185926

City of Phoenix

City of Phoenix

Minutes

City Council Formal Meeting

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

Wednesday, March 3, 2021 **2:30 PM** **phoenix.gov**

CALL TO ORDER AND ROLL CALL

The Phoenix City Council convened in formal session on Wednesday, March 3, 2021 at 2:34 p.m. in the Council Chambers.

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

The Mayor and Councilmembers attended the meeting virtually.

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

An affidavit was presented to the Council by the City Clerk stating that copies of the titles of Ordinances G-6812 through G-6821, S-47299 and S-47331 through S-47363, and Resolutions 21898 through 21900 were available to the public in the office of the City Clerk at least 24 hours prior to this Council meeting and, therefore, may be read by title or agenda item only pursuant to the City Code.

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

BOARDS AND COMMISSIONS

1 Mayor and Council Appointments to Boards and Commissions

Summary

This item transmits recommendations from the Mayor and Council for

appointment or reappointment to City Boards and Commissions.

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

Phoenix Deferred Compensation Board/Post Employment Healthcare Plan Board

Appoint Karen Peters, replacing Milton Dohoney, Jr. to fulfill a partial term on the boards to expire Sept. 30, 2024 as recommended by Mayor Gallego and City Manager Ed Zuercher.

Maryvale Village Planning Committee

Appoint Sandra Oviedo, filling a vacancy on the committee for a term to expire Nov. 19, 2022 as recommended by Councilwoman Guardado.

Note: Two electronic comments were submitted in opposition of Item 1.

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

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

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

Discussion

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

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

Note: Electronic comments were submitted for the following items.

Item 2 - One in opposition.
Item 3 - One in opposition.

Item 4 - One in opposition.

A motion was made by Vice Mayor Williams, seconded by Councilwoman Stark, that Items 3-14 be recommended for approval; noting Item 2 has been withdrawn; and Item 15 is requested to be continued to the March 17, 2021 City Council Formal Meeting. The motion carried by the following voice vote:

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

No: 0

2 *****REQUEST TO WITHDRAW (SEE ATTACHED MEMO)*****
(CONTINUED FROM FEB. 17, 2021) Liquor License - Special Event - M.U.S.I.C. Foundation of Arizona, Inc.

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

Summary

Applicant
Bradley Laughlin

Location
5410 E. High St.
Council District: 2

Function
Food and Music Festival

Date(s) - Time(s) / Expected Attendance
March 27, 2021 - 2:00 p.m. to 10:30 p.m. / 2,450 attendees
March 28, 2021 - 12:00 Noon to 8:30 p.m. / 2,450 attendees

Staff Recommendation
Staff recommends approval of this application noting that approval of this application is based on criteria set forth in Title IV of the Arizona Revised Statutes and noting that the applicant has agreed to adhere to the

implementation and enforcement of safety precautions consistent with the guidance issued by both the Centers for Disease Control and Prevention and the Arizona Department of Health Services.

This item was withdrawn.

3 **Liquor License - Bevmo!**

Request for a liquor license. Arizona State License Application 09079011.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 9 - Liquor Store

Location
2370 W. Happy Valley Road, Ste. 1061
Zoning Classification: C-2 M-R PCD
Council District: 1

This request is for an acquisition of control of an existing liquor license for a liquor store. This location is currently licensed for liquor sales with a Series 9 - Liquor Store, liquor license.

The 60-day limit for processing this application is March 7, 2021.

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

Other Active Liquor License Interest in Arizona
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 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."

Staff Recommendation
Staff recommends approval of this application.
This item was recommended for approval.

4 **Liquor License - Ponderosa Carniceria 2**

Request for a liquor license. Arizona State License Application 135427.

Summary

Applicant
Rosa Murrieta, Agent

License Type
Series 10 - Beer and Wine Store

Location
3510 W. Bell Road #D1
Zoning Classification: PSC
Council District: 1

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

The 60-day limit for processing this application is March 14, 2021.

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

Other Active Liquor License Interest in Arizona

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

Carniceria Mi Ranchito #2 (Series 10)
5035 W. Southern Ave #110, Laveen
Calls for police service: 5
Liquor license violations: None

Ponderosa Carniceria (Series 10)
2340 E. Union Hills Drive, 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:
"We have experience in liquor sale, and we are training for the liquor School."

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 a small carniceria, for neighboorhood people, for their ease of service. The use will not cause adverse impact like noise, & traffiking to neighborhood."

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

Attachments
Liquor License Data - Ponderosa Carniceria 2
Liquor License Map - Ponderosa Carniceria 2

This item was recommended for approval.

5 **Liquor License - Heart & Soul Cafe**

Request for a liquor license. Arizona State License Application 127940.

Summary

Applicant
John Celigoy, Agent

License Type
Series 12 - Restaurant

Location
4705 E. Carefree Hwy., Ste. 117
Zoning Classification: C-2
Council District: 2

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

The 60-day limit for processing this application was Jan. 30, 2021. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion

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

Applicant's Statement

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

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

"I have held positions of public trust for the past 32 years, including 21 years of active duty service as a US Marine Corps officer where I held a security clearance from 1988 to 2016. Additionally, I served for 6 years for the City of Scottsdale as an airport commissioner, and am a Reserve

Deputy with the Lapaz County Sheriff's Office. I am an aerospace executive with significant responsibilities for a publicly-traded corporation."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "I am a mature, community-minded businessman, and the owner of a veteran-owned business. I consider myself a highly ethical person, and am financially responsible for running a business that supports local vendors and employ more than 20 employees. The business is a local establishment that allows neighbors to gather and socialize. In addition, the business will always support veterans and first-responders."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Heart & Soul Cafe
Liquor License Map - Heart & Soul Cafe

This item was recommended for approval.

6 **Liquor License - Bob's Market**

Request for a liquor license. Arizona State License Application 09070524.

Summary

Applicant
Odette Odeh, Agent

License Type
Series 9 - Liquor Store

Location
12312 N. 32nd St.
Zoning Classification: C-2
Council District: 3

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

store. This location is currently licensed for liquor sales with a Series 9 - Liquor Store, liquor license.

The 60-day limit for processing this application was Feb. 20, 2021. However, the applicant has submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

The ownership of this business has an interest in other active liquor 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.

Gas & Food Mart (Series 10)
1902 W. Cactus Road, Phoenix
Calls for police service: 4
Liquor license violations: In January 2014, a fine of $375.00 was paid for delinquent taxes. In March 2017, a fine of $750.00 was paid for failure to request ID for an underage buyer; selling, giving, furnishing 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:
"I have a Liquor License currently & I have been dealing with his kind of business for The pass-20 years."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"It is currently serving the community and I am planning on servicing the community too."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Bob's Market
Liquor License Map - Bob's Market

This item was recommended for approval.

7 **Liquor License - Pointe Hilton Tapatio Cliffs**

Request for a liquor license. Arizona State License Application 06070409.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 6 - Bar

Location
11111 N. 7th St.
Zoning Classification: RH PCD

Council District: 3

This request is for an ownership transfer of a liquor license for a bar. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is March 15, 2021.

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

Other Active Liquor License Interest in Arizona
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:
"Applicant will manage the Pointe Hilton Tapatio Cliffs, which has been a well-known and popular business and personal travel destination for many years. Applicant would like to continue 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

Liquor License Data - Pointe Hilton Tapatio Cliffs
Liquor License Map - Pointe Hilton Tapatio Cliffs

This item was recommended for approval.

8 **Liquor License - NAJ & Eddies Tobacco**

Request for a liquor license. Arizona State License Application 135279.

Summary

Applicant

Najman Najman, Agent

License Type

Series 10 - Beer and Wine Store

Location

3338 N. 19th Ave.
Zoning Classification: C-2
Council District: 4

This request is for a new liquor license for a tobacco store. 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 March 13, 2021.

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

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am a responsible citizen of the United State of America. I have managed multiple retail locations & have the experience required to sell alcoholic products responsibly."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We will provide tax revenue for the City of Phoenix by selling our products responsibly."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - NAJ & Eddies Tobacco
Liquor License Map - NAJ & Eddies Tobacco

This item was recommended for approval.

9 Liquor License - Far Away Wine and Provisions

Request for a liquor license. Arizona State License Application 135262.

Summary

Applicant
Patricia Jasmin, Agent

License Type
Series 7 - Beer and Wine Bar

Location
3031 E. Indian School Road, Ste. 10
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application is March 12, 2021.

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

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

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

comment period.

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Both my business partner and myself have been in the business for many years. I have had a successful business with a liquor license in Phoenix before. I have been the food and beverage manager for a major resort as well as managed a wine distributer both here in Arizona. My business partner has worked for several liquor distributors in Arizona."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The arcadia area has become known for having some of the best wine cafes, lounges, and restaurants. This neighborhood enjoys having many options to choose from. I believe Far Away Wines and Provisions will be a welcomed addition to the neighborhood."

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

Attachments
Liquor License Data - Far Away Wine and Provisions
Liquor License Map - Far Away Wine and Provisions

This item was recommended for approval.

10 **Liquor License - Pizza to the Rescue**

Request for a liquor license. Arizona State License Application 130369.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
2601 E. Indian School Road
Zoning Classification: C-2, C-3
Council District: 6

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

The 60-day limit for processing this application is March 6, 2021.

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

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

Wrigley Mansion Club (Series 12)
2501 E. Telawa Trail, 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:
"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:
"Pizza to the Rescue will be a family-friendly neighborhood restaurant offering Neopolitan style pizza, handmade pastas, fresh salads, and locally sourced craft beverages. Applicant would like to offer alcoholic beverages to guests 21 and over as an incident to the meals they enjoy."

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

Attachments
Liquor License Data - Pizza to the Rescue
Liquor License Map - Pizza to the Rescue
This item was recommended for approval.

11 **Liquor License - 3 Sheilas Wine & Spirits**

Request for a liquor license. Arizona State License Application 134980.

Summary

Applicant
Nancy Mangone, Agent

License Type
Series 4 - Wholesaler

Location
2440 W. Lincoln St., #165-3S
Zoning Classification: A-2
Council District: 7

This request is for a new liquor license for a wholesaler. 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 March 7, 2021.

Pursuant to A.R.S. 4-203, consideration may be given only to the applicant's personal qualifications and not to the location.

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 been a member in good standing of the Arizona Bar since 2004.

In that time, I have demonstrated my commitment to not only complying with federal, state and municipal laws but also maintaining a high standard of personal integrity and ethical conduct. For 3 Sheilas, I retained an expert in the liquor distribution industry who spent the last 6 years as an award-winning sales representative for Southern Glazer's Wine & Spirits. Together, we are more than capable, reliable and qualified to hold this Series 4 Wholesaler liquor license."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Our goal is to provide our services to small wine-makers and craft distilleries that do not otherwise have a distributor in Arizona. This focus will open the Arizona market to new products and give Arizona consumers more choices for their wine and spirits needs."

Staff Recommendation
Staff recommends approval of this application.

This item was recommended for approval.

12 Liquor License - Scout Distribution AZ LLC

Request for a liquor license. Arizona State License Application 132123.

Summary

Applicant
Ryan Anderson, Agent

License Type
Series 4 - Wholesaler

Location
625 S. 27th Ave., Ste. 137
Zoning Classification: A-2
Council District: 7

This request is for a new liquor license for a wholesaler. 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 March 13, 2021.

Pursuant to A.R.S. 4-203, consideration may be given only to the applicant's personal qualifications and not the location.

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 applicant is a series 4 wholesaler. Its staff will be trained in Techniques of Alcohol Training by an Arizona approved trainer and will follow Arizona's Title 4 liquor laws."

Staff Recommendation
Staff recommends approval of this application.
This item was recommended for approval.

