at Tenant's sole

expense. With the goal of better serving the community, Tenant will be allowed to co-locate partner nonprofits who share the same mission and similarly contribute to the community. The amendment will include an option to purchase the property at the beginning of the fifth and 10th anniversary of the Extended Term, subject to applicable Community Development Block Grant requirements. The purchase price, exclusive of tenant improvements, will be based on the then-appraised value, as procured, reviewed, and approved by the Finance Department's Real Estate Division,

Rent will be $135,000, plus applicable taxes, for the first five years of the Extended Term. Rent will be abated for the first year, then adjusted to $33,750 per year, plus applicable taxes, each year thereafter. Beginning year five, rent will be adjusted every five years to the then-market rent throughout the Extended Term. Rent is within the range of market rents as determined by the Finance Department's Real Estate Division. Tenant may receive a rent credit equal to an amount not to exceed the annual rent for non-monetary contributions and services provided to the community, to be quantified in terms of dollars.

Contract Term
The Extended Term is 40 years from June 21, 2024, through June 20, 2064.

Financial Impact
Contract rent during the first five years of the lease is $135,000, plus applicable taxes, which may be offset by non-monetary contributions and services, to be quantified in terms of dollars.

Concurrence/Previous Council Action
Lease Agreement 35179 (Ordinance S-14965) was adopted on June 6, 1984.

Location
723 S. 1st Ave.
Council District: 8

This item was adopted.

42 Phoenix Union High School District Agreement (Ordinance S-50739)

Request to authorize the City Manager, or his designee, to enter into an agreement with Phoenix Union High School District No. 210 for the Aquatics All City Staff Meeting and future meetings. Further request to authorize and grant an exception pursuant to Phoenix City Code 42-18 authorizing indemnification or assumption of liability provisions that otherwise would be prohibited for the agreement.

Summary

The City of Phoenix Parks and Recreation Department (Parks) Aquatics program holds an annual All City Staff Meeting totaling approximately 600 part-time employees. Parks does not have a facility with the capacity to hold such a large meeting for that many people. Central High School in the Phoenix Union High School District has the means to accommodate the large group. Central High School is offering a low rate to rent the facility which includes free parking for attendees. However, in order to utilize the facility, Parks is required to enter into a Facility Use Agreement that contains indemnification and assumption language of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18. This authorization requests authority to allow for mutual indemnification to enter into agreements with Phoenix Union High School District for the Aquatics All City Staff Meeting and future meetings, if needed for large events.

Financial Impact

There is no financial impact to the City.

Location

4525 N. Central Ave.
Council District: 4

This item was adopted.

44 Law Enforcement Badges and Accessories Equipment Contract - VH11592 - Amendment (Ordinance S-50751)

Request to authorize the City Manager, or his designee to allow additional expenditures under Contract 150984 with Municipal Emergency Services, Inc for the purchase of badges and accessories for the Police,

Fire and Parks and Recreation departments. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $65,000.

Summary

This contract provides badges and accessories with a designated serial number for sworn and non-sworn employees who are required to wear a serialized badge with a uniform. The badges are worn to notify the public of what agency is being represented and who the individual employee is, in accordance with the serial number.

Contract Term

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

Financial Impact

Upon approval of $65,000 in additional funds, the revised aggregate value of the contract will not exceed $625,000. Funds are available in the Police, Fire and Parks and Recreation departments' budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
Law Enforcement Badges and Accessories - Contract 150984 (Ordinance S-46027) on Sept. 18, 2019.

This item was adopted.

46 Aircraft Rescue Firefighter Training (Ordinance S-50710)

Request authorization for the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Dallas/Fort Worth International Airport Board (DFW) for Aircraft Rescue Firefighter Training for the Fire Department. Further request authorization for the City Controller to disburse funds required for this item.

Summary

Phoenix Sky Harbor International Airport (Sky Harbor) has Aircraft Rescue Firefighting (ARFF) capability. In order to maintain this capability, City of Phoenix Fire Department (PFD) firefighters stationed at Sky Harbor must train in accordance with Federal Aviation Administration (FAA) standards. These standards mandate that PFD firefighters train with live burn exercises each year, and every third year the training must be held at a facility with multiple, simultaneously burning full-scale aircraft.

DFW meets or exceeds the Index D training facility requirements by the FAA.

There are very few large-scale training sites located across the United States that meet the Index D training facility requirements set by the FAA. ARFF requires a site with ample flight availability and proximity to allow an approximate 24-hour turnaround training for students. DFW is a large-scale training facility and meets the flight and proximity requirements.

DFW has taken exception to the indemnification and liability provisions in the contract. PFD is seeking an exception to Phoenix Code section 42-18 in allowing for indemnification against any liability, claim, loss, damage or expenses, including without limitation, reasonable attorney fees, arising from its negligent acts or omissions in connection with its performance of the agreement, or its failure to comply with the terms of the agreement, as determined by a court of competent jurisdiction. PFD is also seeking an exception to Phoenix Code section 42-18 in allowing a limitation of damages not to exceed $5,000,000.

Contract Term
The contract term shall begin on or about April 1, 2024 for a three-year term with no options to extend.

Financial Impact
Maximum total three-year contract value could be up to $415,000. The funds are available in the Aviation Department's budget.

This item was adopted.

47 Fire Hose and Ladder Testing Contract - COOP 24-0083 Request for Award (Ordinance S-50729)

Request to authorize the City Manager, or his designee, to enter into a cooperative agreement with Fire Catt, LLC to provide Fire Hose and Ladder Testing for the Fire Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $250,000.

Summary
This contract will provide Fire Hose and Ladder Testing for the Fire

Department. The Fire Department maintains a large fleet of specialized vehicles equipped with numerous ladders and approximately 200,000 linear feat of fire hose. Per the National Fire Protection Association Standards, NFPA 1962 and NFPA 1932, testing and inspections of fire hose and ladders must be performed annually by trained personnel. All testing and inspections shall be in accordance with applicable state and local fire codes, as well as the NFPA. Without proper testing and inspections, the Fire Department would experience equipment failures and be subject to potential property loss and jeopardize firefighter and public safety.

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded through a competitive process consistent with the City's procurement process, as set forth in the Phoenix City Code, Chapter 43. Cooperative agreements allow the City to benefit from government pricing and volume discounts. Fire Catt, LLC, uses patented technology to provide precision service testing allowing the Fire Department to maintain it's hoses and ladders at levels required by NFPA standards.

Contract Term

The contract will begin on or about April 3, 2024, for a five-year term with no options to extend.

Financial Impact

The aggregate contract value for will not exceed $250,000 for the five-year aggregate term. Funding is available in the Fire Department's budget.

This item was adopted.

49 Amend Intergovernmental Agreement with Arizona Department of Health Services for Immunization Services (Ordinance S-50731)

Request authorization for the City Manager, or his designee, to enter into an amendment to Agreement #159280 with the Arizona Department of Health Services to extend the term of the agreement to immunize children and adults residing in the City of Phoenix. Authorization also is

requested for the City Treasurer to accept, and for the City Controller to disburse, all related funds.

Summary

The Arizona Department of Health Services' (AZDHS) Arizona Immunization Program Office strives to meet national immunization goals outlined by the Centers for Disease Control and Prevention (CDC). The Fire Department will assist in Vaccine-Preventable Diseases (VPD) outbreaks and pandemic responses in coordination with equivalent county public health preparedness programs and other relevant partners. Preparedness activities may include mass vaccination exercises, identification of priority groups and hard-to-reach populations for immunization, and identification of critical infrastructure personnel. In addition to preparedness activities, this agreement with AZDHS will provide for additional capacity for data entry, reminder recall activities, and vaccine cold storage capacity.

Contract Term

The original term of the agreement was two years, commencing on July 1, 2022, and ending on June 30, 2024, with an option to renew up to a five-year period. The new term of the agreement is July 1, 2022, through June 30, 2025.

Financial Impact

The aggregate reimbursement over the life the contract will depend on the number of immunization clinics hosted but will not exceed $10,000.

This item was adopted.

50 Agreement with the State of Arizona Department of Administration for the 9-1-1 Program (Ordinance S-50745)

Request authorization for the City Manager, or his designee, to authorize the Phoenix Fire Department to retroactively 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 $1,745,000. 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 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 final 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 Jan. 1, 2024, and end June 30, 2024.

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.

51 Donation from Ladder Goo Graphics, LLC for Phoenix Fire Department Arizona Task Force One Program (Ordinance S-50746)

Request authorization for the City Manager, or his designee, to accept a donation valued at approximately $4,000 from Ladder Goo Graphics, LLC for the Phoenix Fire Department's (PFD) Arizona Task Force One

(AZ-TF1) Program. Further request authorization for the City Treasurer to accept all funds related to this donation. If not approved, the donation would be declined.

Summary

Ladder Goo Graphics, LLC wishes to express their appreciation for the AZ-TF1 Program by donating 800 Challenge Coins with PFD and AZ-TF1 logos on the front and back to the Department. The coins will be distributed to members of AZ-TF1, select members of the PFD, and other Federal Emergency Management (FEMA) National Urban Search and Rescue (US&R) members as a means of promoting comradery.