13 **Liquor License - Mariscos y Raspados Tepehuaje**

Request for a liquor license. Arizona State License Application 135223.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 12 - Restaurant

Location
4602 S. Central Ave.
Zoning Classification: C-3 SPVTABDO
Council District: 7

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

The 60-day limit for processing this application is March 12, 2021.

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

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

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

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

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

"I have been working in the food industry since 2014. I will be attending Arizona Basic and Management Liquor Law training to ensure that I and my staff abide by the laws. I will also have my employees attend Liquor Law training to enforce the serious nature of selling alcohol to intoxicated customers, how to identify them, what steps to take and not selling alcohol to underage. Although, the business will sell alcohol my primary purpose is to sell food."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "This business has been in existence since 2016. Community families come here to enjoy the atmosphere, food and ice cream. The primary food served is seafood which many customers have asked to have a beer to complement their meal. This location is family oriented and is not a bar. Service/sale of alcohol is merely to complement the food service. I will be attending both Basic and Management Liquor Law to obtain various ways to determine intoxication and valid forms of identification along with other state & city laws."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Mariscos y Raspados Tepehuaje
Liquor License Map - Mariscos y Raspados Tepehuaje

This item was recommended for approval.

14 **Liquor License - R & F Liquors**

Request for a liquor license. Arizona State License Application 09070729.

Summary

Applicant
Basim Hanna, Agent

License Type
Series 9 - Liquor Store

Location
4727 E. Southern Ave.
Zoning Classification: C-2
Council District: 8

This request is for an ownership transfer of a liquor license for a liquor store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is March 9, 2021.

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

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

Maryland Deli & Liquor (Series 9)
6502 N. 7th St., Phoenix
Calls for police service: 22
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 very experienced in operating a liquor store. I currently own another liquor store in Phoenix that I purchased 25 years ago. The liquor store is very successful and I have never received a violation of any kind. I have also recently completed current 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:
"This location has been a liquor store for many years. The previous owner purchased the store in 1984. Our neighbors like being able to run in and make a quick purchase. This store is part of the community and would like to continue operating for them."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - R & F Liquors
Liquor License Map - R & F Liquors

This item was recommended for approval.

15 **(CONTINUED FROM FEB. 17, 2021) Liquor License - El Pueblo Restaurant**

Request for a liquor license. Arizona State License Application 128136.

Summary

Applicant
Amanda Arriaza, Agent

License Type

Series 12 - Restaurant

Location
2270 N. 75th Ave., Ste. 101
Zoning Classification: C-2
Council District: 7

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

The 60-day limit for processing this application was Feb. 1, 2021. However, the applicant submitted a written request for more time.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I Amanda consider myself a very responsible, honest person with good moral standings, and I believe that I have the ability to handle a liquor license."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"They will have more options for alcoholic beverage with their meals."

Staff Recommendation
Staff recommends disapproval of this application based on a Police Department recommendation for disapproval. The Police Department disapproval is based on possible hidden ownership concerns, falsifying information on both City and State questionnaires, and concerns associated with financing of the business. The applicant has not demonstrated the capability, qualifications and reliability to hold and control a liquor license.

Attachments
Liquor License Data - El Pueblo Restaurant
Liquor License Map - El Pueblo Restaurant
Liquor License Police Department Recommendation - El Pueblo Restaurant

This item was continued to the March 17, 2021 City Council Formal Meeting.

ORDINANCES, RESOLUTIONS, AND NEW BUSINESS

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

Vice Mayor Williams made a motion that Items 16-67 be approved or adopted, except Items 27, 29, 36-39, 44 and 64-66; noting Item 65 is as revised; and Item 67 is requested to be continued to the March 17, 2021 City Council Formal Meeting.

Councilwoman Pastor commented for Item 67, her office would organize meetings to provide the community with an opportunity to express their concerns. She noted if these meetings could not be scheduled before March 17, 2021 she would then request to have the item continued to the April 2, 2021 City Council Formal Meeting.

Councilwoman Stark seconded the motion.

Note: Electronic comments were submitted for the following items.

Item 33 - Ninety-six in opposition, and one indicating no position.
Item 34 - Ninety-seven in opposition.
Item 67 - Two in opposition.

A motion was made by Vice Mayor Williams, seconded by Councilwoman Stark, that Items 16-67 be approved or adopted, except Items 27, 29, 36-39, 44 and 64-66; noting Item 65 is as revised; and Item 67 is requested to be continued to the March 17, 2021 City Council Formal Meeting. The motion carried by the following vote:

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

No: 0

Items 16-19, Ordinance S-47331 was a request to authorize the City Controller to disburse funds, up to amounts indicated for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requested continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

16 Foster & Freeman USA, Inc.

For $84,000.00 in payment authority to purchase Recover Latent Fingerprint Technology system for the Police Department. The Phoenix

Police Department's Crime Gun Intelligence Unit and Laboratory Services Bureau are collaborating to use Recover Technology to process discharged bullet casings to provide forensic information. The Recover Technology can reveal fingerprints even after being physically removed from an object due to washing, exposure to heat, or explosion. The utilization of the equipment will support the Police department's strategic initiative to prevent crime in the City of Phoenix by increasing the success rate of fingerprint recovery. The purchase will be funded by the Phoenix Police Department Project Safe Neighborhoods grant.

This item was adopted.

17 **Settlement of Claim(s) Tan v. City of Phoenix**

To make payment of up to $175,000.00 in settlement of claim(s) in *Tan v. City of Phoenix,* CV2019-010721,18-0587-001, AU, BI, for the Finance Department pursuant to Phoenix City Code chapter 42. This is a settlement of a bodily injury claim arising from a motor vehicle accident on July 19, 2018 involving the Police Department.

This item was adopted.

18 **Trujillo Consulting, LLC**

For $50,000.00 in payment authority for a new contract, starting on or about March 8, 2021 to no later than June 30, 2021, to provide executive consulting services for the Human Resources Department. A short-term agreement is needed while a nationwide recruitment is completed to fill the Housing Director position. Executive services will include managing and directing the Housing Department's activities, including Public Housing Operations and Maintenance, Affordable Housing Property Management, Resident Supportive Services, Section 8 Housing Choice Voucher Administration, and Housing Development.

This item was adopted.

19 **Salt River Valley Water Users' Association**

For $130,000.00 in payment authority to purchase irrigation water during the 2021 calendar year for the Parks and Recreation Department. The irrigation water is needed to water plants, trees, shrubs and grass at various Parks and Recreation locations throughout the City of Phoenix. The expenditure is essential for the grass and plant life at all City park locations.

This item was adopted.

20 **Dedication of a Public Utility and Sidewalk Easement Over a Portion of City-owned Land Along Olney and 59th Avenues (Ordinance S-47334)**

Request for the City Council to dedicate a public utility and sidewalk easement to public use over a portion of City-owned land along Olney and 59th avenues; further ordering the ordinance recorded.

Summary

The dedication is required for construction of the Estrella Crossing development (KIVA 19-722). Public improvements will be constructed by the developer along the north side of the Olney Avenue alignment and the eastern property boundary adjacent to Estrella Crossing.

The public utility and sidewalk easement is more fully described in Exhibit A, to be recorded with ordinance.

Location

Northwest corner of Olney and 59th avenues, identified by Maricopa County Assessor Parcel number 300-02-060.
Council District: 8

This item was adopted.

21 **Acquisition of Real Property for Intersection Improvements at 3rd and Glendale Avenues (Ordinance S-47338)**

Request to authorize the City Manager, or his designee, to acquire real property and related property interests by donation, purchase within the City's appraised value, or by the power of eminent domain for intersection improvements at 3rd and Glendale avenues. Further request authorization to dedicate land with roadway and/or public improvements to public use via separate recording instrument. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

Acquisition is required for the construction and installation of a HAWK signal at the intersection of 3rd and Glendale avenues. Improvements include a new pedestrian signal, pavement, curb, gutter and construction of an Americans with Disabilities Act accessible sidewalk.

The parcels affected by this project and included in this request are identified by Maricopa County Assessor's parcel numbers 161-28-033A (located at 145 W. Glendale Ave.) and 160-33-004G (located at 316 W. Glendale Ave.).

Financial Impact

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

Location

3rd and Glendale avenues
Council District: 6

This item was adopted.

22 **Grant of Public Utility Easement on City-owned Property to Replace Underground Cable at Nevitt Park (Ordinance S-47348)**

Request City Council to grant a public utility easement, for consideration of $1.00 and/or other valuable consideration, for electrical facilities and the installation of new conduit-encased cable on City-owned property within the Salt River Project (SRP) service area, and further ordering the ordinance recorded. The public utility easement is required for the replacement of new underground cable at Nevitt Park.

Summary

This public utility easement will be for the area more fully described in the legal description ("Easement Premises") and will be granted to all public service corporations, agricultural improvement districts and telecommunication corporations providing utility service (collectively "Grantee") to the property located at 6815 S. 44th Way, in perpetuity so long as Grantee uses the Easement Premises for the purposes herein specified for an indefinite period, subject to the following terms and conditions:

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

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

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

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

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

Grantee shall exercise reasonable care to avoid damage to the

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

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

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

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

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

Building located at 251 W. Washington St.; (8) Transit Operations Center located at 320 N. 1st Ave. or West Transit Facility located at 405 N. 79th Ave.; or (9) in a secured or fenced area.

Location
6815 S. 44th Way, identified by Maricopa County Assessor's parcel number 123-18-516.
Council District: 8

This item was adopted.

23 **Revise Legal Description for Public Utility Easement at Cesar Chavez Park (Ordinance S-47344)**

Request the City Council to amend Ordinance S-46897 to revise the legal description for a public utility easement; and further ordering the ordinance recorded.

Summary
Ordinance S-46897 granted a public utility easement (PUE) within the Salt River Project service area for installation of a pad-mounted transformer required for the construction of Cesar Chavez Community Center. After the PUE was granted by ordinance, Parks and Recreation Department (Parks) staff discovered that the PUE conflicted with a large, old tree. At the request of Parks, the design was modified to preserve the tree.

The revised legal description is to be recorded with this ordinance. All other conditions and stipulations previously stated in the above referenced ordinance will remain the same.

Concurrence/Previous Council Action
Ordinance S-46897 was adopted by City Council on Sept. 2, 2020, by a vote of 9-0.

Location
7858 S. 35th Ave., identified by Maricopa County Assessor Parcel Number 300-13-001Q.
Council District: 7

This item was adopted.

24 Auditing and Consulting Services - MCC 180241 (Ordinance S-47336)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 150616 with Eide Bailly LLP; Contract 150617 with Berry, Dunn, McNeil & Parker, LLC; Contract 150635 with MGT of America Consulting, LLC; Contract 150640 with Heinfeld, Meech, & Co.; Contract 150641 with REDW, LLC; Contract 150642 with Myers and Stauffer LC; and Contract 150660 with CliftonLarsonAllen LLP for the purchase of auditing and consulting services for the Regional Wireless Cooperative (RWC) under the Office of Government Relations and the Information Technology Services Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $404,000.

Summary

This contract provides external expertise for auditing and consulting services. The RWC, per its governance, must be financially audited annually by an external auditor. It is budgeted for each year and its findings are shared with the Board of Directors. In addition, the Information Technology Services Department (ITS), in support of maintaining citywide Payment Card Industry (PCI) compliance, will utilize an external auditor to obtain a PCI certified Qualified Security Assessor to perform services required for PCI Data Security Standards (DSS). Compliance with PCI DSS is mandated by the payment card industry in order for the City to process payment card transactions. Services will include, but are not limited to, a report on compliance, a gap analysis, an analysis of the existing PCI structure, and assistance to the City in providing guidance and recommendations on improving current processes. Additional funds are needed to add RWC and ITS as authorized users. The City Auditor Department currently utilizes these contract services.

Contract Term

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

Financial Impact

Upon approval of $404,000 in additional funds, the revised aggregate value of the contract will not exceed $984,000. Funds are available in the RWC (under the Office of Government Relations) and ITS Department budget.