This request adheres to the Fire Department's charitable donations process.

Financial Impact

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

This item was adopted.

52 LexisNexis Accurint and Accurint Crime Analysis Services - RFA 18-009 - Amendment (Ordinance S-50709)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 148401 with LexisNexis Risk Solutions FL, Inc. to add to the scope of work the Accurint TRAX suite and add additional expenditures. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $45,000.

Summary

This contract amendment will provide the Accurint TRAX suite to the Phoenix Police Department. The Accurint TRAX suite will be utilized by investigators to load data including Call Detail Records (CDR's) and map mobile communication devices. The CDR's are obtained through search warrants during criminal investigations and are documented as evidence. Accurint TRAX suite reduces the time an investigator takes to examine data and reduces investigative time on data entry.

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

Contract Term
The contract term remains unchanged, ending on Aug. 31, 2028.

Financial Impact
Upon approval of $45,000 in additional funds, the revised aggregate value of the contract will not exceed $1,099,000. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
LexusNexus Accurint and Accurint Crime Analysis 148401 (Ordinance S-44909) on Aug. 29, 2018;
LexusNexus Accurint and Accurint Crime Analysis 148401 (Ordinance S-49969) on June 28, 2023.

This item was adopted.

53 Law Enforcement Mental Health and Wellness Act (LEMHWA) Implementation Grant (Ordinance S-50744)

Request to authorize the City Manager, or his designee, to allow the Police Department to apply for, accept, and enter into an agreement with the Community Oriented Policing Services (COPS) Office for the Law Enforcement Mental Health and Wellness Act (LEMHWA) Implementation Grant. The grant amount is not to exceed $200,000.

Summary
This program support efforts to protect the mental health and well-being of law enforcement officers. Funding will be used to improve the delivery and access to mental health and wellness services for law enforcement officers and their families through the implementation of peer support, training, family resources, suicide prevention and other promising practices for wellness programs.

The Employee Wellness Unit has initiated new programs focused on building resilience in employees so they can better prevent, mitigate and recover from the cumulative stress and exposure to traumatic incidents they experience as unique elements of their work life. One of these new resilience-based programs that has garnered a great deal of support and participation from the employees it serves is the Human Performance

Pilot Program. This program, sourced through the company O2X, provides on-site mental and physical performance specialists backed by a suite of technological resources. Through this program employees gain access to in person mental performance consultations, injury evaluations, injury rehabilitation, and strength and conditioning consultations, as well as coaching related to nutrition, sleep, coping with stress and other holistic wellness related issues. The current program is only accessible to a portion of the employees.

The Employee Wellness Unit will use this grant funding to expand this program, which will add an additional on-site injury risk and reduction specialist to the program. This specialist focuses on early identification and correction of physical health risks specific to job functions, evaluations of untreated injuries, consultations for strength and conditioning, readiness assessments and rehabilitation assistance. With this grant, the Employee Wellness Unit will be able to open the Human Performance Pilot Program to the entire Police Department, encouraging resilient wellness strategies for the challenges faced by police employees.

The grant application is due on April 23, 2024. If approved, the Police Department will move forward with submitting our application.

Contract Term

The project period is for two years and will begin on Oct. 1, 2024.

Financial Impact

No matching funds are required.

This item was adopted.

54 Phoenix Sky Harbor International Airport Rental Car Center LED Light Retrofit - Design-Bid-Build Services - AV15000073 (Ordinance S-50717)

Request to authorize the City Manager, or his designee, to accept Sun Eagle Corporation as the lowest-priced, responsive and responsible bidder and to enter into an agreement with Sun Eagle Corporation for Design-Bid-Build Services for the Phoenix Sky Harbor International Airport Rental Car Center LED Light Retrofit project. Further request to

authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed $11,197,948.

Summary

The purpose of this project is to replace existing lighting fixtures with energy efficient sustainable Light Emitting Diode (LED) lighting in the Phoenix Sky Harbor International Airport Rental Car Center (RCC).

Sun Eagle Corporation's services include, but are not limited to: provide construction services to replace existing metal halide high-intensity discharge (HID) and fluorescent lighting fixtures with LED lighting in the RCC facility including interior core areas, exterior, walkway, all levels of the garage, and small operator parcel parking lots.

The selection was made using an Invitation for Bids procurement process set forth in section 34-201 of the Arizona Revised Statutes. Four bids were received on Nov. 28, 2023, and were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and contractor responsiveness in demonstrating responsiveness to Small Business Enterprise program requirements.

The Opinion of Probable Cost and the two lowest responsive, responsible bidders are listed below:
Opinion of Probable Cost: $6,717,265.03
Sun Eagle Corporation: $11,197,948
Kimbrell Electric, Inc.: $11,581,157.72

Bidders who were deemed non-responsive are listed below, in alphabetical order:
Fluoresco Services, LLC
Voss Electric Company DBA Voss Lighting, Inc.

Although the bid exceeds the Engineer's Opinion of Probable Cost by more than 10 percent, it has been determined the bid represents a fair and reasonable price for the required work scope. Additionally, the bid award amount is within the total budget for this project.

Contract Term

The term of the agreement is 470 calendar days from issuance of the

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

Financial Impact
The agreement value for Sun Eagle Corporation will not exceed $11,197,948, including all subcontractor and reimbursable costs.

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

Location
1805 E. Sky Harbor Circle South
Council District: 8

This item was adopted.

55 Goodyear Airport Infield Paving - Phase 2 - Engineering Services - AV41000079 FAA (Ordinance S-50724)

Request to authorize the City Manager, or his designee, to enter into an agreement with TRACE Consulting, LLC to provide Engineering Services that include design and construction administration and inspection for the Goodyear Airport Infield Paving Phase 2 project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for all services will not exceed $735,000.

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 implement one of the recommendations of the 2018 Master Plan Update to improve infield areas between Runway 3/21 and Taxiway A at Goodyear (GYR) Airport. The seven infield areas to be improved for Phase 2 of this project are located north of Taxiway A1, between Taxiways A1 and A2, between Taxiways A4 and A5, between Taxiways A5 and A6, between Taxiways A6 and A7, between Taxiways A7 and A8, and between Taxiways A9 and A10. The goals of this project include infield grading requirements per Federal Aviation Administration (FAA) Standards, infield paving as a safety improvement to mitigate the dangers of jet blast and propwashing blowing around foreign object debris and to improve ease of maintenance in the infields, and utility vault adjustments to be consistent with the new grading and paving. Phase 1 of the GYR Infield Paving Project previously completed design for three infields.

TRACE Consulting, LLC's continued services include, but are not limited to: provide design services, cost estimating, and specifications; assist with bidding for a Design-Bid-Build delivery method; perform detailed survey of the limits of asphalt concrete paving; geotechnical analysis; complete Engineer's Report required for FAA, Arizona Department of Transportation (ADOT), and Airport Improvement Program (AIP) grant compliance; provide construction administration and inspection services per AIP and FAA/ADOT grant requirements; review contractor shop/record drawings and submittals; verify compliance with contract documents; prepare inspection reports; conduct warranty inspection; and other tasks as needed for a complete project. GYR may opt to extend design services to other infields in future Phase 3.

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes for GYR

Infield Paving - Phase 1, with the option for the selected consultant to provide continued services through Phase 2 and Phase 3.

Contract Term

The term of the agreement is five 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 TRACE Consulting, LLC will not exceed $735,000, including all subconsultant and reimbursable costs.

Funding is available in the Aviation Department's Capital Improvement Program. The Aviation Department anticipates State 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 155730 (Ordinance S-48220) on Jan. 5, 2022.

Location

1658 S. Litchfield Rd., Goodyear, Ariz.
Council District: Out of City

This item was adopted.

56 Trego/Dugan Aviation of Grand Island, Inc. Facility License Agreement at Phoenix Sky Harbor International Airport (Ordinance S-50733)

Request to Authorize the City Manager, or his designee, to enter into a Facility License Agreement with Trego/Dugan Aviation of Grand Island, Inc. at Phoenix Sky Harbor International Airport for the use of 109 square feet of office space at Terminal 4.

Summary

Trego/Dugan Aviation of Grand Island, Inc. is operating under Commercial Use Permit No. 525-23 for aircraft interior, lavatory, ramp, boarding gate cleaning, ground handling, and passenger handling services and is under contract with Flair Airlines to provide these services. The Facility License Agreement is month-to-month. Currently, Trego/Dugan Aviation of Grand Island, Inc. is occupying the terminal space under a Temporary License Agreement, which is set to expire on April 30, 2024.

Contract Term

The term of the Facility License Agreement is month-to-month.

Financial Impact

Estimated annual revenue to the City is $18,455.88 (monthly $1,537.99). The Facility License Agreement terminal rental rate is subject to annual rate adjustments each year on July 1st.

Location

Phoenix Sky Harbor International Airport, 3800 East Sky Harbor Blvd.
City Council District: 8

This item was adopted.

57 Aviation Civil Construction - Job Order Contracting Services - 4108JOC227 (Ordinance S-50736)

Request to authorize the City Manager, or his designee, to enter into separate master agreements with two contractors listed below to provide Aviation Civil Construction Job Order Contracting services for the Aviation Department. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for all services will not exceed $80 million.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of

the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The Job Order Contracting (JOC) contractors' services will be used on an as-needed basis to provide Aviation Civil Construction Job Order Contracting services for earthwork and dust stabilization; concrete paving and flatwork; asphalt overlay and pavement rehabilitation; underground and above ground utilities (water, sewer, electrical, etc.); A.D.A. modifications; roadway striping and markings; bridge repairs (structural and maintenance); fence and gate installation and repairs; landscaping; grading and drainage; safety and security systems (loop detectors, barriers, attenuators, etc.); demolition; signage; airfield and landside maintenance; and minor design/engineering and other work as needed. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

Procurement Information

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

Selected Firms

Rank 1: ViaSun Corporation

Rank 2: Kiewit Infrastructure West Co.

Additional Proposers

Rank 3: Markham Contracting Co., Inc.

Rank 4: Rummel Construction, Inc.

Contract Term

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

Financial Impact

The master agreement value for each of the JOC contractors will not exceed $40 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed $80 million.

Request to authorize the City Manager, or his designee, to execute job order agreements performed under these master agreements for up to $4 million each. In no event will any job order agreement exceed this limit without Council approval to increase the limit.

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

Location

Phoenix Sky Harbor International Airport, 2485 E. Buckeye Road
Phoenix Deer Valley Airport, 702 W. Deer Valley Road
Phoenix Goodyear Airport, 1658 S. Litchfield Rd., Goodyear, Ariz.
Council Districts: 1, 8 and Out of City

This item was adopted.

58 Bus Contingency Services RFQu 22-023 - Amendment (Ordinance S-50737)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 157269 with Via Adventures, Inc.; Contract 157281 with J.E.T. Limousines & Transportation, LLC; Contract 157282 with Tour West America, Inc.; and Contract 157284 with

Industrial Bus Lines, Inc. to provide Bus Contingency services for the Aviation Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will be up to $1,500,000.

Summary

These contracts provide qualified operators of medium and large shuttle buses, motorcoach buses, and driver resources to assist the Aviation Department in transporting customers between airport facilities on an on demand/as-needed basis to support the PHX Sky Train® contingency operations and other events. Initial estimates related to the PHX Sky Train® contingency operations assumed the bus contractors would be activated on an average of one time per year. Continued improvements of the PHX Sky Train® system, including software upgrades, customer experience enhancements, and preventative maintenance, have resulted in a need for the provision of bus services on a more frequent basis in order to maintain a high level of customer service during planned system outages. In the unlikely event of unplanned system outages, it is imperative to have all possible means of transporting customers available. The purpose of this request is to provide additional funds to ensure continued high level of customer service provided to airport customers in the event planned and unplanned PHX Sky Train® contingency operations are required.

Contract Term

The contract terms remain unchanged, ending on Oct. 31, 2027.

Financial Impact

Additional funds in the amount of $1,500,000 will increase the total value of the contracts up to $1,672,000 for the contract terms. Funds are available in the Aviation Department’s budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

Bus Contingency Contract RFQu 22-023 - Request for Award (Ordinance S-49042)

Location

Phoenix Sky Harbor International Airport - 2485 E. Buckeye Road

Council District: 8

This item was adopted.

59 DVT Hangars LLC Rent Credits for Taxiway Construction at Phoenix Deer Valley Airport (Ordinance S-50740)

Request to authorize the City Manager, or his designee, to amend Ground Lease No. 154206 with DVT Hangars LLC (DVT Hangars) to establish rent credits in an amount of up to $3.2 million for the construction of a portion of a taxiway at Phoenix Deer Valley Airport (DVT).

Summary

DVT Hangars is requesting rent credits to pay for the construction of a portion of a taxiway at DVT. DVT Hangars is currently constructing Phase 1 of a two-phase project to build corporate hangars at DVT. Access to the runways from the development is currently available via an existing taxiway, known as Taxiway Charlie that connects to the taxi lane located within the DVT Hangars leased premises. DVT Hangars wishes to improve runway access for its tenants by completing a portion of a second parallel taxiway, known as Taxiway Delta that has been designed by DVT, but not constructed. Completion of this segment of Taxiway Delta will improve the safety and efficiency of ground operations at DVT by decreasing the distance of jets taxiing to and from the DVT Hangars premises from the runway.

Contract Term

This amendment will have no impact to the DVT Hangars 40-year lease term.

Financial Impact

The rent credits will be applied to the DVT Hangars account at the rate of 75 percent of their rent on a monthly basis until the rent credits are exhausted. It is estimated the rent credits will be exhausted within 20 years of the 40-year lease. The time for the rent credits to be exhausted will be reduced if DVT Hangars constructs and begins payment of rent on Phase 2 of their development.

Concurrence/Previous Council Action

The Phoenix Aviation Advisory Board, Business and Development

Subcommittee recommended approval of the item on March 7, 2024 by a vote of 3-0.
The Phoenix Aviation Advisory Board recommended approval of the item on March 21, 2024 by a vote of 9-0.

Location
Phoenix Deer Valley Airport, 702 W. Deer Valley Road
Council District: 1

This item was adopted.

60 Intergovernmental Agreement with City of Prescott to Accept and Process Recyclable Materials (Ordinance S-50727)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the City of Prescott to accept and process recyclable materials collected in the City of Prescott and delivered to the City of Phoenix's Material Recovery Facilities (MRF). Additionally, request the City Council to grant an exception pursuant to Phoenix City Code section 42-20(B) to authorize inclusion of mutual indemnification language that otherwise would be prohibited by Phoenix City Code section 42-18(A) and (B). Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary
The City of Prescott has requested to enter into an Intergovernmental Agreement with the City of Phoenix to accept and process its recyclable material. The City of Phoenix can accept these materials with terms to address changing market conditions, resulting in lower commodity prices and increased processing costs from contamination in the recyclables. This IGA will authorize the City of Phoenix to charge a processing fee to the City of Prescott for recycling tonnage processed at the City MRFs, which is designed to ensure all costs associated with processing recyclables are recovered by the fee. The terms of this IGA include:

• In a market with low recycling commodity prices, the City of Phoenix will charge a processing fee to the City of Prescott, and no revenue share to Prescott will be available.
• In a market with high recycling commodity prices, the City of Prescott will pay a processing fee and will receive 50 percent of the net revenue

share and the City of Phoenix will receive the remaining 50 percent.

Annually, the City of Prescott will deliver up to 10,000 tons of recyclable materials to City of Phoenix facilities.

Contract Term
The one-year term of this IGA will begin on or about July 1, 2024 and conclude on or about June 30, 2025. Provisions of the IGA include four, one-year options to extend the agreement.

Financial Impact
The City of Prescott will pay the City of Phoenix to accept recyclables and cover all expenses associated with proper handling of the materials. If recycle market prices increase during the term of the agreement, Phoenix and Prescott would share the additional revenue at a 50/50 split. Funds for the revenue share payments to the City of Prescott are available in the Public Works Department's budget.

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

This item was adopted.

61 Heating, Ventilation and Air Conditioning Maintenance, Repair, and Replacement Services - Amendment (Ordinance S-50732)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 157109 with Artic Air Heating & Cooling, Inc, Contract 157140 with Crawford Mechanical Services, LLC, Contract 157108 with Haci Service, LLC, Contract 157107 with Chiller Services, Inc, and Contract 157119 with Pueblo Mechanical & Controls, LLC to provide additional funding for Heating, Ventilation and Air Conditioning (HVAC) Maintenance, Repair, and Replacement Services. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures included in the amendment will not exceed $7,600,000.

Summary
The purpose of this amendment is to provide additional payment authority

that is necessary due to planned Capital Improvement Program (CIP) work for equipment replacement, and to provide services related to the installation and repair of HVAC equipment, including chillers, cooling towers, heat pumps, gas equipment, package air conditioners, and mini splits to more than 600 City owned facilities.

The contractors are responsible for performing preventative maintenance, equipment repairs, startup services, and providing replacement parts for City of Phoenix units.

Contract Term

The contract expiration date is Sept. 30, 2024 and has one option year remaining.

Financial Impact

The initial authorization for the contract was for an amount not to exceed $10,086,000. This amendment will increase the authorization for the contracts by an additional $7,600,000 for a new amount not to exceed $17,686,000. Funding for this amendment is available in the Public Works Department's operating budget.

Concurrence/Previous Council Action

The City Council previously approved HVAC Maintenance, Repair, and Replacement Services contracts 157109, 157140, 157108, 157107, and 157119 (Ordinance S-48971) on Sept. 21, 2022.

This item was adopted.

62 Acquisition of Real Property for High Intensity Activated Crosswalks at Various Locations Citywide (Ordinance S-50712)

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 the installation of High Intensity Activated Crosswalks (HAWKs) at various locations Citywide. Further request to authorize dedication of fee simple or easement land rights, land to public use for right-of-way, or sidewalk purposes via separate recording instrument. Additionally, request to authorize the City Controller to disburse all funds related to this item.