Concurrence/Previous Council Action

This contract was originally approved by City Council on June 5, 2019.

This item was adopted.

25 **Parts, Installation, and Service for Direct Current Battery Plant - IFB 19-020A - Requirements Contract (Ordinance S-47339)**

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 149250 with Power Products Services, Inc. for the purchase of heavy-duty batteries, preventative maintenance, and repairs to direct current (DC) battery back-up systems for the Information Technology Services Department in support of public safety radio sites. The additional amount of $1,250,000 is needed to purchase additional battery replacements. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $1,250,000.

Summary

This contract currently provides heavy-duty batteries, preventative maintenance, and repairs to direct current (DC) battery backup systems for the Regional Wireless Cooperative (RWC) and the Information Technology Services Department. These batteries power all the RWC communication sites and are instrumental in keeping the Fire and Police departments' public safety radio systems operational in the event of a power outage.

Additional funding is needed to address the replacement cycle of the batteries based on actual experience of battery capacity degradation and failure, with many of the batteries being installed prior to 2019. The original replacement cycle was based on the manufacturer's estimate of a 10-year lifespan. The manufacturer has since reduced that to seven years, which aligns to what radio systems staff are experiencing in the field. The lifecycle replacement plan has been modified with the more

accurate lifespan information. The result is that more batteries than expected will require simultaneous replacement during this contract period.

The cost of the battery replacement is charged to the RWC, and the RWC has already budgeted for this increase.

Contract Term
The contract term is Jan. 23, 2019 through Jan. 22, 2024.

Financial Impact
Upon approval of $1,250,000 in additional funds, the revised aggregate value of the contract will not exceed $2,500,000. Funds are available in the Information Technology Services Department's budget and are reimbursed by the RWC.

Concurrence/Previous Council Action
The contract was originally approved by City Council on Jan. 23, 2019.

This item was adopted.

26 **Indoor/Outdoor Sport Court Resurfacing and Repair Services - Requirements Contract - IFB 21-027 (Ordinance S-47347)**

Request to authorize the City Manager, or his designee, to enter into contracts with Arizona Gym Floors, LLC and Elite Sports Builders, LLC, to provide indoor/outdoor sport court resurfacing and repair services for the Parks and Recreation Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $1,350,000.

Summary
These contracts will provide resurfacing and repair services for indoor, multi-use wood floors and outdoor, concrete sport courts. The Parks and Recreation Department uses these services to resurface and repair indoor/outdoor sport court floors such as tennis, volleyball, pickle ball and basketball courts located at various recreation facilities. The services include, but are not limited to; floor screening, line striping, floor repair and wood floor refinishing and maintenance.

Procurement Information
IFB 21-027 was conducted in accordance with Administrative Regulation 3.10. There were seven offers received by the Finance Department's Procurement Division on Nov. 20, 2021, which was evaluated on price and responsibility to provide the required goods and services. The bid notification was sent to 301 suppliers and was publicly posted and available for download from the City's website.

The Deputy Finance Director recommends that the offers from Arizona Gym Floors, LLC and Elite Sports Builders, LLC be accepted as the lowest-priced, responsive and responsible offers.

Contract Term
The five-year contract term will begin on or about March 1, 2021.

Financial Impact
The aggregate contract value will not exceed $1,350,000. Funds are available in the Parks and Recreation Department's budget.

This item was adopted.

28 **Plumbing Services, Including Rooter and Drain Cleaning - Requirements Contract - IFB 18-123A (Ordinance S-47345)**

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 146660 with Above All Plumbing Services, Inc. for the purchase of plumbing services, including rooter services and drain cleaning, for citywide use. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $2,700,000.

Summary
The primary departments having used the contract during the first three years are Fire, Public Works, Parks and Convention Center. The plumbing contract is utilized to supply all standard labor, materials, supplies, equipment, permits, tools, vehicles, transportation and security fees necessary for plumbing repairs and/or services for various privately and publicly owned City of Phoenix properties or facilities. This contract has recently also been used for Covid-19 related supplies to support

efforts to change plumbing fixtures, such as faucets, toilets, and drinking fountains, to touchless versions.

Contract Term
The contract term is Jan. 30, 2018 through Jan. 31, 2023.

Financial Impact
Upon approval of $2,700,000 in additional funds, the revised aggregate value of the contract will not exceed $5,700,000. Funds are available in various Department's budgets.

Concurrence/Previous Council Action
This contract was originally approved by City Council on Jan 10, 2018.

This item was adopted.

30 **Amend Federal HOME Program Contract between City of Phoenix and Phoenix Broadway Associates Limited Partnership (Ordinance S-47355)**

Request authorization for the City Manager, or his designee, to amend the federal HOME Investment Partnerships Acquisition and Rehabilitation Loan Agreement, City Contract No. 97116, between the City of Phoenix and Phoenix Broadway Associates Limited Partnership, an Arizona limited partnership to increase the number of City HOME units to six units and increase the Period of Affordability by five years in exchange for a forgiveness of the outstanding interest on the loan of approximately $150,000. Authorization is also requested for the City Manager, or his designee, to take all action and execute all necessary documents to implement the amended terms. There is no impact to the General Fund.

Summary
City Contract No. 97116, in the original amount of $250,000 of federal HOME Investment Partnerships Program (HOME) funds, was executed on June 13, 2001 to assist with the development of the 196-unit Sunrise Vista Apartments located at 4415 S. 28th St. As part of this contract the City also entered an intercreditor agreement in partnership with the Arizona Department of Housing and the Phoenix IDA who also provided funding for the project. The Loan Agreement currently secures four City

HOME units serving households whose income does not exceed 50 percent of the Area Median Income.

The Phoenix Broadway Associates Limited Partnership, an Arizona limited partnership (Owner) is in the process of refinancing this property and has offered to pay off the entire principal balance of the loan as well as increase the public benefit by extending the Period of Affordability by five years along with providing the City an additional two HOME units (for a total of six) in exchange for a forgiveness of the outstanding interest of approximately $150,000. As the original funding came from federal sources, there is no impact on the General Fund. All recaptured debt will be repurposed for further affordable housing per the requirements of the original funding source.

Financial Impact
There is no financial impact to the General Fund.

Location
4415 S. 28th St.
Council District: 8

This item was adopted.

31 **Request to Approve Amendment to IGA with Arizona State University for Civic Space Use (Ordinance S-47349)**

Request authorization for the City Manager, or his designee, to execute an amendment to Agreement 119092-IGA, between the Parks and Recreation Department and Arizona State University, regarding the Phase II Civic Space improvements.

Summary
In 2006, the City and Arizona State University (ASU) entered into Master Lease and Operating Agreement 119092 (the "Master Lease"), in which ASU leased property from the City for the ASU Downtown Campus. The City and ASU also entered into Agreement 119092-IGA (the "IGA"), in 2009, regarding the use, operation and maintenance of Civic Space Park and the A.E. England building.

Subsequently, in 2010, the Phase I Civic Space improvements were completed. The IGA was amended in 2012, for use of a vacant retail space in the AE England building. The same year, in 2012, ASU completed renovations to the Post Office building and the City completed the Phase II Civic Space improvements (the "Phase II improvements") on what is referred to as the F2 parcel. With the completion of the Phase II improvements, Civic Space Park's boundaries were extended up to the southern edge of the renovated Post Office.

With the ASU renovations to the Post Office completed and the City's completion of the Phase II improvements on the F2 parcel, the parties amended the Master Lease in 2012, to exclude the F2 parcel and the park improvements from the premises leased by the City to ASU. Additionally, it was understood that the IGA would also need to be amended to reflect the City's and ASU's rights and obligations with respect to the F2 Parcel and the Phase II improvements; however, the amendment did not occur at that time.

City staff and ASU staff recently re-engaged in discussions about updating the IGA to reflect the Phase II improvements and specifically to update the boundary of Civic Space Park relative to the Post Office. In addition to the boundary issue, the amendment also clarifies ASU's ability to continue to work with the Parks and Recreation Department regarding enforcement of park rules and regulations relating to the use of the Phase II improvements.

Contract Term
This amendment will not change the term of Agreement 119092-IGA.

Financial Impact
No financial impact as a result of the amendment. The City already maintains the Phase II improvements.

Location
Civic Space Park, 424 N. Central Ave.
Council District: 7

This item was adopted.

32 **Request to Approve Amendment to IGA with Arizona State University West Park Usage (Ordinance S-47353)**

Request authorization for the City Manager, or his designee, to execute an amendment to Agreement 113777-IGA, between the Parks and Recreation Department and Arizona State University, regarding the use of ASU West land as a City of Phoenix park and the payment of related irrigation fees.

Summary

In 2004, the Parks and Recreation Department (City) and Arizona State University (ASU) entered into an Intergovernmental Agreement, Agreement 113777 (the "IGA"), in which ASU provided approximately 40 acres of land on the southwest corner of the ASU West Campus for the City to use as a public park (51st Avenue and Sweetwater Soccer Fields); with ASU having rights of first use to certain portions of the park during certain times of the day. The park included two lighted soccer fields, a restroom building and open turf for general recreation (**Attachment A**). The IGA stated that the park will be maintained by City staff with ASU paying all irrigation costs.

In 2011, ASU and the City executed amendment 113777-1 to remove the eastern, undeveloped portion of the park for exclusive use by ASU (**Attachment B**). This request allowed the university to have space for intramural activities in that area.

Recently, ASU notified the City that they no longer need any priority rights and/or uses for the portion of the park currently maintained by the City. This area includes two lighted soccer fields and a restroom building, which are for public use. As such, ASU has requested that the City now pay for irrigation costs specifically associated with the park area maintained by the City.

Contract Term

This amendment will not change the term of Agreement 113777-IGA.

Financial Impact

Irrigation costs are estimated to be $56,000 per fiscal year.

Location
4950 W. Wood Drive
Council District: 1

This item was adopted.

33 **Authorization to Enter into Agreement with Maricopa Association of Governments for 9-1-1 System Planning (Ordinance S-47358)**

Request authorization for the City Manager, or designee, to retroactively enter into a contract with the Maricopa Association of Governments (MAG) for emergency 9-1-1 system management and planning in an amount not to exceed $135,000. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary
The System Administrator Agency for the Regional 9-1-1 Program Maricopa Region is the City of Phoenix (Fire Department). The City of Phoenix is the contracting agent of ongoing operations of the 9-1-1 call routing 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.

MAG is the recipient of 9-1-1 Special Assessments and intends to contract with the City of Phoenix to develop network plans and implementation strategies that enhance information transport into the 9-1-1 emergency system and support the economic goals of the State, provide an easily accessible emergency service to the community, and emergency 9-1-1 planning services.

Contract Term
The contract term is July 1, 2020 through June 30, 2021.

Financial Impact

The Fire Department will be reimbursed for emergency 9-1-1 planning efforts in an amount not to exceed $135,000.

Location
The Phoenix Fire Department Regional 9-1-1 Services section provides 9-1-1 service, and related technical support, across the Valley.

This item was adopted.

34 **Federal Fiscal Year 2020 Assistance to Firefighters Grant Program Funds (Ordinance S-47362)**

Request to authorize the City Manager, or his designee, to retroactively apply for, and accept, if awarded, up to $175,596 from federal fiscal year (FFY) 2020 Assistance to Firefighters Grant (AFG) Program to fund two projects: Personal Protective Equipment (PPE) Decontamination and Fire Ground Survival Training for the Fire Department. 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.
PPE Decontamination
The PPE Decontamination Project will update the Fire Department's PPE decontamination and cleaning process with an overall goal of improving firefighter health and safety by reducing repeated exposure to harmful contaminants on unclean or inadequately cleaned PPE and fire ground

equipment. The funds will be utilized to purchase new washers and dryers and a downdraft table for use in the PFD laundry room. The total cost for this project is $80,596 with a City-match of around 15 percent for upgrading the department's aging PPE decontamination and cleaning system.

Fire Ground Survival Training

The Fire Ground Survival (FGS) Training Project will certify Phoenix and regional partner department trainers to teach Fire Ground Survival to our personnel. The training will enhance first responder awareness of conditions on the fire ground and give firefighters the critical skills necessary to handle a firefighter emergency. The funds will be utilized to provide training to 30 instructors and purchase two training props; one will be housed permanently at the training academy and one will be trailer mounted for mobile department wide training. The total cost for this project is $95,000, with a City-match of around 15 percent.

Since 2008, the Fire Department has received more than $5 million in AFG funding. These grants were 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.

Procurement Information

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

Contract Term

The two-year grant Period of Performance is projected to begin on or around May 1, 2021.

Financial Impact

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

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.

PPE Decontamination

The PPE Decontamination Project will update the Fire Department's PPE decontamination and cleaning process with an overall goal of improving firefighter health and safety by reducing repeated exposure to harmful contaminants on unclean or inadequately cleaned PPE and fire ground equipment. The funds will be utilized to purchase new washers and dryers and a downdraft table for use in the PFD laundry room. The total cost for this project is $80,596 with a City-match of around 15 percent for upgrading the department's aging PPE decontamination and cleaning system.

Fire Ground Survival Training

The Fire Ground Survival (FGS) Training Project will certify Phoenix and regional partner department trainers to teach Fire Ground Survival to our personnel. The training will enhance first responder awareness of conditions on the fire ground and give firefighters the critical skills necessary to handle a firefighter emergency. The funds will be utilized to provide training to 30 instructors and purchase two training props; one will be housed permanently at the training academy and one will be trailer mounted for mobile department wide training. The total cost for this project is $95,000, with a City-match of around 15 percent.

Since 2008, the Fire Department has received more than $5 million in AFG funding. These grants were 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.

Procurement Information

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

Contract Term

The two-year grant Period of Performance is projected to begin on or around May 1, 2021.

Financial Impact

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

This item was adopted.

35 **(CONTINUED FROM FEB. 17, 2021) Wastewater Collection System Emergency Repair and Replacement - Job Order Contracting Services - 4108JOC196 (Ordinance S-47299)**

Request to authorize the City Manager, or his designee, to enter into separate master agreements with two contractors to provide Wastewater Collection System Emergency Repair and Replacement Job Order Contracting (JOC) services for the Water Services Department. 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 total fee for services will not exceed $20 million.

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

Summary

The JOC contractors' services will be used on an as-needed basis to provide Wastewater Collection System Emergency Repair and Replacement services for repair or replacement of sanitary sewer lines and force mains. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

These Agreements are essential to the health, safety, and welfare of the public and critical operations for the City.

Procurement Information

The selections were made using a qualifications-based selection

process set forth in section 34-604 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-604(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Eight firms submitted proposals and are listed below.

Selected Firms
Rank 1: WaCo, LLC dba WaCo Contracting
Rank 2: Achen-Gardner Construction, LLC

Additional Proposers
Rank 3: TF Contracting Services, LLC
Rank 4: FPS Civil, LLC
Rank 5: Action Direct LLC dba Redpoint Contracting
Rank 6: Blucor Contracting, Inc.
Rank 7: Kinkaid Civil Construction, LLC
Rank 8: Degan Construction, LLC

Contract Term
The term of each master agreement is for up to five years, or up to $10 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact
The master agreement values for each of the JOC contractors will not exceed $10 million, including all subcontractor and reimbursable costs. The total fee for services will not exceed $20 million. The value for each job order agreement performed under this master agreement will be up to $2 million. In no event will any job order agreement exceed this limit without Council approval to increase the limit.

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

rendered agreement services, which may extend past the agreement termination.

This item was adopted.

40 Purchase of Nex-Terra Bins (Ordinance S-47335)

Request to authorize the City Manager, or his designee, to enter into a contract with Waxie Sanitary Supply for the purchase of 15 Nex-Terra bins to be used by customers to drop off materials at Phoenix City Hall and Calvin C. Goode buildings. Further request to authorize the City Controller to disburse all funds related to this item. This contract will have a one-time expenditure of $17,464.

Summary

The Public Works Department seeks to purchase 15 Nex-Terra bins for multiple City departments, to be used for customers to drop off materials during the newly established Appointment Only model at Phoenix City Hall and Calvin C. Goode buildings. The bins will be placed in the atriums and will allow materials to be dropped off by customers and vendors in a safe and secure manner. The bins can support larger materials such as blueprints and remain secure until accessed by the respective department. In response to the COVID-19 pandemic, the City established the Appointment Only model and these bins will allow customers to drop off time-sensitive materials to the respective department and continue to use City services without delay.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a determination memo citing time restriction. As a result of the current COVID-19 pandemic, time is of the essence to purchase these bins to allow business and services with the City to continue without delay.

Contract Term

This contract will begin upon City Council approval on March 3, 2021 for the one-time purchase of 15 Nex-Terra bins.

Financial Impact

This contract will have a one-time expenditure amount of $17,464,

including all applicable taxes. Funding is available in the General Fund.

Location
Phoenix City Hall - 200 W. Washington St.
Calvin C. Goode - 251 W. Washington St.
Council District: 7

This item was adopted.

41 **Sheet Metal Fabrication and Welding Services (Ordinance S-47343)**

Request to authorize the City Manager, or his designee, to enter into separate agreements with Ellyson Enterprises, LLC and Lincoln Constructors, Inc. to provide sheet metal fabrication and welding services to be used on an as-needed basis. Further request to authorize the City Controller to disburse all funds related to this item. The total aggregate amount is $1.4 million over the life of the contracts.

Summary
The Public Works Department is responsible for sheet metal fabrication and welding services at various City locations and surrounding areas. These agreements will allow welding and fabrication services to be performed onsite, allowing essential functions to continue with little downtime. These agreements will provide welding services such as metal fence repair, repairs to City-owned communication towers, equipment repairs and custom fabrication. The Aviation Department is responsible for sheet metal fabrication at Phoenix Sky Harbor International, Deer Valley, and Goodyear Airports for items such as stainless-steel wraps for the airport security check-point bin containments or podiums, HVAC plenum duct work, and package air conditioning unit elbows and roof curbs.

Procurement Information
Invitation for Bid 21-FMD-024 was conducted in accordance with Administrative Regulation 3.10. Two offers were received by the Public Works Department Procurement Services on Dec. 2, 2020. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required services. The offers submitted by Ellyson Enterprises, LLC and Lincoln Constructors, Inc. were deemed fair and reasonable.

Group A - Welding Services
Ellyson Enterprises, LLC : $205 bid total
Lincoln Constructors, Inc.: $285 bid total

Group B - Sheet Metal Fabrication
Lincoln Constructors, Inc.: $1,140 bid total

Contract Term
The initial contract term is for one year beginning on or about April 1, 2021 with four one-year options to extend the term, for a total contract term of up to five years if all options are exercised.

Financial Impact
The aggregate value of the contracts, including all option years, is $1.4 million, including all applicable taxes, with an estimated annual expenditure of $280,000. Funding is available in the Aviation and Public Works departments' budgets.

This item was adopted.

42 **Inform.Net Veeder Root Fuel Monitoring Software Upgrade (Ordinance S-47346)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Eaton Sales and Service to provide an upgrade to existing Veeder Root fuel monitoring software. Further request to authorize the City Controller to disburse all funds related to this item. This item will have an aggregate amount of $26,652.

Summary
The Public Works Department is responsible for maintenance, repair, and monitoring of 28 fuel sites. Recently, the City of Phoenix upgraded its operating system to Windows 10. At the time of the upgrade, it was discovered that the current Inform.Net software on existing Veeder Root equipment that monitors the underground fuel storage tanks for leaks at these fuel sites was no longer supported by the local vendor. It is imperative to get the new software installed to stay in compliance with federal and state regulations.

This item has been reviewed and approved by the Information

Technology Services Department.

Procurement Information
In accordance with Administrative Regulation 3.10, a competitive process was waived in lieu of a determination memo citing special circumstance - without competition with a time restriction. The equipment used to monitor these underground storage tanks is currently running on a legacy Windows 7 system, and not supported by Eaton Sales and Service, Public Works Department's current fuel maintenance and repair vendor.

Contract Term
This agreement will begin on or about Council approval on March 3, 2021, and will have two option years to be exercised in increments of up to one year, for a total contract term of three years.

Financial Impact
This item will have an aggregate amount of $26,652. Funding is available in the Public Works Department's budget.

This item was adopted.

43 **Rubberized Crack Sealant - Requirements Contract IFB 21-037 (Ordinance S-47332)**

Request to authorize the City Manager, or his designee, to enter into a contract with Crafco, Inc. to purchase rubberized crack sealant for the Street Transportation Department. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $650,000.

Summary
Rubberized crack sealant is used by the Street Transportation Department as a cost-effective way to prolong the life of asphalt pavement. The rubberized sealant serves as a water-tight filler between cracks in asphalt pavement. This product is necessary for Street Transportation Maintenance staff to perform proper maintenance and repair to the City's roadways.

Procurement Information
IFB 21-037 was conducted in accordance with Administrative Regulation 3.10. There were three offers received by the Procurement Division on

Dec. 18, 2020, which were evaluated on price, responsiveness to specifications, and responsibility to provide the required goods. The bid notification was sent to 39 suppliers and was publicly posted and available for download from the City's website.

The Deputy Finance Director recommends the offer from Crafco, Inc. be accepted as the lowest priced, responsive and responsible offer.

Contract Term
The five-year contract term will begin on or about March 4, 2021.

Financial Impact
The aggregate contract value will not exceed $650,000. Funds are available in the Street Transportation Department's budget.

This item was adopted.

45 **Traffic Control Officer Services - Requirements Contract IFB 21-020 (Ordinance S-47354)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Blue Enforcement Services LLC to purchase Traffic Control Officer Services for the Street Transportation Department. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate agreement value will not exceed $1.5 million.

Summary
The purpose of this agreement is to provide the Street Transportation Department with off-duty law enforcement officers to manually direct traffic during traffic signal outages throughout the City of Phoenix. The services will be required on a routine basis, such as scheduled repairs to traffic signal infrastructure, and non-routine and emergency situations, such as after normal working hours, weekends, holidays, or early morning call-outs due to traffic collisions involving damage to traffic signals. These services will assist in keeping staff safe while performing repairs, as staff are in close proximity to moving traffic and perform services in overnight hours where the lack of daylight can be dangerous. This agreement will also help alleviate manpower shortages related to Phoenix Police off-duty officer availability in maintaining the City of Phoenix traffic signal system.

Procurement Information
IFB 21-020 was conducted in accordance with Administrative Regulation 3.10. There were four offers received by the Finance Department Procurement Division on Jan. 22, 2021, which were evaluated on price, responsiveness to specifications, and responsibility to provide the required goods and services. The bid notification was sent to 90 suppliers and was publicly posted and available for download from the City's website.

The Deputy Finance Director recommends the offer from Blue Enforcement Services LLC be accepted as the lowest-priced, responsive and responsible offer.

Contract Term
The five-year agreement term will begin on or about April 1, 2021.

Financial Impact
The total agreement value will not exceed $1.5 million. Funding is available in the Street Transportation Department's budget.

This item was adopted.

46 **Grand Canal Phase III - Engineering Services - ST87600131 (Ordinance S-47337)**

Request to authorize the City Manager, or his designee, to enter into an agreement with J2 Engineering & Environmental Design, LLC, to provide Engineering Services that include design and possible construction administration and inspection (CA&I) services for the Grand Canal Phase III project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $600,000.

Additionally, request to authorize the City Manager, or his designee, to take all action deemed necessary to execute all utilities-related design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project and to include disbursement of funds. Utility services include, but

are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads, and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

Summary

The purpose of this project is to install a pathway for pedestrians and bicycle use and incorporate public art, landscaping and neighborhood access points along the Grand Canal between 75th and 47th avenues.