Summary

The acquisition of real property is required to facilitate the construction of HAWKs, which provide pedestrians and bicyclists a secure passage for crossing streets, while enhancing safety and minimizing traffic impediment. Improvements include striping, signals, lighting, curbs, gutters, and Americans with Disabilities Act (ADA) compliant sidewalks and ramps.

The HAWKS will be installed at the following locations:
43rd Avenue and W. Hubbell Street
3rd Avenue and W. Buckeye Road
Northern Avenue and Arizona Canal
7th Avenue and Western Canal

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
Various Locations
Council Districts: 4, 6 and 8

This item was adopted.

63 Lift Station 80 Verdin - Construction Administration and Inspection Services - WS90400102 (Ordinance S-50713)

Request to authorize the City Manager, or his designee, to enter into agreements with Stanley Consultants, Inc., to provide Engineering Services that include construction administration and inspection for the Lift Station 80 Verdin project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $493,591.36.

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 encompasses construction of a new 0.5-acre 1.57 million gallons per day lift station facility, including a new wet well, two submersible pumps, discharge force main piping, a 15-inch gravity sewer line, biofilter odor control system, calcium nitrate (Bioxide) odor control facility, and new dual 12-inch High-Density Polyethylene force main piping approximately 26,000 feet in length. There will be an inspection component at approximately three wash crossings on a 16-inch water main to be included in this work.

Stanley Consultants, Inc. services include, but are not limited to: on-site inspection and review of work to ensure the quality of the executed work and verify the work is in accordance with the construction documents and specifications; assist the contractor in obtaining permits and approvals for work, providing oversight to ensure protection against defects and deficiencies in the work of contractor and its sub consultants; confirm contractor’s work progress and quantities of work completed are on schedule and meet standards; review of cost proposals, submittals, shop drawings, RFIs, change orders, and other documents as directed by the City; attend the pre-construction meeting and other project-related progress meetings; review the construction schedule, assist with interpretations and clarifications to the contractor, attend substantial, final completion and warranty walks, and assist in preparation of punch list of corrective work to be performed by the contractor; perform re-inspection of work and develop a list of necessary repairs, and inspect all completed repairs; and assist with gathering as-builts, operation and maintenance manuals and Computerized Maintenance Management System tags from the Design Engineer and contractor.

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

Selected Firm
Rank 1: Stanley Consultants, Inc.

Additional Proposers
Rank 2: Consor North America, Inc.
Rank 3: Entellus, Inc.
Rank 4: Brown and Caldwell, Inc.
Rank 5: HDR Engineering, Inc.

Contract Term
The term of the agreement is five 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 Stanley Consultants, Inc. will not exceed $493,591.36, including all subconsultant and reimbursable costs.

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

Location
South of Sonoran Desert Drive, north of Cave Creek Dam, between Apache Wash and Cave Creek Wash

Council District: 2

This item was adopted.

64 Amend Ordinance S-49816 for Acquisition of Real Property for Roadway Improvements Along Van Buren Street from 7th to 24th Streets (Ordinance S-50718)

Request the City Council amend Ordinance S-49816 for authorization to acquire additional real property and related property interests for the roadway improvements along Van Buren Street from 7th to 24th streets.

Summary

Ordinance S-49816 authorized the acquisition of real property for the roadway improvements along Van Buren Street from 7th to 24th streets. Property rights from one additional parcel will be acquired for the project, which consists of traffic signal upgrades, medians, landscape, and Americans with Disabilities Act (ADA) compliant sidewalks and ramps. All other conditions and stipulations stated in Ordinance S-49816 remain the same.

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

Financial Impact

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

Concurrence/Previous Council Action

Ordinance S-49816 was adopted on June 14, 2023.

Location

1305 E. Van Buren St., identified by Maricopa County Assessor parcel number 116-45-011A
1118 E. Van Buren St., identified by Maricopa County Assessor parcel number 116-26-016
1219 E. Van Buren St., identified by Maricopa County Assessor parcel number 116-45-185
1745 E. Van Buren St., identified by Maricopa County Assessor parcel number 115-04-128

Along the Northwest corner of Van Buren Street, Unassesed parcel
Council District: 8

This item was adopted.

65 Authorization to Grant Easements, Execute Real Property Licenses and Agreements, and Dedicate Right-of-Way for Fire Station 62 (Ordinance S-50719)

Request authorization to grant easements, execute all necessary real property licenses and agreements, and dedicate right-of-way required for the construction of Fire Station 62.

Further request that the City Council grant an exception pursuant to Phoenix City Code section 42-20 to authorize inclusion of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code section 42-18 within documents for those transactions between the City and other government entities and Salt River Project for irrigation facilities.

Summary

Fire Station 62 is being constructed within Maricopa County Assessor parcel number 101-14-005G at Lower Buckeye Road, near the 93rd Avenue alignment. The Real Estate Division will grant the necessary easements including irrigation within the existing right-of-way and on City-owned property; and execute real property licenses and agreements required for utilities needed to construct and operate the fire station. Right-of-way for public improvements required by the Planning and Development Department will be dedicated to public use for right-of-way purposes via separate recording instrument.

Location

Lower Buckeye Road, near the 93rd Avenue alignment
Council District: 7

This item was adopted.

66 Intergovernmental Agreement with the Arizona Department of Transportation to Amend the Better Utilizing Investments to Leverage Development Grant Project on 35th Avenue, Interstate 10 to Camelback Road (Ordinance S-50726)

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

Intergovernmental Agreement (IGA) with the Arizona Department of Transportation (ADOT) to amend the scope of work for the Better Utilizing Investments to Leverage Development (BUILD) grant project along 35th Avenue between Interstate 10 (I-10) and Camelback Road.

Summary

On April 15, 2020, City Council approved the BUILD grant application submittal to implement a series of safety improvements on 35th Avenue between I-10 and Camelback Road. The grant was awarded, and the Street Transportation Department created the BUILD grant improvement project to implement critical safety enhancements for pedestrians and motorists along this corridor. These enhancements include the installation of three pedestrian hybrid beacons, modernization of approximately eight intersections with upgrades to signals and LED streetlighting corridor-wide, construction of raised medians, pavement restoration, and the installation of a broadband fiber network to facilitate intelligent and connected transportation systems.

Concurrently, ADOT has a project with proposed improvements at the 35th Avenue and Indian School Road / Grand Avenue intersection that will impact the proposed safety improvements outlined in the BUILD grant project. The ADOT initiatives aim to change the grade at this intersection to separate vehicular traffic from the Burlington Northern Santa Fe (BNSF) Railway network and vehicular traffic on Grand Avenue by building a bridge overpass for 35th Avenue across this intersection. The proposed ADOT project complements and enhances the safety goals of the BUILD project. The ADOT project footprint extends from Weldon to Glenrosa avenues along 35th Avenue.

The purpose of this IGA is to mitigate any potential overlap between the two projects by allowing ADOT to implement the safety improvements within the ADOT project footprint and eliminating the duplicate efforts from the BUILD grant project’s scope of work. This will ensure the safety intent of the 35th Avenue BUILD grant application is achieved. The IGA will be used as supporting documentation for the BUILD grant amendment with the Federal Highway Administration currently underway for the 35th Avenue, I-10 to Camelback Road, safety improvement project.

Contract Term

The agreement will be effective on the date it is executed by all the

governing organizations and shall remain in effect for 30 years.

Financial Impact
There is no financial impact for this agreement.

Concurrence/Previous Council Action
City Council authorized utilization of federal funds awarded through the BUILD grant (Ordinance S-46531) on April 15, 2020.

Location
35th Avenue, Weldon to Glenrosa avenues
Council Districts: 4 and 5

This item was adopted.

67 Request to Revoke Contract 155182-0 (Revocable Permit 202156) (Ordinance S-50728)

Subject to City Code section 31-80(H), revocable permits authorized by the City Manager are subject to revocation at any time at the discretion of the Street Transportation Director with ratification by the City Council.

Summary
A revocable permit was granted through Contract 155182-0 for the use and maintenance of approximately 104 linear feet of 36" existing fence within the City public right-of-way (ROW) adjacent to the property at 6802 North 24th Place. The request to revoke the existing contract is made to allow for the sale of the property to another person(s). Staff is entering into a new contract with the new buyer for the same encroachment.

Financial Impact
There is no financial impact to this request.

Location
6802 North 24th Place
Council District: 6

This item was adopted.

68 Sweetwater Avenue Sewer Relief - Engineering Services - WS90500317 (Ordinance S-50714)

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

agreements with Consor North America, Inc., to provide Engineering Services that include an alignment study, design, and construction administration and inspection for the Sweetwater Avenue Sewer Relief project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $1.56 million.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services 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 relief sewer project is to perform an alignment study and to design the relief sewer replacing approximately 5,000 linear feet of existing 12-inch sewer with new 15-inch and 18-inch generally along Sweetwater Avenue from 23rd Avenue to 15th Avenue. This project is part of the Sanitary Sewer Relief Program. This ongoing program intends to review and manage the capacity of Phoenix’s wastewater collection system to avoid sanitary sewer overflows.