J2 Engineering & Environmental Design, LLC's services include, but are not limited to: engineer's cost estimates and special provisions; design of a concrete or asphalt pedestrian and bicycle path; lighting; furniture; shade structures; public art; complementary landscaping; possible pedestrian bridges; street crossing elements such as full traffic signals and HAWK pedestrian beacons; pedestrian refuge islands and/or marked but unsignalized crosswalks that will be constructed within the City of Phoenix right-of-way; assessment and design of landscaping and drainage; and coordination with other City departments, governmental agencies and operations staff during design of the project.

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

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes (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: J2 Engineering & Environmental Design, LLC

Additional Proposers

Rank 2: Premier Engineering Corporation

Rank 3: Ritoch-Powell & Associates Consulting Engineers, Inc.

Rank 4: Alta Planning + Design, Inc.

Rank 5: SmithGroup, Inc.
Rank 6: Waibel & Associates Landscape Architecture, LLC

Contract Term
The term of the agreement is two 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 J2 Engineering and Environmental Design, LLC will not exceed $600,000, including all subconsultant and reimbursable costs.

Funding is available in the Street Transportation 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
Grand Canal between 75th and 47th avenues
Council Districts: 4 and 5

This item was adopted.

47 **Salt River Project Construction License for City Project on Oak Street: 3rd Street to Grand Canal Bike and Pedestrian Improvements (Ordinance S-47350)**

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for Bike and Pedestrian Improvements on Oak Street from 3rd Street to the Grand Canal. 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.

Summary

The purpose of this license is to allow the City to install two traffic signal conduit crossings, two traffic signal poles, eight streetlights, and one pull box as well as pavement, curb, and gutter and curb ramp upgrades the entire length of the project that will run parallel with Salt River Project Irrigation facilities. This work is in conjunction with City Project ST87600121 Oak Street: 3rd Street to Grand Canal Bike and Pedestrian Improvements.

Contract Term

The term of the Construction License is one year, effective when the City begins construction, expected to be March 2021.

Financial Impact

There is no financial impact to the City of Phoenix for this license.

Location

Oak Street: 3rd Street to Grand Canal
Council Districts: 4 and 8

This item was adopted.

48 **Salt River Project Construction License for Water Main Replacement on Indian School Road to Campbell Avenue, 32nd to 36th Streets (Ordinance S-47351)**

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for waterline improvements from Indian School Road to Campbell Avenue, between 32nd and 36th Streets. 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.

Summary

The purpose of this license is to allow the City to install four waterline services that will cross and one fire hydrant service line that will run parallel with SRP Irrigation facilities. This work is in conjunction with City

Project WS85509044 Water Main Replacement Indian School Road to Campbell Avenue, 32nd to 36th streets.

Contract Term
The term of the Construction License is one year, effective when the City begins construction, expected to be March 2021.

Financial Impact
There is no financial impact to the City of Phoenix for this license.

Location
Indian School Road to Campbell Avenue, 32nd to 36th streets
Council District: 6

This item was adopted.

49 **Backflow Prevention Assemblies, Supply and Service - IFB 16-044A (Ordinance S-47356)**

Request to authorize the City Manager, or his designee, to ratify the extension and allow additional expenditures under Contract 142113 with Piper Power Plumbing & Mechanical Inc., for the supply and service of Backflow Prevention Assemblies for Public Works, Water Services, and Phoenix Convention Center Departments. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $819,975.

Summary
Backflow Prevention assemblies are required on all potable water supply piping, which must be tested and maintained to ensure proper operation. This contract will provide these services in all City-owned facilities. Without these services, the City of Phoenix would be unable to operate its public buildings, parks, and swimming pools.

The City is working to competitively re-solicit the contract to ensure the City receives the services at the best possible value. An extension is necessary in order to ensure City services are not interrupted during the re-solicitation process.

Contract Term

The contract term will be extended through May 31, 2022.

Financial Impact
Upon approval of $819,975 in additional funds, the revised aggregate value of the contract will not exceed $3,569,975. Funds are available in the various Department's budgets.

Concurrence/Previous Council Action
This contract was originally approved by City Council on Feb. 3, 2016.

This item was adopted.

50 **Backflow Annual Testing and Inspection - IFB 16-124A (Ordinance S-47357)**

Request to authorize the City Manager, or his designee, to extend and allow additional expenditures under Contract 143007 with Metering Services Inc., for the supply and service of Backflow Annual Testing and Inspection for Public Works, Water Services, and Phoenix Convention Center Departments. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $84,500.

The City is working to competitively re-solicit the contract to ensure the City receives the services at the best possible value. An extension is necessary in order to ensure City services are not interrupted during the re-solicitation process.

Summary
Backflow prevention devices are required for all domestic water supply piping, and must be tested annually and maintained to ensure proper operation and code compliance. This contract will provide backflow testing and inspection services for City-owned facilities. Without these services, the City of Phoenix would be unable to operate its public buildings, parks, and swimming pools.

Contract Term
The contract term will be extended through May 31, 2022.

Financial Impact

Upon approval of $84,500 in additional funds, the revised aggregate value of the contract will not exceed $1,597,000. Funds are available in the various Department's budgets.

Concurrence/Previous Council Action

This contract was originally approved by City Council on June 1, 2016.

This item was adopted.

51 **Supply of Water and Wastewater Treatment Materials (Ordinance S-47340)**

Request to authorize the City Manager, or his designee, to enter into separate agreements with Chemrite, Inc., Donau Carbon US LLC, DPC Enterprises LP, DuBois Chemicals, Inc., Hill Brothers Chemical Company, and Thatcher Company of Arizona, Inc. to provide water and wastewater treatment materials for the purpose of treating drinking water and effluent for the Water Services Department (WSD). 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 aggregate agreements value will not exceed $25.5 million.

Summary

The purpose of these agreements is to provide WSD with water and wastewater treatment materials. The Water Production, Wastewater Collection, and Wastewater Treatment divisions of WSD produce drinking water, collect sewage, and treat wastewater respectively through a series of treatment processes in accordance with Environmental Protection Agency (EPA) requirements.

The Contractors' services include but are not limited to: supply, delivery, and unloading of water and wastewater treatment materials at various WSD facilities.

Procurement Information

The selections were made using an Invitation for Bid (IFB) procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

Selected Contractors
Chemrite, Inc.
Donau Carbon US LLC
DPC Enterprises LP
DuBois Chemicals, Inc.
Hill Brothers Chemical Company
Thatcher Company of Arizona, Inc.

Contract Term
The term for each agreement is five years effective April 1, 2021.

Financial Impact
The agreement values for Chemrite, Inc., Donau Carbon US LLC, DPC Enterprises LP, DuBois Chemicals, Inc., Hill Brothers Chemicals Company, and Thatcher Company of Arizona, Inc.; will not exceed a total aggregate value of $25.5 million.

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

This item was adopted.

52 **Maintenance Services for Water Services Department Zeta Potential Analyzers - Amendment 2 (Ordinance S-47341)**

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 146378 with Malvern Panalytical, Inc., to provide additional maintenance services and replace Zeta Potential Analyzer equipment for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional amount will not exceed $230,000.

Summary
This agreement provides the Water Services Department (WSD), Environmental Services Division with maintenance services for Zeta Potential Analyzer equipment. The equipment is used to measure the effectiveness of the water filtration process and to gather data regarding water quality at each of the laboratories located within the City's four Water Treatment Plants. The equipment also enables WSD to perform a

multitude of analytical tests as required by the Safe Drinking Water Act (SDWA) and Arizona and National Pollutant Discharge Elimination System (AZPDES & NPDES) to maintain compliance with Federal, State and Local regulations.

This amendment is necessary because the current equipment is now obsolete and no longer supported by the vendor. This amendment will allow WSD to continue to maintain Zeta Potential Analyzers and replace the obsolete equipment, to continue the department's commitment to providing the highest quality drinking water and services to our customers.

Financial Impact

The initial agreement for Zeta Potential Analyzer Maintenance services was authorized for a fee not-to-exceed $100,000.

This amendment will increase the agreement value by an additional $230,000, for a new total not-to-exceed agreement value of $330,000.

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

Concurrence/Previous Council Action

The City Council approved Zeta Potential Analyzer Maintenance Agreement 146378 (Ordinance S-43616) on June 7, 2017.

This item was adopted.

53 **Final Plat - Villa Fifty 2 - PLAT 200605 - North of Taylor and East of 52nd Streets**

Plat: 200605
Project: 19-3156
Name of Plat: Villa Fifty 2
Owner(s): Villa Fifty 2, Limited Partnership
Engineer(s): Richard T. Waage, RLS
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Jan. 29, 2021
Final Plat requires Formal Action Only

Summary

Staff requests that the above plat be approved by the City Council and

certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with Abandonment 200521.

Location
Generally located north of Taylor and East of 52nd Streets.
Council District: 6

This item was approved.

54 **Final Plat - Faith Christian Center - PLAT 200590 - North of McDowell Road and West of 26th Place**

Plat: 200590
Project: 18-1117
Name of Plat: Faith Christian Center
Owner(s): Faith Christian Center
Engineer(s): David S. Klein, RLS
Request: A 3 Lot Commercial Plat
Reviewed by Staff: Jan. 27, 2021
Final Plat requires Formal Action Only

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

Location
Generally located north of McDowell Road and west of 26th Place
Council District: 8

This item was approved.

55 **Abandonment of Right-of-Way - ABND 200548 - 14251 N. 7th St. (Resolution 21898)**

Abandonment: 200548
Project: 04-3558
Applicant: Evan Boxwell; 88 Ventures - 7th Street LLC
Request: Two abandon two sidewalk easements, per Ordinance S-32313; located on 14251 N. 7th St. Recorded with Maricopa County Recorder, recording number 2015-1302598.
Date of Decision: Oct. 28, 2020

Summary
The resolution of this abandonment is to be recorded with the Maricopa County Recorder.

Location
14251 N. 7th St.
Council District: 3

Financial Impact
None.

This item was adopted.

56 **Abandonment of Right-of-Way - ABND 200514 - Southeast Corner of Bethany Home Road and West of 107th Avenue (Resolution 21900)**

Abandonment: 200514
Project: 14-834
Applicant: Joe Petrucci; EPS Group Inc.
Request: To abandon a portion of right-of-way, public utility easement and multi-use trail easement.
Date of Hearing: May 7, 2020

Location
Southeast corner of Bethany Home Road and West of 107th Avenue
Council District: 5

Financial Impact
A fee was also collected as part of this abandonment in the amount of $625.

This item was adopted.

57 **Abandonment of Right-of-Way - ABND 200521 - North of Taylor and East of 52nd Streets (Resolution 21899)**

Abandonment: 200521
Project: 19-3156
Applicant: Lorne Wallace; RAS Developments Inc.
Request: To abandon the 20-foot alley right of way
Date of Decision/Hearing: June 4, 2020

Summary

The resolution of the abandonment and the subdivision plat, Final Plat for "Villa Fifty 2," Plat 200605, are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat.

Location
North of Taylor and East of 52nd Streets
Council District: 6

Financial Impact
A fee was also collected as part of this abandonment in the amount of $26,250.

This item was adopted.

58 **Amend City Code - Ordinance Adoption - Rezoning Application Z-52-20-4 - Northwest Corner of 7th and Oak Streets (Ordinance G-6812)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-52-20-4 and rezone the site from R-3 (Multifamily Residence District) and C-2 (Intermediate Commercial District) to WU Code T3:2 MT (Walkable Urban Code, Transect 3:2 District, Transit Midtown Character Area) and WU Code T5:6 MT (Walkable Urban Code, Transect 5:6 District, Transit Midtown Character Area) for multifamily residential.

Summary
Current Zoning: R-3 (Multifamily Residence District) (2.12 acres) and C-2 (Intermediate Commercial) (2.65 acres)
Proposed Zoning: WU Code T3:2 MT (Walkable Urban Code, Transect 3:2 District, Transit Midtown Character Area) (0.23-acres) and WU Code T5:6 MT (Walkable Urban Code, Transect 5:6 District, Transit Midtown Character Area) (4.54 acres)
Acreage: 4.77 acres
Proposed Use: Multifamily residential

Owner: MBA 7th St, LLC, et al
Applicant: Jimmy McCloskey, Embrey Partners
Representative: Nick Wood, Esq., Snell & Wilmer, LLP

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Encanto Village Planning Committee heard this case on Jan. 11, 2021 and recommended approval, per the staff recommendation with an additional stipulation, by a vote of 11-1.
PC Action: The Planning Commission heard this case on Feb 4, 2021 and recommended approval, per the Encanto Village Planning Committee recommendation with an additional stipulation, by a vote of 8-0.

Location
Northeast corner of Oak and 7th Streets
Council District: 4
Parcel Addresses: 2302, 2320, and 2330 N. 7th St.; and 375 E. Sheridan St.

This item was adopted.

59 **Amend City Code - Ordinance Adoption - Rezoning Application Z-64-19-4 - Approximately 238 Feet West of the Southwest Corner of 3rd Street and Thomas Road (Ordinance G-6813)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-64-19-4 and rezone the site from P-2 TOD-1 (Parking, Interim Transit Oriented Zoning Overlay District One) to PUD (Planned Unit Development) for Planned Unit Development to allow a self-service storage facility, household moving center, car sharing, and all uses permitted in Walkable Urban Code Transect 5:7 District (commercial and residential).

Summary
Current Zoning: P-2 TOD-1 (Parking, Interim Transit Oriented Zoning Overlay District One)
Proposed Zoning: PUD (Planned Unit Development)
Acreage: 0.94 acres
Proposed Use: Self-service storage facility, household moving center, car sharing, and all uses permitted in Walkable Urban Code Transect 5:7 District (commercial and residential).

Owner: Amerco Real Estate Company

Applicant: Parul Butala, Amerco Real Estate
Representative: Parul Butala, Amerco Real Estate

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Encanto Village Planning Committee heard this case on Jan. 11, 2021 and recommended approval, per the staff recommendation with a modification, by a vote of 7-6.
PC Action: The Planning Commission heard this case on Feb. 4, 2021 and recommended approval, per the Encanto Village Planning Committee recommendation with a modified and additional stipulation, by a vote of 7-0.

Location
Approximately 238 feet west of the southwest corner of 3rd Street and Thomas Road
Council District: 4
Parcel Addresses: 67, 69, and 71 E. Thomas Road

This item was adopted.

60 **Amend City Code - Ordinance Adoption - Rezoning Application Z-54-20-6 - Southeast Corner of 44th Street and Devonshire Avenue (Ordinance G-6814)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-54-20-6 and rezone the site from R-O (Residential Office - Restricted Commercial District) to R-O HP (Residential Office - Restricted Commercial District, Historic Preservation) for a Historic Preservation Overlay for Avery (Frank and Emma) House.

Summary
Current Zoning: R-O (Residential Office - Restricted Commercial District)
Proposed Zoning: R-O HP (Residential Office - Restricted Commercial District, Historic Preservation)
Acreage: 0.58 acres
Proposal: Historic Preservation Overlay for Avery (Frank and Emma) House

Owner: Rafterhouse Holdings, LLC
Applicant: City of Phoenix, Historic Preservation Commission

Representative: Helana Ruter, Planning and Development Department

Staff Recommendation: Approval.
HPC Action: The Historic Preservation Commission heard this case on Dec. 21, 2020, and recommended approval, by a vote of 9-0.
VPC Action: The Camelback East Village Planning Committee heard this case on Jan. 5, 2021, and recommended approval, per the staff recommendation, by a vote of 17-0.
PC Action: The Planning Commission heard this case on Feb. 4, 2021, and recommended approval, per the Historic Preservation Commission and Camelback East Village Planning Committee recommendations, by a vote of 8-0.

Location
Southeast corner of 44th Street and Devonshire Avenue
Council District: 6
Parcel Address: 4203 N. 44th St.

This item was adopted.

61 **Amend City Code - Ordinance Adoption - Rezoning Application Z-59-20-6 - Approximately 130 Feet West of the Southwest Corner of 16th Street and Bethany Home Road (Ordinance G-6815)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-59-20-6 and rezone the site from PSC (Planned Shopping Center) to C-2 (Intermediate Commercial District) to allow C-2 commercial uses.

Summary
Current Zoning: PSC (Planned Shopping Center)
Proposed Zoning: C-2 (Intermediate Commercial District)
Acreage: 8.80 acres
Proposal: Rezone to C-2 for commercial uses

Owner: James Shough, 16 Bethany Station, LLC
Applicant: Bill Allison, Withey Morris, PLC
Representative: Bill Allison, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Camelback East Village Planning Committee heard this case on Jan. 5, 2021 and recommended approval, per the staff recommendation with modifications and an additional stipulation by a vote of 18-0.
PC Action: The Planning Commission heard this case on Feb. 4, 2021 and recommended approval, per the Camelback East Village Planning Committee recommendation with an additional stipulation by a vote of 8-0.

Location
Approximately 130 feet west of the southwest corner of 16th Street and Bethany Home Road
Council District: 6
Parcel Address: 1503, 1515, 1517 and 1525 E. Bethany Home Road; and 5808, 5810, 5812 and 5826 N. 16th St.

This item was adopted.

62 **Amend City Code - Ordinance Adoption - Rezoning Application Z-9-20-6 (Willowick PUD) - Southwest Corner of 16th and Colter Streets (Ordinance G-6816)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-9-20-6 and rezone the site from C-O (Commercial Office - Restricted Commercial District) to PUD (Planned Unit development) to allow multifamily, retail, and office uses.

Summary
Current Zoning: C-O (Commercial Office - Restricted Commercial District)
Proposed Zoning: PUD (Planned Unit Development)
Acreage: 3.45 acres
Proposal: Rezone to PUD to allow multifamily, retail, and office

Owner: Willowick Square Owner, LLC
Applicant: Stephen W. Anderson, Gammage and Burnham
Representative: Stephen W. Anderson, Gammage and Burnham

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Camelback East Village Planning Committee heard this case on Jan. 5, 2021, and recommended approval, per the staff recommendation, by a vote of 18-0.
PC Action: The Planning Commission heard this case on Feb. 4, 2021, and recommended approval, per the Camelback East Village Planning Committee recommendation with an additional stipulation, by a vote of 8-0.

Location
Southwest corner of 16th and Colter Streets
Council District: 6
Parcel Address: 5150 N. 16th St.

This item was adopted.

63 **Amend City Code - Ordinance Adoption - Rezoning Application Z-5-20-7 - Southwest Corner of 32nd Drive and Jackson Street (Ordinance G-6817)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-5-20-7 and rezone the site from A-1 SP (Light Industrial, Special Permit) to A-1(Light Industrial) to allow A-1 for light industrial uses (dispatch office and heavy truck parking).

Summary
Current Zoning: A-1 SP (Light Industrial, Special Permit)
Proposed Zoning: A-1(Light Industrial)
Acreage: 3.66 acres
Proposal: Rezone to A-1 for light industrial uses (dispatch office and heavy truck parking)

Owner: MAT Transport, Inc.
Applicant: Milos Minic, Integrated Design
Representative: Milos Minic, Integrated Design

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Estrella Village Planning Committee heard this case on Jan. 19, 2021, and recommended approval, per the Addendum A Staff Report, by a vote of 6-0.
PC Action: The Planning Commission heard this case on Feb. 4, 2021,

and recommended approval, per the Estrella Village Planning Committee recommendation, with an additional stipulation, by a vote of 8-0.

Location
Southwest corner of 32nd Drive and Jackson Street
Council District: 7
Parcel Address: 3333 W. Jackson St.

This item was adopted.

67 **Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-56-20-4 - Southeast Corner of 3rd Avenue and Coolidge Street (Ordinance G-6818)**

Request to hold a public hearing on a proposal to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-56-20-4 and rezone the site from R-3 (Multifamily Residence District) and R-5 (Multifamily Residence District) to WU Code T5:5 UT (Walkable Urban Code, Transect 5:5 District, Transit Uptown Character Area) for multifamily residential.

Summary
Current Zoning: R-3 (Multifamily Residence District) (0.18-acres) and R-5 (Multifamily Residence District) (3.11 acres)
Proposed Zoning: WU Code T5:5 UT (Walkable Urban Code, Transect 5:5 District, Transit Uptown Character Area)
Acreage: 3.29 acres
Proposed Use: Multifamily residential

Owner: Donor Network of Arizona
Applicant: Trinsic Residential Group, Todd Gosselink
Representative: Withey Morris, PLC, Jason Morris

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Alhambra Village Planning Committee heard this case on Jan. 26, 2021 and recommended approval, per the staff recommendation, by a vote of 15-1.
PC Action: The Planning Commission heard this case on Feb. 4, 2021 and recommended approval, per the Alhambra Village Planning Committee recommendation with an additional stipulation, by a vote of 7-1.

The Planning Commission recommendation was appealed on Feb. 10, 2021 and a petition for a 3/4 vote was submitted on Feb. 11, 2021. **A 3/4 vote is required.**

Location
Southeast corner of 3rd Avenue and Coolidge Street
Council District: 4
Parcel Addresses: 201 W. Coolidge St.

This item was continued to the March 17, 2021 City Council Formal Meeting.

27 **Federal Legislative Representation and Consulting Services - EXC 20-095A (Ordinance S-47342)**

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 153512 with HROD, Inc doing business as Murray, Montgomery & O'Donnell, for the purchase of federal representation and consulting services for the Phoenix Office of Government Relations (OGR). Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $160,000.

Summary
This consultant will assist OGR and other City departments with identifying grant opportunities and to successfully pursue funding that supports City services. The consultant will represent the City face-to-face with elected officials and agencies that make decisions about federal funding that directly affects crucial City programs and services in areas including, but not limited to, water and environment, community development, transportation and public safety. Identifying grant funding is particularly important when faced with unforeseen emergency situations, such as COVID-19, which impacts the City's effort to maintain continuity of services for City residents and businesses. Funds were initially approved for the first year of the contract and this request will authorize expenditures for the remaining optional extension period allowed under the agreement.

Contract Term
The contract term is April 15, 2020 through April 14, 2023.

Financial Impact

Upon approval of $160,000 in additional funds, the revised aggregate value of the contract will not exceed $240,000. Funds are available in the Office of Government Relations' budget.

Concurrence/Previous Council Action

This contract was originally approved by City Council on April 15, 2020.

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

Yes:	7 -	Councilmember Garcia, Councilwoman Guardado, Councilman Nowakowski, Councilwoman Pastor, Councilwoman Stark, Vice Mayor Williams and Mayor Gallego
No:	2 -	Councilman DiCiccio and Councilman Waring

29 Audio/Visual Services for City Meetings - IFB 16-022 (Ordinance S-47352)

Request to authorize the City Manager, or his designee, to extend and allow additional expenditures and continue using Ordinance S-42375 under Contract 142347 with Skyline Productions, Inc. for the purchase of audio-visual services for the Communications Office. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $32,000.