Consor North America, Inc.'s services include, but are not limited to: conduct an alignment study for the relief sewer; sewer capacity analysis; assist with obtaining any required easements and licenses; data collection and field survey; perform geotechnical investigations; prepare design concept report and design documents including technical specifications, special provisions, and drawings for constructing the relief sewer project; preliminary and final construction cost estimates; project schedules and hold progress meetings and workshops as needed to complete the work; coordinate with outside agencies; required cultural

surveys; and obtain any required local, county, state, or national permits and approvals; provide bid phase assistance, including answering bidder questions, preparing and issuing addenda; provide construction administration and inspection, and other work as required for a completed project.

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

Selected Firm
Rank 1: Consor North America, Inc.

Additional Proposers
Rank 2: Stantec Consulting Services Inc.
Rank 3: Entellus, Inc.
Rank 4: Sustainability Engineering Group LLC

Contract Term
The term of the agreement is five 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 Consor North America, Inc., will not exceed $1.56 million, including all subconsultant and reimbursable costs.

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

termination.

Location
General Location: Sweetwater Avenue from 23rd Avenue to 15th Avenue
Council District: 3

This item was adopted.

69 Water Facilities General Construction - Job Order Contracting Services Amendment - 4108JOC202 (Ordinance S-50715)

Request to authorize the City Manager, or his designee, to execute amendments to Agreements 156389 with Garney Companies, Inc. and 156390 with J.R. Filanc Construction Company, Inc. to provide additional Water Facilities General Construction Job Order Contracting Services. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for all services included in these amendments will not exceed $30 million.

Summary
The Contractors' services will be used on an as-needed basis to provide Water Facilities General Construction Job Order Contracting services for installations and/or replacement of mechanical equipment, such as raw water, sludge and/or booster pumps, bar screen components, submersible mixers, valves and/or actuators; installation and/or replacement of chemical feed systems, chemical storage tanks, chemical piping, including chlorine building odor control scrubbers, chlorine evaporators, halogen valves and chlorine piping which are regularly inspected and improved at the water facilities; installations of instrumentation and electrical equipment, such as analyzers, meters, sensors, variable frequency drives, and Supervisory Control and Data Acquisition system components, including conduit and/or wiring; programming remote terminals units, programmable logic controllers and instrumentation to control facilities in accordance with City Operation Division's control strategy; general work such as building modifications, painting, specialized maintenance and concrete, masonry, or structural steel work; emergency repair services; pre-construction and post construction services; engineering design services when necessary or required; and water, sewer, and sludge lines rehabilitation and/or

replacement within the water plants.

These amendments are necessary because the City will be managing work at the Lake Pleasant Water Treatment Plant. In addition, the amount of work under these contracts continues to increase and the available capacity for each contractor is being utilized faster than anticipated. These amendments will provide additional funds to the agreements.

Contract Term

The term of the agreements remain unchanged from the original Notices 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 agreements. No additional changes may be executed after the end of the term.

Financial Impact

The initial agreements for Water Facilities General Construction Job Order Contracting Services was approved for an amount not to exceed $37.5 million each, including all subcontractor and reimbursable costs.

This amendment will increase the agreements by an additional $15 million each, for a new total amount not to exceed $52,500,000 each, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved Water Facilities General Construction Job Order Contracting Services Agreement 156389 with Garney Companies, Inc. and Agreement 156390 with J.R. Filanc Construction Company, Inc. (Ordinance S-48714) on June 15, 2022.

This item was adopted.

70 HSQ Miser SCADA System Replacement Servers, Parts, and Services Requirements Contract - RFA 2324-WPC-593 Request for Award (Ordinance S-50720)

Request to authorize the City Manager, or his designee, to enter into a contract with HSQ Tech, Inc. to provide system replacement servers, parts, software upgrades and telephone support for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $1,050,000.

Summary

This contract will provide system replacement servers, parts, software upgrades and telephone support for the HSQ Miser SCADA (Supervisory, Control, and Data Acquisition) System. This system is used for monitoring and controlling the process of water distribution for remote facilities. Without Support from the manufacturer, failures would go unresolved which may cause a disruption of water delivery to our customers.

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 the following reason: Special Circumstances Without Competition. The HSQ Miser System software and hardware is proprietary to HSQ Tech.

Contract Term

The contract will begin on or about April 3, 2024 for a 5-year term with two 1-year options to extend.

Financial Impact

The aggregate contract value will not exceed $1,050,000 for the 7-year aggregate term.

Funding is available in the Water Services Department's operating budget.

This item was adopted.

71 Request to Enter into a Development Agreement with a Developer to Provide Funds to Own, Operate and Maintain Two Force Mains (Ordinance S-50722)

Request authorization for the City Manager, or his designee, to enter into a Development Agreement with M Brothers 67th Avenue, LLC, to allow the Developer to provide funds in exchange of having the City own, operate and maintain two small diameter force mains in Phoenix. Further request to authorize the City Controller to accept and distribute the necessary funds related to this item.

Summary

M Brothers 67th Avenue, LLC (referred to herein as the "Developer"), is planning to develop a property at the northeast corner of 67th Avenue and Pinnacle Peak Road in Phoenix (referred to herein as the "Development"). Due to the site topographic constraint, the Development could not gravity flow sewer into the City's collection system. The Development does not generate enough wastewater flow to warrant a public lift station and force mains. Therefore the Development was allowed to design and construct a private lift station with a one and half inch private force main to convey wastewater to the City's sewer main north of the Development along 67th Avenue. However, 67th Avenue is in the City of Peoria's Right-of-Way (ROW) and they do not allow private utilities located inside their ROW.

The Developer filed a technical appeal asking the City to allow this small diameter force main to be public while the lift station remains private. Because this property is in the City's service area and neither a gravity public sewer nor a private force main option to the City's sewer system is technically feasible, the technical appeal was approved with stipulations including entering into a Development Agreement with the City to cover all future operational and maintenance costs with the force mains incurred by the City in perpetuity.

According to the Development Agreement, the Developer, at its own expense, will design, permit and construct two, one and a half inch force mains in accordance with the City's public force main standards. After the City accepts the force mains, the City will own, operate and maintain the

two force mains. The City will invoice the Developer on all future maintenance costs (defined as the collective costs of all maintenance, repair or replacement, including labor costs associated with the two force mains). The Developer must make full payment within 30 days of receipt of the invoice or submit a notification of dispute according to the development agreement. The City may add liens to the property for any unpaid or unsettled maintenance costs.

Contract Term

The contract term will be for perpetuity.

Financial Impact

The City will take two small diameter force mains for operation and maintenance. Since the maintenance costs of those two force mains will be reimbursed by the Developer or its Successors-in-Interest, there will be no financial impact to the City.

Location

Council District 1

This item was adopted.

72 HVAC Maintenance and Repair Services - Amendment (Ordinance S-50730)

Request to authorize the City Manager, or his designee to allow additional expenditures under agreements 152375, 152362, and 152364 with Adobe Insulation Inc. dba Adobe Energy Management Co., Artic Air Heating & Cooling, and HACI Services, LLC for the purchase of HVAC Maintenance and Repair Services for Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $1,823,000.

Summary

The purpose of this amendment is to request additional funds for providing preventative maintenance services, repairs and replacement parts on all heating, ventilation, and air conditioning (HVAC) units and replacement units on an as-needed basis for the Water Services Department.

This amendment is necessary to ensure repair and replacement work continues uninterrupted until the end of contract in June 2025. Additional funds are needed due to equipment price increases, and scheduling of preventative maintenance services.

Agreement Term

The agreement term remains unchanged, ending on June 30, 2025.

Financial Impact

The initial authorization for HVAC Maintenance and Repair was for an expenditure not-to-exceed $7,500,000.

This amendment will increase the agreement by an additional $1,823,000, for a new total not-to-exceed agreement value of $9,323,000.

Concurrence/Previous Council Action

The City Council approved:

HVAC Maintenance and Repair Agreement (Ordinance S-46664) on June 3, 2020.

This item was adopted.

73 Final Plat - Terra Terra Hills Subdivision - PLAT 230109 - Northeast Corner of Tonapah Drive and 51st Avenue

Plat: 230109
Project: 17-3889
Name of Plat: Terra Terra Hills Subdivision
Owner: Guru's Faith, LLC
Engineer: Thomas E. Granillo, RLS
Request: A 20-Lot Detached Single-Family Subdivision Plat
Reviewed by Staff: Feb. 14, 2024
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 Tonopah Drive and 51st

Avenue
Council District: 1

This item was approved.

74 Zoning, General Hearing, Historic Preservation, and Abandonment Signage - IFB 19-137- Amendment (Ordinance S-50723)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 150788 with Looks Good Printing and Sign Services for the purchase of zoning, abandonment and historic preservation signs for the Planning and Development Department and Historic Preservation Office. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $90,000.

Summary
This contract will provide the Planning and Development Department and the Historic Preservation Office with labor, materials, supplies, equipment, and transportation necessary to furnish, install, replace, and remove zoning, abandonment, and general hearing signs; as well as Historic Preservation blue street signs and aluminum plaques on an as-needed basis.

Contract Term
The contract term remains unchanged, ending on Aug. 31, 2024.