Summary

This contract provides on-site audio and visual (A/V) services on an as-needed basis for the Communications Office at citywide public meetings, and board and commission hearings. City Council and/or Subcommittee meetings are held weekly and are currently open to the public through Cisco WebEx, live streamed on phoenix.gov and broadcast to PHXTV to allow accessibility and transparency of the City's public meetings. The public address audio is transmitted to WebEx and to PHXTV studios for the television broadcast and for live or archived viewing online at phoenix.gov. Additionally, visual presentations such as PowerPoints and digital files are used at meetings to supplement

discussion. Skyline Productions, Inc. tests the A/V configurations prior to the meeting start, ensures the devices and components are working properly, and makes necessary adjustments to the A/V systems throughout the meetings. The extension would ensure no lapse in coverage as these services are needed to maintain the overall accessibility and transparency of city meetings, held virtually during the on-going COVID-19 pandemic.

Contract Term
Upon approval, the contract term will be extended through March 22, 2022.

Financial Impact
Upon approval of $32,000.00 in additional funds, the revised aggregate value of the contract will not exceed $332,000. Any remaining funds authorized by previous Council action will be applied to the extended contract term. Funds are available in the Communications Office's budget.

Concurrence/Previous Council Action
This contract was originally approved by City Council on March 23, 2016.

Discussion
Mario Barajas provided Spanish translation for Rebecca Denis who was neutral on Item 29. She advocated for continuing a digital way of listening to meetings, and mentioned it was difficult for members of the public who did not speak English to participate in these meetings. She asked for instructions on how to participate in these meetings to be in Spanish, and added she would like to try including a better way to connect with the community that only knew one language. She requested Council work harder to address not just the language issue but also for those who were hearing impaired, and said she wanted the City to make participating in these meetings easier for the public.

Councilman DiCiccio commented Mr. Barajas was a great Spanish interpreter, and asked for clarification that interpretations were being performed in real-time while speaking and in writing.

City Clerk Denise Archibald clarified there was a function on the City's website that translated most pages based on the language the user picked. She mentioned there were several languages offered including Spanish.

Councilman DiCiccio inquired about the ability for Ms. Denis and other members of the community who spoke Spanish to follow along with meetings, and questioned if translations were done in real-time.

Ms. Archibald replied yes.

Councilwoman Guardado asked for clarification about the ability for the instructions on how to participate in these meetings to be translated to Spanish.

Ms. Archibald clarified when eComments were implemented for City Council Formal meetings, an instructional video was provided in both English and Spanish. She mentioned there were several types of material including written, video and simultaneous translation for Spanish speakers, and added requests could be made ahead of time for other languages that could be provided with live translation. She asked if Ms. Denis was requesting something specific that could be worked on.

Ms. Denis mentioned she knew several community members had issues trying to sign up to speak, and commented the issue was that everything initially was in English. She said her concern was with the email she received letting her know she was registered to speak, because that email message was written in English and if someone only spoke Spanish, they may not understand what that email message said. She stated the Spanish interpretation was not an issue, and noted it was the accessibility and navigation that needed improvement. She talked about how clarification may be needed for Spanish speakers to be able to speak through WebEx, and said a lot of Spanish speakers believed their only option to speak was over the phone. She concluded small logistical changes could help, and added the WebEx format was great, but the City could work harder to make the meetings more accessible.

Councilwoman Guardado recommended the City record a step-by-step video of how to log in and register for meetings be available for constituents, and noted even those who speak English may have a difficult time with they system.

Mayor Gallego stated that was a great suggestion and made sense for those who register to speak in Spanish.

Prior to his vote, Councilmember Garcia mentioned his office provided Council reports in Spanish and noted his office was willing to work with staff to share those reports.

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

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

No: 0

36 Substitute Ground Lease with American Greyhound Racing (Ordinance S-47363)

Request to authorize the City Manager, or his designee, to enter into a substitute ground lease with American Greyhound Racing, Inc. (Greyhound) at Phoenix Sky Harbor International Airport.

Summary

Greyhound leases the greyhound racetrack located at 3801 E. Washington St. Greyhound currently uses the location for a community swap meet market. Greyhound has requested a five-year lease extension for their current lease. The current lease has undergone numerous amendments resulting in changes to the boundaries of the original leased premises. This substitute lease will replace the current lease and clarify the description of the lease premises.

Contract Term

The term of the lease will be five years and will contain one option to extend the term on a month-to-month basis for up to two years. The

option may be exercised at the sole discretion of the Aviation Director.

Financial Impact

Rent for the first year of the lease will be approximately $954,240 ($0.78 per-square-foot), plus applicable taxes. Rent will be adjusted annually thereafter according to the Phoenix-Mesa-Scottsdale Consumer Price Index. Total anticipated revenue over the five-year term will be approximately $4,771,200.

Concurrence/Previous Council Action

The Phoenix Aviation Advisory Board recommended this item for approval on Nov. 19, 2020, by a vote of 9-0.

The Transportation, Infrastructure and Innovation Subcommittee recommended this item for approval on Dec. 2, 2020, by a vote of 4-0.

Location

3801 E. Washington St.
Council District: 8

Discussion

Vice Mayor Williams made a motion to adopt Item 36.

Councilmember Garcia seconded the motion.

Mark Rodriguez spoke in favor.

Kristin Gubser spoke neutrally, and mentioned she was Associate Vice President of Workforce Strategies and External Affairs at Gateway Community College. She stated the College had partnered with the Greyhound Racing tenants, and mentioned this brought a significant increase in pedestrian activity to the area. She talked about a regional mapping and market analysis that was conducted in 2010 by the Discovery Triangle Development corporation, and said one of the outcomes of this was the need to address the food desert that existed in the 25 square-mile footprint where the College was in the center. She discussed how Fresh Express was the response to this prior to the COVID-19 pandemic, and commented although the pandemic had changed things, one thing that did not change was the goal of promoting

the assets and celebrate the history and diversity of this area. She said the College had a desire to do more on this site by including more green space, shade and walkability between the two site that would benefit students and the community. She discussed how this would provide more dining options in the area, and noted in the long term they would continue to expand their footprint in the community along with workforce development training programs. She stated she looked forward to a continued partnership with the City for opportunities for students, residents and professionals.

Mayor Gallego thanked Ms. Gubser for being great partners, and commented this would give the City a little flexibility to move towards that vision.

Aaron Feinberg spoke in support, and said he served as the General Manager of Phoenix Park and Swap. He thanked staff for their dedication and effort to work with them on extending this opportunity for small business on the lease. He mentioned there were over 500 minority owned businesses that have operated in this area over the past 60 years, and talked about working to get their business back up and running after the first two months of the COVID-19 pandemic in March and April 2020. He discussed how Phoenix Park and Swap provided a positive economic impact to the City, Maricopa County and Arizona, and added they worked with sublet vendors and internally to offer healthy food options with the commitment to making the premise more pleasing. He concluded they were committed to the partnership with the City over the past 14 years because it was beneficial, and added the lease for five years was the right move for their business and for the City to make plans for the future.

Mayor Gallego commented she was excited the new lease would allow the City to do more on Washington Street and further the goals of the Airport Master Plan.

Councilmember Garcia asked Mr. Feinberg if this five-year lease would allow them to make investments, and inquired about what he had seen from people in response to the COVID-19 pandemic with the improvements that have been made to the facility.

Mr. Feinberg replied in order to have a sustainable return on their investment on the expenditures, they needed to keep the premises in acceptable condition. He talked about the beautification along Washington Street with healthy food options, and mentioned there was a bit of upkeep and additional costs they would have to bear to continue making the facility better. He noted the bathrooms and roof needed repairs, and added the return on their investment would be there through this term. He mentioned vendors who used personal protective equipment to protect workers from COVID-19 during their operation, and stated the past week had over 26,000 people come through their gates during their three days of operation.

Councilmember Garcia said he agreed with Mr. Feinberg, and he hoped with Gateway Community College and other partners there could be support on Washington Street and growth in the area. He stated he hoped to continue the work with Mr. Feinberg, and thanked Gateway Community College and staff for coming together with this agreement.

Councilwoman Pastor commented she was glad the discussion of the value of this area at the Greyhound Park was known as a destination that had rich history. She talked about her experiences working with her family in this area at the park, and said she enjoyed this destination to show the cultural aspects of the city today. She commented all major cities have areas where flea marks, swap meets and street markets are held, and added recognizing this park as a cultural destination in Phoenix was necessary and needed.

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

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

Discussion

Mayor Gallego asked for Items 37-39 to be heard together as they were all

related to the Aviation Department and grants.

Councilwoman Pastor said her concern was about giving Sky Harbor Airport approval to apply for grants without Council oversight, and mentioned no other City department was entitled to this practice. She stated she supported staff in keeping resources to support Sky Harbor Airport activity, and added she wanted to be sure that Council remained informed on funding opportunities. She made a motion that Items 37-39 be adopted with direction staff be required to notify Council with an email notification a minimum of seven days prior to submitting a grant request.

Vice Mayor Williams seconded the motion.

A motion was made by Councilwoman Pastor, seconded by Vice Mayor Williams, that Items 37-39 be adopted with direction staff be required to notify Council with an email notification a minimum of seven days prior to submitting a grant request. The motion carried by the following vote:

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

No: 0

37 **Authorization to Apply for Federal Grant Funds for Aviation-Related Projects (Ordinance S-47359)**

Request to authorize the City Manager, or his designee, to submit applications for grants to the United States and any of its agencies on behalf of the City of Phoenix Airport System for aviation-related projects. Further request to authorize the City Manager, or his designee, to sign all certifications required for the grants, to enter into agreements with the United States and any of its agencies for the purpose of accepting federal money, and to amend existing grant agreements. The grant agreements may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Additionally request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

Each year, the Aviation Department submits grant applications to the

United States and its agencies for eligible aviation-related projects. The Aviation Department takes a proactive position in obtaining City Council authorization to accept any grants awarded by the United States and its agencies for eligible aviation-related projects.

These authorizations will allow the Aviation Department to respond promptly to federal agencies if and when grant offers become available on short notice. The grant agreements or grant amendments or both may become available from the Department of Transportation, including the FAA Airport Improvement Program, Department of Homeland Security, or any other federal program. Action associated with these authorizations will be for projects in the Aviation Department's approved Capital Improvement Plan.

Contract Term
These authorizations are effective until June 30, 2022.

Location
Citywide

This item was adopted with additional direction to staff.

38 **Authorization to Apply for Federal Non-Grant Funds for Aviation-Related Projects (Ordinance S-47360)**

Request to authorize the City Manager, or his designee, to submit applications for non-grant funds to the United States and any of its agencies on behalf of the City of Phoenix Airport System for aviation-related projects. Further request to authorize the City Manager, or his designee, to sign all certifications required for the non-grant agreements, enter into agreements with the United States and any of its agencies for the purpose of accepting federal non-grant funds, and to amend existing agreements. The agreements and amendments may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Additionally request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary
These authorizations will allow the Aviation Department to respond promptly to federal agencies if and when non-grant funds become

available on short notice. The transaction agreements or amendments may become available from the Department of Homeland Security or any other federal program. The Aviation Department takes a proactive position in obtaining City Council authorization to accept any non-grant funds awarded by the United States for eligible aviation-related projects.

Contract Term
These authorizations are effective until June 30, 2022.

Location
Citywide

This item was adopted with additional direction to staff.

39 **Authorization to Apply for State Grant Funds for Aviation-Related Projects (Ordinance S-47361)**

Request to authorize the City Manager, or his designee, to submit applications for grants to the Arizona Department of Transportation (ADOT) on behalf of the City of Phoenix Airport System for aviation-related projects. Further request to authorize the City Manager, or his designee, to enter into grant agreements with ADOT, amend existing grant agreements with ADOT, and take any administrative action related to the grant agreements that the City Manager or his designee deems necessary or appropriate. The grant agreements and amendments may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Additionally request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary
Each year, the Aviation Department submits grant applications to ADOT for eligible projects, including those related to maintenance, safety, capacity enhancement, environmental studies or planning, and land acquisition. The Aviation Department takes a proactive position in obtaining City Council authorization to accept any grants awarded by ADOT for eligible aviation-related projects.

Under the grant agreements, the State requires the City to indemnify and hold harmless the State and any of its departments, agencies, officers, and employees from any and all liability, loss, or damage the State may

suffer as a result of claims, demands, costs, or judgments of any character arising out of the City's or its independent contractor's performance or non-performance in carrying out any provision of the grant agreements. If any legal action is brought, the indemnification also includes court costs, expenses of litigation, and reasonable attorney's fees. Further, the State will not assume any liability to third persons and will not reimburse the City for the City's liability to third persons resulting from the performance of the grant agreements or any subcontract thereunder.

Contract Term
These authorizations are effective until June 30, 2022.

Location
Citywide

This item was adopted with additional direction to staff.

44 **Telecommunications Services and Interstate Telecommunications Services License with XO Communication Services, LLC (Ordinance S-47333)**

Request to authorize the City Manager, or his designee, to execute a nonexclusive, revocable license with XO Communication Services, LLC to construct, install, operate, maintain and use the public highways in the City of Phoenix in order to provide telecommunications services and interstate telecommunications services in, under, over, and across public rights-of-way in the City, subject to the terms and conditions contained in the license and Phoenix City Code. Further request the Licensee sign the license within 60 days of Council action, or this authorization will expire. There is no financial impact to the City for this license.

Summary
XO Communications Services, LLC has a Telecommunications Services and Interstate Telecommunications Services License with the City. XO Communications Services, LLC has requested to enter into a new license. The new license will be for a period of five years with an option for a one-time renewal, and will contain appropriate insurance and indemnification provisions, require a performance bond and a security fund, provide for terms of transfer and revocation, and provide for

compensation for the commercial use of public rights-of-way while permitting the City to manage the rights-of-way.

Contract Term
The license is for a five-year Telecommunications Services and Interstate Telecommunications Services License with an option for a one-time renewal and will begin within 60 days of Council approval.

Financial Impact
Licensee will pay an annual fee to the City based on a calculated formula using linear footage and the Consumer Price Index.

Concurrence/Previous Council Action
The City Council approved License 141499 on Aug. 31, 2015 (Ordinance S-41800).

Discussion
Vice Mayor Williams made a motion to adopt Item 44.

Councilwoman Stark seconded the motion.

Sharlena Topolski spoke in opposition, and mentioned she was a member of Arizonan's for Safe Technology. She talked about the problems of 5G technology, and said this technology was harmful to health. She commented the towers would affect property values, and added her main concern was that Phoenix residents did not have any way of protecting their privacy or their right to public health and safety from these towers. She asked Council to look into these issues, and mentioned she was not opposed to technology, but for it to be used in ways that would be less damaging.

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

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

No: 0

64 **Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-13-20-8 - Northwest Corner of State Route 143 and Washington Street (Ordinance G-6819)**

Request to hold a public hearing on a proposal to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-13-20-8 and rezone the site from A-2 TOD-1 (Industrial District, Interim Transit-Oriented Zoning Overlay District One) to A-2 (Industrial District) to remove the TOD-1 overlay and allow industrial uses. This is a companion case to Z-TA-6-20-8 and should be heard first.

Summary

Current Zoning: A-2 TOD-1 (Industrial District, Interim Transit-Oriented Zoning Overlay District One)
Proposed Zoning: A-2 (Industrial District)
Acreage: 1.75 acres
Proposal: Removal of the TOD-1 overlay and allow industrial uses

Owner: Werner L.Schlecht Trust
Applicant: William E. Lally, Tiffany & Bosco, PA
Representative: William E. Lally, Tiffany & Bosco, PA

Staff Recommendation: Denial. In the event of an approval action, mitigating stipulations are recommended.
VPC Action: The Camelback East Village Planning Committee heard this case on Jan. 5, 2021, and recommended approval, per the staff recommended stipulations, by a vote of 17-0.
PC Action: The Planning Commission heard this case on Feb. 4, 2021, and recommended approval per the Camelback East Village Planning Committee recommendation, by a vote of 8-0.

Location

Northwest corner of State Route 143 and Washington Street
Council District: 8
Parcel Address: 4632 E. Washington St.

Discussion

Mayor Gallego stated Items 64 and 65 would be heard together because they were related, and declared the public hearing open.

After mentioning the applicant was the only registered speaker and was available for questions, Mayor Gallego declared the public hearing closed.

The hearing was held. A motion was made by Councilmember Garcia, seconded by Councilwoman Pastor, that this item be approved per the Feb. 4, 2021 Planning Commission recommendation, with adoption of the related ordinance. The motion carried by the following vote:

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

No: 0

65 **Public Hearing and Ordinance Adoption - Amend City Code - Text Amendment Application Z-TA-6-20-9 (Ordinance G-6820)**

Request to hold a public hearing on a proposal to amend the Phoenix Zoning Ordinance, Text Amendment Z-TA-6-20-8, amending Section 662.B. (Applicability) to replace Supplementary Zoning Map 1086 with a new map that removes the property at the northwest corner of State Route 143 and Washington Street from the TOD-1 Zoning Overlay. This is a companion case to Z-13-20-8 and should be heard second.

Summary

The intent of this proposed text amendment is to revise the applicability section for the TOD-1 District to modify the reference to a specific Supplementary Zoning Map so that the TOD-1 can be amended by subsequent ordinances.

Concurrence/Previous Council Action

Staff recommends denial.

The Camelback East Village Planning Committee heard this item on Jan. 5, 2021 and recommended approval, by a vote of 16-1.

The Planning Commission heard the item on Feb. 4, 2021 and recommended approval, per the Camelback East Village Planning Committee recommendation, by a vote of 8-0.

Location
Northwest corner of State Route 143 and Washington Street
Council District: 8
Parcel Addresses: 4632 E. Washington St.

Note: For discussion on Item 65, refer to discussion on Item 64.

The hearing was held. A motion was made by Councilmember Garcia, seconded by Councilwoman Stark, that this item be approved as revised per the Feb. 4, 2021 Planning Commission recommendation, with adoption of the related ordinance. The motion carried by the following vote:

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

No: 0

66 **Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-53-20-1 - Northeast Corner of 31st Avenue and Pinnacle Vista Drive (Ordinance G-6821)**

Request to hold a public hearing on the request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-53-20-1 and rezone the site from S-1 (Ranch or Farm Residence District) to R1-8 (Single-Family Residence District) for single-family residential use.

Summary
Current Zoning: S-1
Proposed Zoning: R1-8
Acreage: 15.52 acres
Proposed Use: Single-family residential

Owner: Funk Family Enterprises, LLC, et al
Applicant: Chuck Chisholm, K. Hovnanian Homes
Representative: Julie Vermillion, CVL Consultants, Inc.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Deer Valley Village Planning Committee heard the case

on Dec. 17, 2020 and recommended a continuance, by a vote of 5-3. The Deer Valley Village Planning Committee heard the case again on Jan. 14, 2021 and recommended approval, per the staff recommendation with the deletion of a stipulation, by a vote of 11-2. PC Action: The Planning Commission heard the case on Feb. 4 , 2021 and recommended approval, per the Deer Valley Village Planning Committee recommendation with an additional stipulation, by a vote of 7-0.

The Planning Commission recommendation was appealed and a petition for a 3/4 vote was submitted on Feb. 11, 2021. A 3/4 vote is not required.

Location

On the northeast corner of 31st Avenue and Pinnacle Vista Drive
Parcel Addresses: 27652 N. Black Canyon Highway
Council District: 1

Discussion

Planning and Development Director Alan Stephenson displayed the area of this rezoning case and showed this request would change the zoning from S-1 to R-18. He stated the site was adjacent to Interstate 17, and was north of the Happy Valley Road interchange and the Pinnacle Vista Drive alignment. He talked about the types of residential areas surrounding the site, and said the General Plan designated this area as two to five units-per-acre for future development purposes. He discussed how the applicant had brought forth revisions to address community concerns about access to 31st Avenue and traffic, and noted the revised site plan would go from 61 lots to 57 lots and would take all access off of 31st drive and access off Interstate 17 as well as Pinnacle Vista Drive. He stated the majority of traffic would go down south on the Interstate 17 frontage road to Happy Valley Drive, and added staff recommended approval subject to 17 stipulations. He cited the Deer Valley Village Planning Committee recommended approval by a vote of 11-2, and the Planning Commission recommended approval per the Deer Valley Village Planning Committee by a 7-0 vote.

Thomas Galvin spoke in support on behalf of the applicant, and mentioned he was with the Rose Law Group. He commented this application has significantly changed and had an improved site plan as a direct result of interacting with members of the community. He mentioned

this site was 15 acres and was vacant, and talked about how the site being bounded by an Arizona Public Service Transmission Corridor posed several challenges. He said they received support letters after considerable neighborhood outreach, including from neighbors who lived around the property. He commented there was a mix of zoning approved over the years directly adjacent to the site, and said the S-1 zoning had been placeholders due to the mix and growth of Phoenix that has occurred over the last 20 years. He mentioned this request complied with the General Plan, and said they were proposing 3.8 dwelling units-per-acre. He displayed how the original site plan was presented, and what had changed significantly in certain areas. He said after meeting with neighbors in October 2020, they added a 33-foot open space due to a federal easement issue, and discussed how the two neighbors agreed to not build a road from 31st Avenue to the frontage road. He noted this proposal would have that 33-foot open space buffer that was approved by the neighbors along with a 10-foot wide horse trail. He talked about the access coming directly from the frontage road, and added there would be no more access from 31st Avenue that the neighbors were pleased with, along with access from Pinnacle Vista Drive would now be on the eastern edge of the parcel. Mr. Galvin stated weekend short-term rentals would be prohibited, and asked Council to be in conjunction with the Planning Commission recommendation to remove Stipulation 9.

Cheryl Colin spoke in opposition, and mentioned she lived one street north of this project. She stated she would speak on behalf of residents who could not attend the meeting, and added their complaint was the number of houses the developer wanted to build in this neighborhood. She said this was a small area, and she commented she was concerned with the three access points to get into the property. She compared this project to other subdivisions, and mentioned these projects had homes built at three or less per acre, not four homes or more. She stated she wanted the zoning to remain as S-1, and added she wanted to work with the developer to change the zoning to allow two houses-per-acre. She said she talked with neighbors who would be willing to allow three homes-per-acre just to get it developed and to look nice, and added this could reduce traffic. She suggested the developer only worked with four of the neighbors, and talked about how people who rode horses in the area did not want to deal with traffic. She listed her main concerns were

with overcrowding, traffic, rental, and turning these homes into halfway houses. She concluded many of the neighbors would agree to three houses-per-acre if the applicant was willing to keep it at that.

Mayor Gallego declared the public hearing closed.

Vice Mayor Williams stated this area had been zoned as S-1 for decades, and added growth had been moving north of Interstate 17. She commented this was a worthy project, and made a motion that this item be approved per the Feb. 4, 2021 Planning Commission recommendation with an addition of Stipulation 18 that reads, "The development shall be in general conformance with the site plan dated Dec. 15, 2020, with specific regard to no vehicular exits on 31st Avenue as approved by the Planning and Development Department.", with adoption of the related ordinance. She mentioned this would push the traffic onto Interstate 17 and off of 31st Drive.

Councilwoman Stark seconded the motion.

The hearing was held. A motion was made by Vice Mayor Williams, seconded by Councilwoman Stark, that this item be approved per the Feb. 4, 2021 Planning Commission recommendation with an addition of Stipulation 18 that reads, "The development shall be in general conformance with the site plan dated Dec. 15, 2020, with specific regard to no vehicular access on 31st Avenue as approved by the Planning and Development Department.", with adoption of the related ordinance. The motion carried by the following vote:

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

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

None.

000 CITIZEN COMMENTS

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 3:27 p.m.

MAYOR

ATTEST:

CITY CLERK

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CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the formal session of the City Council of the City of Phoenix held on the 3rd day of March, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 3rd day of January, 2024.

CITY CLERK