Financial Impact
Upon approval of $90,000 in additional funds, the revised aggregate value of the contract will not exceed $240,000. Funds are available in the Planning and Development Department's budget.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
Zoning, General Hearing, Historic Preservation, and Abandonment Signage Contract 150788 (Ordinance S-45947) on Aug. 28, 2019.

This item was adopted.

75 Amend City Code - Ordinance Adoption - Rezoning Application Z-104-23-8 - Northeast Corner of 36th Street and Beverly Road (Ordinance G-7243)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-104-23-8 and rezone the site from R1-6 BAOD (Approved R1-10 BAOD) (Single-Family Residence District, Baseline Area Overlay District, Approved Single-Family Residence District, Baseline Area Overlay District), S-1 BAOD (Approved R1-10 BAOD) (Ranch or Farm Residence, Baseline Area Overlay District, Approved Single-Family Residence District, Baseline Area Overlay District), and S-1 BAOD (Ranch or Farm Residence, Baseline Area Overlay District) to R1-6 BAOD (Single-Family Residence District, Baseline Area Overlay District) to allow single-family residential.

Summary

Current Zoning: R1-6 BAOD (Approved R1-10 BAOD) (0.83 acres), S-1 BAOD (Approved R1-10 BAOD) (6.74 acres), and S-1 BAOD (10.95 acres)
Proposed Zoning: R1-6 BAOD
Acreage: 18.52
Proposal: Single-family residential

Owner: Miguel and Yvonne Montiel Family Trust; All Other Properties, LLP; and DK Square Investments, LLC
Applicant/Representative: Adam Baugh, Withey Morris Baugh, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The South Mountain Village Planning Committee heard this item on Feb. 13, 2024, and recommended approval, per the staff recommendation, with modifications and additional stipulations, by a vote of 13-0-1.
PC Action: The Planning Commission heard this item on March 7, 2024, and recommended approval, per the staff memo dated March 6, 2024, with a modified stipulation and a deleted stipulation, by a vote of 8-0.

Location

Northeast corner of 36th Street and Beverly Road
Council District: 8
Parcel Address: 7825, 7833, 7965, 7977, 7989, and 8035 S. 36th St.

This item was adopted.

76 ***REQUEST TO CONTINUE (SEE ATTACHED MEMO)* Public Hearing and Resolution Adoption - General Plan Update PlanPHX 2025 - GPA-12-23 (Resolution 22191)**

Request to hold a public hearing and adopt a resolution on the General Plan Update as recommended by the Planning Commission on March 7, 2024. State Law requires that the City Council hold at least one public hearing before adoption of the General Plan, and that the City Council adopt the General Plan by an affirmative vote of at least two-thirds of its members. It is tentatively scheduled that City Council will refer the measure to voters on May 1, 2024.

Summary

The General Plan provides policy direction for growth, redevelopment, conservation and infrastructure investment for the city. The Phoenix General Plan was last adopted by the Phoenix City Council and approved by voters in 2015. In January of 2023, the Planning and Development Department, with the leadership of the Phoenix City Council, initiated an effort to update the General Plan and termed the project PlanPHX.

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

Staff Recommendation: Approval of GPA-12-23 as shown in Exhibit A of the Staff Report (**Attachment B**).
VPC Action: All 15 Village Planning Committees (VPCs) considered the request. Twelve VPCs recommended approval, per the staff recommendation; one VPC recommended approval, per the staff recommendation, with modifications; and two VPCs recommended approval, per the staff recommendation, with direction, as reflected in **Attachment C**.
PC Action: State Law requires that the Planning Commission hold at least two public hearings before approving the General Plan. The Planning Commission held the first public hearing on Feb. 22, 2024. The Planning Commission held the second public hearing on March 7, 2024, and recommended approval, per the Addendum A Staff Report (**Attachment D**), by a vote of 8-0, as reflected in **Attachment E**.

This item was continued to the April 17, 2024 City Council Formal Meeting.

81 *****REQUEST TO ADD-ON (SEE ATTACHED MEMO)*** Acceptance and Dedication of a Deed and Easement for Roadway and Public Utility Purposes (Ordinance S-50738)**

Request for the City Council to accept and dedicate a deed and easement for roadway and 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: Mangl Murti, LLC; its successor and/or assigns
Purpose: Public Utility
Location: 9202 N. 35th Ave.
File: 240001
Council District: 1

Easement (b)
Applicant: TNS Investments Company; its successor and/or assigns
Purpose: Sidewalk
Location: 1639 E. Deer Valley Rd.
File: 240011
Council District: 2

Deed (c)
Applicant: Esperanza Y. Alvarado Felix; its successor and/or assigns
Purpose: Roadway
Location: 337 W. Watkins St.
File: 230101
Council District: 8

This item was adopted.

43 **Resolution to Amend the Downtown Enhanced Municipal Services District Boundaries to Add Additional Parcels (Resolution 22188)**

Request to adopt a resolution amending the Downtown Enhanced Municipal Services District (Downtown EMSD) boundary to add additional

parcels. Further request the resolution exempt Phoenix Union High School District No. 210 of Maricopa County from the Downtown EMSD assessment. There is no financial impact as a result of this action.

Summary

The City Council authorized formation of the Downtown EMSD in 1990 to provide enhanced municipal services, above and beyond the level of services provided in the remainder of the City. The Downtown EMSD is currently generally bound by Fillmore Street, 7th Street, 3rd Avenue, and the railroad tracks south of Jackson Street. The Fillmore Street boundary currently bisects the Phoenix Bioscience Core (PBC) campus and effectively excludes the northern half of the PBC from the Downtown EMSD. In an effort to maintain cohesiveness for the PBC, the stakeholders in the northern half of the PBC have requested to join the Downtown EMSD. The property being added to the Downtown EMSD is owned or leased by the City of Phoenix, Arizona State University (ASU), University of Arizona (UA), or Phoenix Union High School District and is generally bound by 4th Street, 7th Street, Fillmore Street, and Garfield Street. Existing developments within the expanded area include the Dignity Health Cancer Institute, 850 PBC and the Bioscience High School (**Attachment A**). No privately owned properties are included in this Downtown EMSD expansion request.

In addition, Arizona Revised Statues 48-575 allows any government owned property owner to be exempt from assessment through a resolution passed by City Council upon finding the property owner is not benefited by being part of the Downtown EMSD. Due to the limited funding the Phoenix Union High School District has available and the limited benefit the school would receive, the school district will be exempt from assessment.

The costs for the Downtown EMSD's services are paid through assessments on property owners within the boundaries of the district. The expansion of the Downtown EMSD boundary does not have any financial impact on the stakeholders in 2024. The City of Phoenix parcels are managed by the Community and Economic Development Department utilizing the Genomic Facilities and Operations Fund to pay for maintenance of the vacant land. Future financial impacts will be presented to City Council for consideration in late 2024 for the 2025

EMSD budget year. Estimated 2025 financial impacts are:
City of Phoenix - $52,000
ASU - $76,000
UA - $56,000

Financial Impact
There is no financial impact as a result of this action.

Concurrence/Previous Council Action
The item was recommended for approval by the Economic Development and Housing Subcommittee at the March 20, 2024 meeting by a vote of 3-0.

Public Outreach
Staff presented to the following organizations:
Bioscience High School - Jan. 10, 2024
Phoenix Bioscience Core Stakeholder meeting - Jan. 12, 2024
Downtown Voices Coalition - Jan. 13, 2024
Central City Village Planning Committee - Feb. 12, 2024
Evans Churchill Neighborhood Association - Feb. 14, 2024

Location
The Downtown EMSD is currently generally bounded by Fillmore Street, 7th Street, 3rd Avenue and the railroad tracks south of Jackson Street. The expansion area is generally bounded by Fillmore Street, 7th Street, 4th Street and Garfield Street. The expansion area includes the following parcel numbers:
111-46-153
111-46-156
111-44-145
111-44-146A
111-44-146B
111-44-147
111-44-143
111-46-081A
111-44-104
111-44-105
111-44-106

111-44-107
111-44-108

Council Districts: 7 & 8

Discussion

Diane Barker asked if the Planning and Development Department was pursuing the Downtown area expressing concerns for the rezoning around the light rail and the planning of the larger developments.

Mayor Gallego stated that the item would add several bioscience properties including adding partners like Arizona State University and University of Arizona to the district to advance the work happening Downtown.

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

Yes:	7 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Vice Mayor Stark and Mayor Gallego
No:	0	
Absent:	1 -	Councilman Waring

45 Fire Code Amendment Change (Ordinance G-7242)

Request to approve revisions to the Fire Prevention Code of the City of Phoenix. These revisions will update and correct existing regulations, simplify the permitting process, and adjust fees associated with implementing renewable energy systems.

Summary

The City of Phoenix adopted the 2018 International Fire Code in 2019. Since then, the Fire Code has been revised to ensure its continual relevance and modernization for requirements and protective measures. The Fire Code is the foundation of the Fire Department's ability to safeguard and mitigate risks for our community and first responders. Beyond the Fire Code's primary role, the code is pivotal in supporting and fostering growth within our community. As community risk profiles change, the Fire Code must evolve to remain relevant to the best

practices in community risk reduction.

The Fire Department uses a standard process to assess the need for amendments to the Fire Code that focuses on openness, transparency, balancing interests, and building partnerships. The proposed amendment packet results from extensive stakeholder feedback and alignment with the Fire Department's goals and mission. The Fire Safety Advisory Board, which serves on behalf of the City Council as an advisory board for matters relating to Fire Prevention, voted unanimously in favor of this amendment packet after more than 15 hours of review, public meetings, and discussions.

This amendment packet (**Attachment A**) encompasses updates and changes across three key areas:

Corrections to address identified clerical errors that arose during the publishing and formatting of the original Fire Code. These errors fall into two categories: numbering errors, where section numbering sequences were inadvertently adjusted or reset, and grammar and sentence structure errors. These corrections have been made and will help ensure transparency in enforcement and compliance with the Fire Code.

Updates to keep pace with the evolving landscape of materials and industry trends to support development growth without causing construction delays. Simultaneously, these revisions incorporate technological advancements and industry developments within the commercial and industrial sectors. For example, the fast-growing and evolving battery energy storage sector is central to the amendment. By incorporating the latest national fire codes and industry standards for batteries and their systems, we elevate our community protection while safeguarding our first responders.

Modifications to the fee schedule to simplify the permitting process and adjust fees associated with implementing renewable energy systems. The result is a more efficient process for requestors and city staff. While this measure is anticipated to result in a modest reduction in revenue, the significant benefits to our customers, industry partners, and staff far outweigh the decrease in fee-based revenues.

The Fire Department will release updates to the codes in both English and Spanish, enhancing outreach and accessibility for the community. This update marks the final packet of amendments, as the department will start collaborating with the Planning and Development Department on adopting the 2024 International Codes.

Financial Impact

The financial impact on the city will be a slight decrease in fee-based revenue, estimated at around $76,200 per year.

Concurrence/Previous Council Action

The Public Safety and Justice Subcommittee recommended approval of this item on Jan. 3, 2024.

Public Outreach

In compliance with Arizona Revised Statutes section 9-499.15, which mandates the posting of new fee proposals, the proposed fee changes outlined in this amendment packet have been publicly displayed for 60 days on the City's official website and 15 days on the City's social media platforms.

Discussion

City Clerk Denise Archibald read the title of Ordinance G-7242.

Mayor Gallego thanked staff and the Fire Safety Advisory Board for their work on the item. She explained that the vote allowed for a forward motion on reducing bureaucracy for solar and energy storage to offer a combination permit that would reduce permitting costs by 50 percent for solar and battery installations at single-family residential locations when they are submitted together. She added that it was part of the Council’s effort for sustainability.

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

Yes: 7 - Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Vice Mayor Stark and Mayor Gallego

No: 0

Absent: 1 - Councilman Waring

48 **Request to Apply for and Accept Federal Fiscal Year 2023 Assistance to Firefighters Grant Program Funds (Ordinance S-50748)**

Request to authorize the City Manager, or his designee, to retroactively apply for, and accept, if awarded, up to $311,553 from Federal Fiscal Year (FFY) 2023 Assistance to Firefighters Grant (AFG) Program to fund wearable biometric devices for firefighter safety and accountability. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item. If not approved, the grant, if awarded, would be turned down.

Summary

The AFG Program, administered through the Federal Emergency Management Agency (FEMA), is intended to help the nation's fire service by providing vital funds to local fire departments across the country. The primary goal of the program is to meet the firefighting and emergency response needs of fire departments, nonaffiliated emergency medical service organizations, and State Fire Training Academies. Since 2001, AFG has helped firefighters and other first responders obtain critically needed equipment, protective gear, emergency vehicles, training, and other resources necessary to protect the public and emergency personnel from fire and related hazards.

Wearable Biometric Device Project

This project will implement a limited pilot program to trial wearable biometric technology for firefighters who face high-risk, physically intensive tasks in extremely hot conditions. The devices are designed to offer feedback on key health indicators directly related to heat stress, including pulse rate, core body temperature, and levels of physical exertion. Immediate access to critical health data will enable more effective monitoring and management of the risks associated with heat-related illnesses and injuries among firefighters. The total investment for this initiative is estimated at $311,553 with a contribution of approximately $40,637.35 coming from City funds.

Since 2008, the Fire Department has received more than $7 million in AFG funding. These grants have been used to purchase portable radios, thermal imaging cameras, Incident Safety Officer System Training, Automatic Chest Compression devices, Peer Support Team Training and Physical Therapy Equipment upgrades, Peer Fitness Instructor Training and Fire Ground Survival Training and Equipment.

Procurement Information

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

Contract Term

The grant Period of Performance is twenty-four months and projected to begin on or around Sept. 1, 2024.

Financial Impact

The grant is anticipated to have a 15 percent required cost match; funds are available in the Fire Department's operating budget.

Discussion

Mayor Gallego explained that the Council had been working with the Fire Chief to apply for a federal grant for an innovative program to be able to provide real-time monitoring for firefighters who wish to participate particularly around heat and some of the stress around physical absorption. She expressed her hope for the program to protect firefighters who are working outdoors in temperatures that exceed 100 degrees. She added that the fire department had gotten national attention and consulted internationally on strategies around heat noting that the grant offered an opportunity to be innovative in protecting firefighters.

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

Yes:	7 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Vice Mayor Stark and Mayor Gallego
No:	0	
Absent:	1 -	Councilman Waring

77 Public Hearing and Resolution Adoption - General Plan Amendment GPA-EST-2-24-7 - Approximately 1,170 Feet North of the Northwest Corner of 67th Avenue and Lower Buckeye Road (Resolution 22190)

Request to hold a public hearing on a General Plan Amendment for the following item to consider adopting the Planning Commission's recommendation and the related resolution if approved. Request to amend the General Plan Land Use Map designation on 112.32 acres from Residential 3.5 to 5 dwelling units per acre, Mixed Use (Commercial / Commerce/Business Park) and Industrial to Commerce/Business Park. This item is a companion case to Z-8-24-7 and must be heard first, followed by Z-8-24-7.

Summary

Application: GPA-EST-2-24-7
Current Designation: Residential 3.5 to 5 dwelling units per acre (96.44 acres), Mixed Use (Commercial / Commerce/Business Park) (11.48 acres), and Industrial (4.40 acres)
Proposed Plan Designation: Commerce/Business Park
Acreage: 112.32
Proposal: Minor General Plan Amendment to allow for a commerce park development

Owner: Property Reserve Arizona, LLC c/o Brett Hopper
Applicant: Stephanie Watney, Withey Morris Baugh, PLC
Representative: Jason Morris, Withey Morris Baugh, PLC

Staff Recommendation: Approval.
VPC Action: The Estrella Village Planning Committee heard this item on Feb. 20, 2024, and recommended denial, by a vote of 7-1.
PC Action: The Planning Commission heard the item on March 7, 2024, and recommended approval, per the staff recommendation, by a vote of 6-2.

Location

Approximately 1,170 feet north of the northwest corner of 67th Avenue and Lower Buckeye Road
Council District: 7

Parcel Address: 1602, 1802, 2000, and 2300 S. 67th Ave.

Discussion

Mayor Gallego explained that items 77 and 78 were related items at the northwest corner of 67th Avenue and Lower Buckeye Road. She added that there would only be one public hearing but two separate votes for the items. Mayor Gallego declared the public hearing open. Noting that members of the public present to speak indicated they only wished to speak, if necessary, Mayor Gallego declared the public hearing closed.

Prior to her motion, Vice Mayor Stark stated that former Councilwoman Yassamin Ansari wanted to be respectful of the work the Planning Commission did to move the cases forward.

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

Yes:	7 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Vice Mayor Stark and Mayor Gallego
No:	0	
Absent:	1 -	Councilman Waring

78 Public Hearing and Ordinance Adoption - Rezoning Application Z-8-24-7 - Approximately 1,170 Feet North of the Northwest Corner of 67th Avenue and Lower Buckeye Road (Ordinance G-7245)

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-8-24-7 and rezone the site from RE-35 (Single-Family Residence District) and R1-8 (Single-Family Residence District) to CP/GCP (Commerce Park District/General Commerce Park Option) to allow flex commerce park general commerce park buildings. This is a companion case to GPA-EST-2-24-7 and should be heard following GPA-EST-2-24-7.

Summary

Current Zoning: RE-35 (111.30 acres) and R1-8 (1.02 acres)
Proposed Zoning: CP/GCP

Acreage: 112.32
Proposed Use: Flex commerce park general commerce park buildings

Owner: Property Reserve Arizona, LLC c/o Brett Hopper
Applicant: Stephanie Watney, Withey Morris Baugh, PLC
Representative: Jason Morris, Withey Morris Baugh, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Estrella Village Planning Committee heard this item on Feb. 20, 2024, and recommended denial, by a vote of 7-1.
PC Action: The Planning Commission heard this item on March 7, 2024, and recommended approval, per the staff recommendation, by a vote of 6-2.

Location
Approximately 1,170 feet north of the northwest corner of 67th Avenue and Lower Buckeye Road
Council District: 7
Parcel Address: 1602, 1802, 2000, and 2300 S. 67th Ave.

*Refer to Item 77 for discussion on this item.

The hearing was held. A motion was made by Vice Mayor Stark, seconded by Councilwoman O'Brien, that this item be approved per the April 2, 2024 Planning and Development Director memo with adoption of the related Ordinance. The motion carried by the following vote:

Yes:	7 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Vice Mayor Stark and Mayor Gallego
No:	0	
Absent:	1 -	Councilman Waring

79 Public Hearing and Resolution Adoption - General Plan Amendment GPA-DV-1-23-3 - Approximately 1,200 Feet East and 360 Feet North of the Northeast Corner of 19th Avenue and Tierra Buena Lane (Resolution 22189)

Request to hold a public hearing on a General Plan Amendment for the

following item to consider the Planning Commission's recommendation and the related resolution if approved. Request to amend the General Plan Land Use Map designation on 18.97 acres from Residential 2 to 5 dwelling units per acre to Mixed Use (Commercial / Commerce/Business Park). This is a companion case to Z-31-23-3 and should be heard first, followed by Z-31-23-3.

Summary

Application: GPA-DV-1-23-3
Current Designation: Residential 2 to 5 dwelling units per acre
Requested Designation: Mixed Use (Commercial / Commerce/Business Park)
Acreage: 18.97
Proposed Use: Office/Commerce Park

Owner/Applicant: Jerry Simms, TP Racing, LLLP
Representative: Paul E. Gilbert, Gilbert Blilie, PLLC

Staff Recommendation: Approval.
VPC Action: The Deer Valley Village Planning Committee heard this item on Aug. 10, 2023, and recommended approval, per the staff recommendation, by a vote of 8-4.
PC Action: The Planning Commission continued this item on Sept. 7, 2023, Nov. 2, 2023, and Dec. 7, 2023. The Planning Commission heard this item on March 7, 2024, and recommended approval, per the Deer Valley Village Planning Committee recommendation, by a vote of 8-0.

Location

Approximately 1,200 feet east and 360 feet north of the northeast corner of 19th Avenue and Tierra Buena Lane
Council District: 3
Parcel Address: 16846 N. 11th Ave.; 1445, 1475, and 1501 W. Bell Road; and 1722 W. Tierra Buena Lane

Discussion

Mayor Gallego stated that items 79 and 80 were related items at the northeast corner of 19th Avenue and Tierra Buena Lane noting that Council would hear the items together but vote on them separately. Mayor Gallego declared the public hearing open.

Stephen Nolan spoke in opposition to the item noting that the land was involved in litigations. He stated that the property owner did not have a current buyer adding that there was no need for urgency to push the motion forward. He mentioned that there were Racing Commission Meetings and expressed concerns for the City's pursuit of bringing the property into compliance. Mr. Nolan spoke on concerns for the original applicant and asked that the Council gather more information on the application prior to moving forward.

Paul Gilbert spoke on behalf of the applicant Terry Sims owner of Turf Paradise. He emphasized that the issue presented was regarding land use. He added that from a land use point of view the applicant had recommendation of approval from staff, the Deer Valley Village Planning Committee on the general plan amendment and no recommendation on the village planning committee on the zoning due to a lack of quorum. He added that the Planning Commission voted unanimously to support the general plan amendment and voted 7 to 1 in support of the zoning. He stated that the applicant appeared before the Black Mountain Community Alliance, the Bell Road Business Alliance, and the Village Meadows Concerned Citizens, Deer Valley Park Neighborhood Block Watch, Thrive Phoenix, and Moonlight Cove HOA none of which were in opposition. He emphasized that 98 percent of Turf Paradise was already approved zoning and asked that Council support the application to bring the rest of the property into zoning compliance.

Gregory Freeman, chairman of the Bell Road Business Alliance and member of the Deer Valley Village Planning Committee spoke in support of the item. He confirmed Mr. Gilbert's statement that the Deer Valley Village Planning Committee did not have a quorum to approve the zoning application commending the work Mr. Gilbert and his team did in reaching out to the community and reaching out to the Bell Road Business Alliance and the local block watches.

Nina Poole founder and director of Thrive Phoenix stated that since its inception Thrive Phoenix had conducted 24 community cleanups, supported over 300 families, and collaborated with the City. She added that Thrive Phoenix was also preparing to transform the parcel at the

northwest corner of 7th Avenue and Bell Road. She added that facilitating the rezoning process would provide opportunities for future business and accessible employment. Ms. Poole asked that the Council approve the rezoning emphasizing the need for jobs. She also added that delays have compelled buyers to leave the development and asked the Council to approve the rezoning for businesses.

Mathew Poole, lead pastor of Roots Community Church spoke in support of the zoning ordinance. He expressed that the surrounding area fell below the state averages in economic categories noting that there was a large percentage of individuals living in poverty in the surrounding area. He emphasized the need to address the delays on the rezoning application to meet the practical needs of the individuals in the surrounding area.

Mayor Gallego declared the public hearing closed. She thanked staff and individuals involved in the zoning application. She mentioned a meeting with a potential buyer who did not purchase the land due to electrical capacity. She emphasized that while addressing the City process was important there were various factors that impacted the purchase of land.

Prior to her motion, Vice Mayor Stark stated that the rezoning application was regarding the 28 acres of land noting that most of the Turf Paradise was zoned. She mentioned the significant outreach and commended Mr. Freeman and Ms. Poole for their testimony.

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

Yes:	7 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Vice Mayor Stark and Mayor Gallego
No:	0	
Absent:	1 -	Councilman Waring

80 Public Hearing and Ordinance Adoption - Rezoning Application

Z-31-23-3 - Approximately 500 Feet East of the Northeast Corner of 19th Avenue and Tierra Buena Lane (Ordinance G-7244)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-31-23-3 and rezone the site from S-1 SP (Ranch or Farm Residence, Special Permit) and C-2 SP (Intermediate Commercial, Special Permit) to CP/GCP (Commerce Park District/General Commerce Park Option) to allow commerce park. This is a companion case to GPA-DV-1-23-3 and must be heard following GPA-DV-1-23-3.

Summary

Current Zoning: S-1 SP (28.69 acres) and C-2 SP (0.23-acres)
Proposed Zoning: CP/GCP
Acreage: 28.92
Proposal: Commerce park

Owner/Applicant: Jerry Simms, TP Racing, LLLP
Representative: Paul E. Gilbert, Gilbert Blilie, PLLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Deer Valley Village Planning Committee heard this item on Aug. 10, 2023, and recommended a continuance, by a vote 7-5. The Deer Valley Village Planning Committee was scheduled to hear this item on Oct. 12, 2023, and Nov. 16, 2023, for recommendation; however, there was no quorum.
PC Action: The Planning Commission continued this item on Sept. 7, 2023, Nov. 2, 2023, and Dec. 7, 2023. The Planning Commission heard this item on March 7, 2024, and recommended approval, per the staff memo dated March 7, 2024, by a vote of 7-1.

Location

Approximately 500 feet east of the northeast corner of 19th Avenue and Tierra Buena Lane
Council District: 3
Parcel Address: 16846 N. 11th Ave.; 1445, 1475, and 1501 W. Bell Road; and 1722 W. Tierra Buena Lane

*Refer to Item 79 for discussion on this item.

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

Yes:	7 -	Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman O'Brien, Councilwoman Pastor, Councilman Robinson, Vice Mayor Stark and Mayor Gallego
No:	0	
Absent:	1 -	Councilman Waring

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

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.

David Bonilla stated that he was on a leave of absence from his job as a cashier with SSP America in the Sky Harbor International Airport. He spoke on behalf of Unite Here Local 11 regarding complaints filed regarding racial disparities in pay, hiring and promotion by SSP America. He mentioned his coworker who was fired less than two months after filing the complaint. He added that the Equal Opportunity Department (EOD) declined to investigate the complaint while the Attorney General’s investigation was ongoing. Mr. Bonilla asked that the Council address the concerns of the workers for SSP America contracted to work in the Phoenix Sky Harbor International Airport.

Chaska Coggeshall a barista with SSP America and Phoenix Sky Harbor International Airport expressed her concerns regarding racial disparities in pay, hiring and promotion by SSP America. She mentioned the complaint filed by workers and the EOD’s lack of investigation on the complaints. She asked that the Council address the actions of contractor SSP America. Ms. Coggeshall requested that the investigation of the complaints be placed on the Council agenda.

Jasmine Glass former cashier with SSP America at Phoenix Sky Harbor International Airport expressed concerns regarding racial disparities in pay, hiring and promotion by SSP America. She stated that a few months following the filing of the complaints against SSP America she was fired noting that there were an additional 9 union activists that had been fired. She added that Unite Here had filed charges with the Federal Labor Board alleging that the disciplines and terminations were unlawful. She mentioned that the EOD declined to investigate the discrimination complaint. Ms. Glass asked that Council address the discrimination claims noting that the Attorney General had reached out to workers regarding their complaints.

Anne Ender read an Instagram post from Chelsea Moldovan, Officer Tyler Moldovan's wife regarding an officer involved shooting. Ms. Ender emphasized the need to address the violence towards police officers.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 3:22 p.m.

MAYOR

ATTEST:

CITY CLERK

SLR

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 3rd day of April, 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 13th day of November, 2024.

CITY CLERK